

<b>COMPANY NAME:</b>	ONDERSTEPOORT BIOLOGICAL PRODUCTS
<b>TENDER DESCRIPTION:</b>	REQUEST FOR PROPOSAL: ERP NAVISION SOFTWARE UPGRADE TO MICROSOFT DYNAMIC 365 BUSINESS CENTRAL AT ONDERSTEPOORT BIOLOGICAL PRODUCTS SOC LTD FOR A PERIOD OF 3 YEARS
<b>COMPULSORY BRIEFING SESSION:</b>	<b>NONE</b>
<b>CLOSING DATE:</b>	<b>12 March 2023</b>
<b>CLOSING TIME:</b>	<b>13H00</b>
<b>RESPONSES MUST BE HAND DELIVERED/COURIERED TO:</b>	ONDERSTEPOORT BIOLOGICAL PRODUCTS SOC LTD 100 OLD SOUTPAN ROAD, ONDERSTEPOORT PRETORIA  NO FAXED OR E-MAILED BIDS WILL BE CONSIDERED
<b>ATTENTION:</b>	THE SUPPLY CHAIN MANAGER
N.B. ALL TENDERERS MUST ENSURE THAT THEY SIGN THE TENDER SUBMISSION REGISTER THAT WILL BE KEPT AT THE RECEPTION AREA AT OBP UPON SUBMISSION OF THEIR BID	

## TENDERING STRUCTURE

<b>Indicate the type of Bidding Structure by marking with an 'X':</b>	
Individual Bidder	
Joint Venture	
Consortium	
Using sub-contractors	
Other	

<b>If individual bidder, indicate the following:</b>	
Name of bidder	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	

<b>If Joint Venture/Consortium, indicate the following:</b>	
Name of prime contractor	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	

<b>If Joint Venture/Consortium, indicate the following: (To be completed for each JV/Consortium Member)</b>	
Name of Joint Venture/Consortium	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	
Telephone Number	
Fax Number	
E-mail address	
Postal Address	
Physical Address	
<b>If using subcontractors, indicate the following:</b>	
Name of prime contractor	
Registration Number	
VAT Registration Number (If applicable)	
Contact Person	

Telephone Number	
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## ABREVIATIONS

- BBBEE Broad Based Black Economic Empowerment
- OBP Onderstepoort Biological Products
- RFB Request for Bid
- ID Identification Document
- AO/AA Accounting Officer/ Accounting Authority
- DALRRD Department of Agriculture, Land Reform and Rural Development
- SARB Service Approval review Board
- VAT Value Added Tax
- SABS South African Bureau of Standards
- NPA National Prosecuting Authority
- SBD Standard Bidding Document
- SHE Safety Health and Environment
- EMO Environmental Management Office
- OSH Occupational Safety and Health
- NEM National Environment Management
- EMU Engineering Maintenance unit
- CU Clinical Unit
- UP University of Pretoria Onderstepoort Faculty
- COID Compensation for Occupational Injuries and Diseases
- CSD Central Supplier Data Base (National Treasury)
- ERP Enterprise Resource Planning

### Kindly Note that:

1. **Should all of these documents not be included, the bidder will be disqualified on the basis of non-compliance.**
2. **The same documents must be submitted for all other companies that are involved in the tender in case of a consortium.**

**Checklist of compulsory documents to be submitted - Please tick in the relevant block below**

YES	NO	Compulsory Documents
		One original tender document and <b>3</b> copies
		Proof that the service provider is registered with CSD and must be tax compliant.
		List (see template under section 3) and letters of references for past and present clients (Company Name, contact person, Telephone Number, e-mail address and website address) must be on the client of the company letter head
		Company profile
		COID letter of good standing
		The bidder must be accredited or licensed by Microsoft to supply, implement, and support the Microsoft Dynamics 365 Business Central ERP system.  The bidder must submit documentary proof from Microsoft that the bidder is a Gold accredited or licensed product supplier of the Microsoft Dynamics 365 Business Central ERP system
		Microsoft independent software vendor (ISV) (Attach proof)
		Insurance indemnity cover for any loss that OBP might incur if the project, system fails and/ or information is lost. Proof of cover R5 000 000.00 or more

**Signed:**

**Name in Print:**

\_\_\_\_\_

\_\_\_\_\_

**Capacity:**

**Date:**

\_\_\_\_\_

\_\_\_\_\_

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## 1. **CONDITIONS AND UNDERTAKINGS BY TENDERER**

- 1.1 **The Tender forms should not be retyped or redrafted, but photocopies may be prepared and used.** However, only documents with the original signature in black ink shall be accepted.
  - 1.1.1 Black ink should be used when completing Bid documents.
  - 1.1.2 Bidders should check the numbers of the pages to satisfy themselves that none is missing or duplicated. OBP will accept NO liability in regard to anything arising from the fact that pages are missing or duplicated.
- 1.2 I/We hereby tender to supply all or any of the supplies and/or to procure all or any of the services described in the attached documents to OBP on the terms and conditions and in accordance with the specifications stipulated in the Tender documents (and which shall be taken as part of, and incorporated into, this Tender) at the prices inserted therein.
- 1.3 I/We agree that -
  - 1.3.1 The offer herein shall remain binding upon me/us and open for acceptance by OBP during the validity period indicated and calculated from the closing hour and date of the Tender.
  - 1.3.2 the laws of the Republic of South Africa shall govern the contract created by the acceptance of my/our Tender and that I/we choose domicilium citandi et executandi in the Republic as indicated below; and
- 1.4 I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our Tender that the price(s) and rate(s) quoted cover all the work/item(s) specified in the Tender documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
- 1.5 I/We hereby accept full responsibility for the proper execution and fulfillment of all obligations and conditions devolving on me/us under this Tender as the Principal(s) liable for the due fulfillment of this contract.

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Signature(s) of Tenderer or assignee(s) Date

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Name of signing person (in block letters)

---

Capacity

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Are you duly authorized to sign this Tenderer?

---

Name of Tenderer [company name] (in block letters)

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Postal address (in block letters)

Domicilium citandi et executandi in the RSA (full street address of this place) (in block letters)

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.....  
.....

Telephone Number: ..... FAX Number.....

Cell Number.....

## 2. TENDER CONDITIONS

- 2.1 Tenderers shall provide full and accurate answers to all questions posed in this document and are required to explicitly state either "Comply" or "Not Comply" or "Partial" (with a ✓) regarding compliance with the requirements. Where necessary, the tenderer shall substantiate their response to a specific question.
- 2.2 A "✓" under "Accept" will be interpreted as full compliance/acceptance to the applicable paragraph. A "✓" under "Accept" will be interpreted that the tenderer/s has/have read and understood the paragraph, but the tenderer does **not accept** the content of the applicable paragraph.
- 2.3 The following Tender conditions will govern the contract between the OBP and the successful tenderer:

Requirement	ACCEPT	NOT ACCEPT
2.3.1 Tenderers are invited to offer the Services/Products in accordance with the attached Specifications and the conditions within this document.		
2.3.2 Fully comprehensive service documentation shall be supplied in English by each Tenderer, which shall explicitly and detail, describe the service/s offered. This documentation shall include sufficient detail to clearly give the reader a precise and unambiguous description of the service/s offered. Incomplete or incomprehensive service documentation will result in rejection of the offer.		
2.3.3 Tenderer's name and address should clearly appear on the outside of tender documents and on envelope.		
2.3.4 OBP reserves the right to evaluate and consider any Tenders that do not comply strictly to this RFP.		
2.3.5 Acceptance of any Tenders will only indicate, without any obligations on the part of either OBP and/or a Tenderer, the willingness of such parties to enter into negotiations,		

which may or may not result in a contract/order as the case may be.		
<p>2.3.6</p> <p>OBP reserves the right to make a selection solely on the information received in the Tenders or to negotiate further with one or more Tenderer/s.</p>		
<p>2.3.7</p> <p>The Tenderer/s selected for further negotiations, if any, will be chosen on the basis of the greatest benefit to OBP and not necessarily on the basis of lowest price or any other criteria.</p>		
<p>2.3.8</p> <p>Should OBP consider it necessary, the Tenderer/s shall agree to an inspection of the resources and works of the Tenderer, if so required?</p>		
<p>2.3.9</p> <p>Should OBP consider it necessary, OBP will visit the Tenderer/s customer sites.</p>		
<p>2.3.10</p> <p>OBP reserves the right:</p> <ul style="list-style-type: none"> <li>- to cancel this Request at any time.</li> <li>- not to accept any Tender.</li> <li>- to accept one or more Tenders for further negotiation and.</li> <li>- to contact any Tenderer during the evaluation period, to clarify information only, without informing any other Tenderer.</li> </ul>		
<p>2.3.11</p> <p>The specifications are the intellectual property of OBP.</p>		
<p>2.3.12</p> <p>The Procuring of the Services shall not take place until OBP has given final approval of all procedures.</p>		
<p>2.3.13</p> <p>In the event that modifications, clarifications, or additions to the RFP become necessary, all Tenderers will be notified, in writing, addenda to this RFP.</p>		

2.3.14 All costs incurred in the preparation, presentation and demonstration of the response shall be for the account of the Tenderer. All supporting documentation and manuals submitted with RFP will become OBP property unless otherwise stated by the Tenderer/s at the time of submission.		
2.3.15 Any material submitted by the Tenderer/s, which is considered to be confidential in nature, must be clearly marked as such.		
2.3.16 OBP will evaluate the bids against the following criteria: <ul style="list-style-type: none"> <li>• Compliance to the Specifications</li> <li>• Compliance to Functionality</li> <li>• Price</li> <li>• BBBEE</li> <li>• Compliance to Bid Condition</li> </ul>		
2.3.17 Payments of services rendered will be done 30 days after receipt of statement(s)		

#### .4 REASONS FOR DISQUALIFICATION

2.4.1 OBP reserves the right to disqualify any Tenderer which does any one or more of the following, and such disqualification may take place without prior notice to the offending tenderer, however the tenderer shall be notified in writing of such disqualification:

- Tenderers who are blacklisted.
- Tenderers who are not registered on Central Supplier Database. / Not applicable to international companies
- Tenderers who submitted incomplete information and documentation according to the requirements of this RFP.
- Tenderers who submitted information that is fraudulent, factually untrue, or inaccurate, for example memberships that do not exist, BBBEE credentials, experience, etc.

- Tenderers who received information not available to other vendors through fraudulent means.
- Tenderers who in the past abused OBP's procurement system:
- Tenderers who failed to perform on their previous contracts with OBP or any of their references
- Tenderers that does not have the relevant Qualification will be disqualified.

2.4.2 No Tenders from any Tenderer with offices within the RSA shall be accepted if sent via the Fax or e-mail. However, Tenders from international bidders with no office or representation in the RSA shall be accepted if received via the Fax or e-mail before the closing date and time. Such Tenders shall not be made available for evaluation until the original signed documentation is received within three (3) working days after the closing date, otherwise the Bid shall be disqualified. International bidders must submit proof that they do not have any offices or representation in South Africa.

## 2.5 ENQUIRIES

Enquiries regarding this Request for Bid should be submitted via e-mail to:

**indhir@obpvaccines.co.za**. Such queries must be sent at least **Four (4)** working days before the closing date. OBP cannot guarantee that queries received after that date can be answered before the Tender closing date.

### **3. SPECIFICATIONS:**

#### **BACKGROUND**

Onderstepoort Biological Products (OBP) is a Schedule 3B Public Entity corporatized in 2000 under the Onderstepoort Biological Products Incorporation Act, 1999 \*Act of 1999.

#### **PROJECT BACKGROUND**

Onderstepoort Biological Products SOC Ltd (OBP) is a developer and manufacturer of animal vaccines whose products are used locally, regionally, and overseas. OBP provides solutions for animal health and a healthy national herd, contributing to ensuring food safety and security, the development of much-needed skills and the economic transformation of our country.

#### **OBJECTIVES OF THE RFP**

An ERP provides many modern tools that will enable OBP to improve workflow, process efficiencies, internal support and service to our customers and stakeholders. It will enable the integration of core business processes and facilitate consistent, integrated reporting with fewer resources.

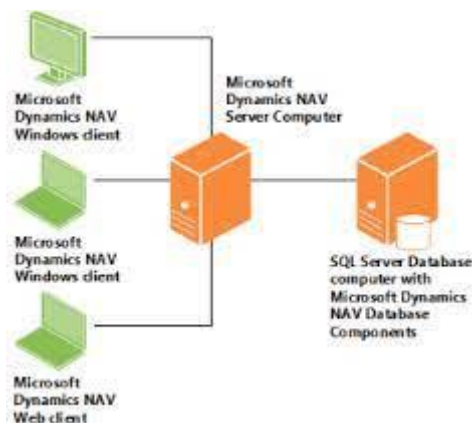
- Streamline processes and efficiency
- Maintain cyber security and regulatory compliance by keeping data safe and regulated with built-in protection
- Be more responsive to customers by providing faster, more accurate access to customers' information and history
- Mobility for staff to work remotely from any location with the ability to sync data when connectivity is restored (i.e. offline functionality)
- Automated workflows based on the delegation of authority and relevant policy and procedures
- The project will replace selected legacy systems, with Microsoft D365BC which will have integration points primarily to Sage VIP incorporating Payroll, Microsoft Office 365 and Exchange Online and an e-commerce platform. The ERP solution will be expected to apply the latest technology and best business practices to improve business efficiency and aligns to OBP's initial enterprise architecture plan.

#### **CURRENT ENVIRONMENT**

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Tender for ERP Upgrade OBP03/22/IT1

**OBP** is currently using Microsoft Dynamics Navision 2009 comprising of an application server and data server (Ms SQL 2008R2).



The deployment consists of the following functional areas:

- a) Financial Management and Administration
- b) Cash Management
- c) Sales and Receivables Management
- d) Purchasing and Payable Management
- e) Fixed Assets Management
- f) \*Asset Maintenance Management
- g) Inventory Control with Multiple Location Management and Lot Number Tracking
- h) \*Process Manufacturing
- i) Quality Control

*\*the asset maintenance and process manufacturing modules are add ons from Tectura® , now known as Cosmo Consult.*

### 2.2.1 Current Software & Systems

Currently in Use: NAV 2009 build 32012 and Microsoft SQL Server 2008 R2

\*Current OBP solution Blueprint documentation will be shared with the successful bidder.

#### **REQUIREMENTS**

Onderstepoort Biological Products (OBP) requires the services of a Microsoft Gold Certified Partner, with proven Dynamics 365 deployment and support experience, within process manufacturing to upgrade the Microsoft Dynamics Navision 2009 system to Microsoft Dynamics 365 Business Central as a turnkey project and provide support and maintenance for a period of 36 months.

#### **3.1. THE SCOPE OF WORK WILL INCLUDE THE FOLLOWING AS A MINIMUM.**

##### **3.1.1. FUNCTIONS AND FUNCTIONAL AREAS:**

- Financial Management and Administration
- Cash Management
- Sales and Receivables Management
- Purchasing and Payable Management
- Fixed Assets Management
- Asset Maintenance Management (computerized maintenance management)
- Inventory Control with Multiple Location Management and Lot Number Tracking
- Process Manufacturing
- Master Production Scheduling (MPS)
- Material Requirements Planning (MRP)
- Quality Management- Laboratory Information Management (Quality Control), and Quality Assurance
- Contract Management
- Project Management
- Data integrity during migration and also ensuring that no data record is lost.
- Full customization to meet OBP's needs once deployed- conduct review in a highly consultative manner with OBP business units to determine required customization.

##### **3.1.2. KEY FEATURES**

- Mobility - access ERP data and tools anywhere, anytime via the internet
- Integration with existing and future systems and floor equipment i.e production, lab equipment and other equipment that can interface with the ERP
- Cross-department workflow management, providing full integration between modules, giving an electronic workflow functionality to allow for movement and approval of electronic documents, forms,

and requests within and between departments and electronic approvals in real-time, and the immediate update and access to operational and financial data.

- The workflows are to automate repetitive tasks, including but not limited to stores and procurement requisitions, engineering maintenance job cards, Quality Control service requests, requests and issuing of batch numbers by Quality Assurance, sales quotes and ordering, sales picking slips and invoicing, and reporting on key metrics. Email notifications to be sent to customers when their order is being invoiced, packed, and sent. This is an immediate deliverable
- Contract register (linked to purchase orders, user departments and with automated tracking of expiry dates of the contracts).
- Built-in Intelligence Reporting engine
- Active Directory integrated Security and auditing of permissions and user access of certain modules.
- Application Programme Interface – easy integration with the OBP e-commerce platform.
- Best Industry practice for modules in scope
- Deploy Power BI (business intelligence) and Microsoft SQL Server (latest compatible version and build)- providing timely electronic distribution of reports and ease in developing customised ad hoc reports.

*N.B: Microsoft Dynamics 365 Business Central (build to be confirmed at the time of implementation)*

### **3.1.3. INTEGRATE WITH AND NOT LIMITED TO BELOW SYSTEMS**

- Microsoft Office 365 and Exchange Online
- Pro Agricola E-Commerce platform (both B2B and B2C)
- Active Directory (AD)
- Bank (TBA)
- Laboratory equipment
- Document management system
- Manufacturing plant floor machinery and equipment- future requirement
- Biometrics system (Time and Attendance)- future requirement
- Bar code scanners (entire manufacturing value chain)- future requirement

### **3.1.4. Other Key Requirements**

- Submit validation documents, that is Design Qualification (DQ), Installation Qualification (IQ) and Operational Qualification (OQ) prior to commissioning
- Carry out validation activities once commissioned/ installed

- Post implementation support of all modules is to be 120 days. The commencement of the 120 days will only start after the full ERP upgrade.
- Knowledge transfer and training of all OBP's ERP (champion) users on the upgrade. The vendor will incorporate a "train the trainer" approach where the OBP ICT support and champion staff will be trained through implementation on the modules. The vendor will provide: Training to super / full users for each module; Training materials to be used by super / full users for training of staff with the support of the bidder post implementation.
- The bidders must provide the solution architecture for the implemented solution.
- End user implementation training will be provided by the Bidder . The service provider is to design and provide quick user guides / job aids for end users – the guides / job aids should preferably be online to be housed on the OBP intranet.
- Ongoing support and maintenance of the ERP system as a managed service for a period of 3 years, providing monthly service reports of all the work done (support queries). Normal SLA maintenance as a managed service will kick in after the 120-day period above has lapsed.

### Current Customisations

#	Description
1	Inventory in Additional Unit of Measure
2	Open Purchase Order Report
3	Conditions of Sale on Sales Quote
4	Item List Page - Changes
5	PO Report Changes
6	Manufacturing Implementation
7	Block Duplicate Ext. Document No. in Sales Order
8	Cust. Detail Trial Balance to show External Doc No
9	Block PO Print when status "OPEN"
10	Add Ext. Doc No. to Customer - Order Detail Report
12	Changes to Sales Invoice Document
13	Vendor - Payment Receipt Vendor Invoice No.
14	Add Fields to Item Ledger Entries Table & Page
15	Qty (DOS) Reporting by Customer Posting Group

16	Streamline_DynamicsNAV Integration
17	Direct Transfer Functionality
18	Deleting / Archiving Old Orders
19	Change email address on PO Printout
20	Change Credit Memo to Credit Note
21	Further Credit Note / Credit Memo Changes
22	DMS Batch Email Report Changes
23	F4F Sales Price Logic Modifications
24	Block Ship-To Address for F4F
25	Sales Conditions to print on the back of the INV
26	Email notification to be sent when Work Order
27	Point 1. T's and C's on Quote to be changed.
28	Receiver name to show on the PO/Invoice
29	Fixed Asset Import
30	Physical Inventory Lot calculation enhancement
31	Preventing Users From Editing Purchase Orders Once

### 3.5 Evaluation criteria

The request for this service will be evaluated based on the following stages.

#### 3.5.1 Compulsory documents

Template for list of references to be completed compulsory requirements

Company Name	Contract person	Tel/cell number	Email address	Company Website address


### Stage 1: Check for compulsory documents

All documents indicated on page 4 must be submitted, missing documents will result in automatic disqualification.

### 3.5.2 Functionality

#### Stage 2: Evaluation for functionality

Interested service provider must obtain a minimum score of 70 of functionality to be eligible for evaluation in stage two. The following will be used as a criteria and the minimum points of each criteria which are indicated in the table below:

Item	Criteria	Points
1A	<p>Number of years - experience in implementation and support of Microsoft Dynamics 365 Business Central ERP system within the process manufacturing industry</p> <ul style="list-style-type: none"> <li>• 1- 2 years = 2</li> <li>• 3-4 years = 5</li> <li>• 5-6 years = 10</li> <li>• 7 and more years = 20</li> </ul>	20
1B	<p>Team Members' experience in Ms Dynamics Navision and or 365 Business Central process manufacturing (Attach copies of CV):</p> <p>3 members consisting of</p> <ul style="list-style-type: none"> <li>• 1 Technical architect experience minimum 3 years = 5 points</li> <li>• 2 team members 1 project manager and 1 implantation consultation minimum 3 years = 5 points</li> </ul> <p>3 members consisting of</p> <ul style="list-style-type: none"> <li>• 1 Technical architect experience minimum 5 years = 10 points</li> <li>• 2 team members (1 project manager and 1 implementation consultation) minimum 5 years = 10 points</li> </ul>	20

1C	<p>Proven record of new implementation or upgrade for a (process) manufacturing company.</p> <ul style="list-style-type: none"> <li>• Yes, have implemented Microsoft Dynamics 365 Business Central ERP for process manufacturing = 20</li> <li>• No, but have implemented Microsoft Dynamics 365 Business Central ERP in other manufacturing environments = 16</li> <li>• No, but have implemented Microsoft Dynamics 365 Business Central ERP in other environments = 5</li> <li>• Never implemented Microsoft Dynamics 365 Business Central ERP before = 0</li> </ul>	20
Item	Criteria	Points
2	<p>The bidder must provide the detailed project and risk plan clarifying the implementation approach and specify the below:</p> <p><b>If the below five points is not met, and detailed project and risk plan will result in =0 points</b></p> <ul style="list-style-type: none"> <li>• Project phases : different stages in project = 2 points</li> <li>• Work breakdown structure : full detail of each project phase = 2 points</li> <li>• Milestones : marking the expected significant stage of progress = 2 points</li> <li>• Duration : estimate time frames = 2 points</li> <li>• Resource allocation to tasks : team members = 2 points</li> </ul>	10
3	<p>The bidder must have proven experience in the implementation of the Microsoft Dynamics 365 Business Central ERP system process manufacturing.</p> <p>The bidder must provide reference letters from clients where the bidder has successfully implemented the proposed ERP system. Letters must be on the client's letterhead, signed and include a contactable telephone number.</p> <p>Letters must state more than 1 year experience</p> <ul style="list-style-type: none"> <li>• No letter = 0</li> <li>• 1 letter = 5</li> <li>• 2 letters = 10</li> <li>• 3 letters = 15</li> </ul>	20

	<ul style="list-style-type: none"> <li>4 letters = 20</li> </ul>	
4	Proof of Professional Indemnity Cover of at least R5,000,000.00	10
Total		100

- Shortlisted bidders will be required to present their proposed solution, technology and implementation plan including timelines.

### 3.5.2 Stage 3: Price and BBBEE

#### SOFTWARE COSTS

Cost Element		Bidder's Proposal	Total Cost (VAT Excl.)
Once-off Costs			
Software License Renewal	Year 1		
	Year 2		
	Year 3		
Microsoft SQL (perpetual)			
Sub-Total (5.1) (VAT Excl.)			

Note: The price proposal must inclusive of all software related costs. The bidder must provide a detailed breakdown of all elements which make up the cost of the proposed software e.g. software license structure, services included in the license, number licenses etc.

#### 5.1 Implementation Costs

Activity/ Deliverable	Resource(s)	Rate/ Hour per resource	Number of hours	Total Cost (VAT Excl.)
Customisation - development/ configuration				

Testing				
Migration of data				
Training				
Other Costs (if applicable)				
Disbursements				
Sub-Total (5.2) (VAT Excl.)				

Note: The proposed cost must be inclusive of all required services to complete the implementation as per the requirements of the proposed system and in line with the system requirements of the outlined in this RFP document.

## 5.2 POST-IMPLEMENTATION SUPPORT

OBP requires a fixed cost on system support and maintenance.

Activity/ Deliverable		Monthly Fee (VAT Excl.)	Annual Cost (VAT Excl.)
Post-implementation support	Year 1		
	Year 2		
	Year 3		
Sub-Total (5.3) (VAT Excl.)			

### 5.3 TOTAL BID PRICE

Activity/ Deliverable	Amount
Sub-Total (5.1) (VAT Excl.)	
Sub-Total (5.2) (VAT Excl.)	
Sub-Total (5.3) (VAT Excl.)	
Total Bid Price (VAT Excl.)	
VAT	
Total Bid Price (VAT Incl.)	

The evaluation for Price and BBBEE shall be based on the **80/20** PPPFA principle and the points for evaluation criteria are as follows:

Evaluation Criteria		Points
1.	Price	80
2.	Broad Base Black Economic Empowerment	20
3.	Total	100

BBBEE Status Level of Contributor	Number of Points
1	20
2	18
3	16
4	12
5	8
6	6
7	4

8	2
Non-compliant contributor	0

#### 4. Validity of Bids

The prospective

tenderer is required to confirm that it will hold its Bid valid for 120 Days from the closing date of the submission of Bids. All the Bids shall be quoted in South African Rand and remain valid for 120 days after closure of the tender.

#### 5.0 PRICING SCHEDULE –

**All pricings must be fixed amounts and should be in Rand.**

- Provide a complete Price Schedule with detailed breakdown.

1.	Description	Price (Excl. Vat)
1		
2		
3		
4		
	<b>TOTAL COST</b>	
	<b>VAT at 15%</b>	
	<b>TOTAL COST INCLUDING VAT</b>	

**Signed**

**Name in Print:**

**Capacity:**

**Date:**

## 6. DECLARATION OF INTEREST BY TENDERER SBD4

### 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.

Full Name	Identity Number	Name of State institution

<sup>1</sup> 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.


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**

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 aspect.

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,

---

<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.

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.
- 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

## 7. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011 SBD6.1

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

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

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

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

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) BBBEE Status Level of Contributor.

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

	POINTS
PRICE	80
BBBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and BBBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBBEE status level of contribution are not claimed.

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

### 2. DEFINITIONS

- (a) “**BBBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act.



<b>B-BBBEE Status Level of Contributor</b>	<b>Number of points (90/10 system)</b>	<b>Number of points (80/20 system)</b>
1	10	20
2	9	18
3	6	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

## 5. BID DECLARATION

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

## 6. BBBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 BBBEE Status Level of Contributor: . = ..... (maximum of 10 or 20 points)

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

## 7. SUB-CONTRACTING

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

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

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

(*Tick applicable box*)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME √</b>	<b>QSE √</b>
Black people	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>

Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

## 8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- 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 because of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.

iv) If the B-BBBEE status level of contributor has BBBEE claimed or obtained on a fraudulent basis

or any of the conditions of contract have not BBBEE fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process.
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
- (d) 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 BBBEE applied; and
- (e) forward the matter for criminal prosecution.

<p>WITNESSES</p> <p>1. ....</p> <p>2. ....</p>	<p>.....</p> <p style="text-align: center;">SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE: .....</p> <p>ADDRESS .....</p>
--	---

## 8.0 DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS SBD 6.2

This Standard Bidding Document (SBD) 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 B-BBBEE.
- 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) on the date of advertisement of the bid as indicated in paragraph 3.1 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>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offer have any imported content?  
(***Tick applicable box***)

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

- 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 on the date of advertisement of the bid.

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

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

Currency	Rates of exchange
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.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/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 BBEE calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has BBEE consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
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 have BBEE calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 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 (PPFA), 2000 (Act No. 5 of 2000).

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

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

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

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

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

## 9. DECLARATION OF INTEREST FOR PAST SUPPLY CHAIN MANAGEMENT PRACTICES SBD 8

- 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	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? <b>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</b>  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.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of 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	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:		

SBD 8

### CERTIFICATION

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

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

## **10: CERTIFICATE OF INDEPENDENT BID DETERMINATION SBD 9**

- 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. disregards 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. cancels 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 Bids.

<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 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 BBEE 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 BBEE 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 BBEE 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 BBBEE 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 BBBEE, 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