

NATIONAL LOTTERIES COMMISSION

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A PANEL OF THREE (3) SERVICE PROVIDERS TO PROVIDE COURIER SERVICES TO THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE (5) YEARS.

BID PROCESS	BID REQUIREMENTS
Tender number	NLC/2022 - 3
Bid Advertisement Date	14 April 2022
Closing date and time	20 May 2022 at 12:00 (South African Standard Time)
Tender validity period	120 business working days <i>from the closing date</i>
Compulsory Briefing meeting	No compulsory briefing session
Tenders are to be delivered to the following address on the stipulated closing date and time:	<p>The original bid document must be submitted via a CD or memory stick and handed in / delivered to:</p> <p>The Senior Manager : SupplyChain National Lotteries Commission 333 Grosvenor Street Block D, Hatfield Gardens Hatfield, Pretoria 0083</p> <p>Only electronic bid submissions will be accepted.</p>

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TERMS OF REFERENCE FOR A PANEL OF THREE COURIER SERVICE PROVIDERS REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A PANEL OF THREE SERVICE PROVIDERS TO PROVIDE COURIER SERVICES TO THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE (5) YEARS

SECTION 1: BACKGROUND, OVERVIEW AND RFP SCOPE OF REQUIREMENTS

1. INTRODUCTION

The National Lotteries Commission (The Commission) is a public entity established by Lotteries Act No. 57 of 1997, as amended to regulate the South African lotteries industry. The functions of the Commission can be divided into two categories, namely “regulation of National Lottery and other Lotteries” and “administration of the National Lottery Distribution Trust Fund (NLDTF)”.

The Distributing Agencies (DA’s) who are appointed by the Minister of Trade & Industry are responsible for the adjudication of the funding applications as per the Lotteries Act and applicable Regulations.

2. BACKGROUND

In terms of the South African constitution and the Occupational Health and Safety Act, Act 85 of 1993, The National Lotteries Commission is required to ensure that there’s a healthy and safe working places environment for its employees.

The NLC renders services to South Africans from nine (9) provincial offices and requires a reliable, around the clock courier service that will ensure that documents and items sent from offices are collected and delivered to recipients timeously and safely.

In line with the requirements of the Public Finance Management Act (PFMA) No. 1 of 1999, as amended and Treasury Regulations, the NLC invites suitably qualified and experienced service providers to provide courier services for the NLC.

3. PURPOSE OF THE TERMS OF REFERENCE

The purpose of the terms of reference (TOR) is to appoint a panel of suitably qualified and experienced service providers to render courier services for the NLC for a period of Five (5) years.

4. OBJECTIVES

The primary objective of this TOR is to appoint is a panel of 3 suitably qualified and experienced bidders to render a high-quality courier services when required by the NLC.

5. RFP SCOPE OF REQUIREMENTS

The scope of work entails the following:

- 5.1 The scope of the courier work entails collection of documents/records and or parcels from the NLC Offices across the country and other destinations when required. It also involves providing courier services nationally as and when required as follows:
 - Same day service;
 - Overnight service;
 - Saturday and Sunday services; and
 - Public holiday services.
- 5.2 Expected outcome:
 - 5.2.1 The bidder must timeously collect and deliver documents/records and or parcels to the intended person(s) and provide proof of delivery.
 - 5.2.2 The bidder must provide all stationery requirements for collections and delivery, i.e. waybills, courier bags, stickers and packaging tapes including online platforms (if applicable).
- 5.3 Nature of the services.
 - 5.3.1 Same Day Service:

Same day service means that the service must be rendered on the same day that a document/record or parcel was collected between 08:00 and 16:30 (office deliveries and between 08:00 and 23:00 (residential or home deliveries).

5.3.2 Overnight Service:

Overnight service means that the service must be rendered between 08:00 and 10:00 a.m. the next day.

5.3.3 Saturday, Sunday Service and Public holidays:

Saturday, Sunday and Public Holidays service means that the service must be rendered between 09:00 and 17:00 at residential offices or home addresses.

5.4 Insurance:

The successful bidder will be responsible to administer all claims on behalf of the NLC should claims occur.

6. DELIVERABLES

- The availability of domestic courier services and once - off training.
- The bidder to provide monthly report in respect of percentage of spending, types of courier services rendered, percentage of delivered and undelivered documents/ records and delivery destinations as and when required by the NLC.

7. REPORTING REQUIREMENTS

The service provider will report to Marketing & Communications Department.

8. DURATION OF THE PROJECT

The expected duration of the project is three (3) years after the signing of a Service Level Agreement (SLA).

RFP FOR PANEL OF COURIER SERVICE PROVIDERS
REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A PANEL OF THREE SERVICE PROVIDERS TO PROVIDE COURIER SERVICES TO THE NATIONAL LOTTERIES COMMISSION FOR A PERIOD OF FIVE (5) YEARS

SECTION 2: NOTICE TO BIDDERS

1. Terms and conditions of Request for Proposals (RFP)

- 1.1 This document may contain confidential information that is the property of the NLC.
- 1.2 No part of the contents may be used, copied, disclosed, or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFP without prior written permission from the NLC.
- 1.3 All copyright and intellectual property herein vests with the NLC.
- 1.4 Late and incomplete submissions will not be accepted.
- 1.5 No services must be rendered, or goods delivered before an official NLC Purchase Order form has been received.
- 1.6 This RFP will be evaluated in terms of the 80/20 preference point system prescribed by the Preferential Procurement Regulations, 2017.
- 1.7 Suppliers are required to register on the Central Supplier Database at www.csd.gov.za.
- 1.8 Suppliers must provide their CSD registration number (and attach a CSD Summary report) and ensure that their tax matters are compliant.
- 1.9 All questions regarding this RFP must be forwarded to bids@nlcsa.org.za, no later than within three days of the RFP closing date.
- 1.10 Any supplier who has reasons to believe that the RFP specification is based on a specific brand must inform the NLC via the email addressed in 1.9.

2. General rules and instructions

- 2.1 News and press releases
 - 2.1.1 Bidders or their agents shall not make any news releases concerning this RFP or the awarding of the same or any resulting agreement(s) without the consent of, and then only in co-ordination with, the NLC.
- 2.2 Precedence of documents
 - 2.2.1 This RFP consists of a number of sections. Where there is a contradiction in terms between the clauses, phrases, words, stipulations or terms and herein referred to generally as stipulations in this RFP and the stipulations in any other document attached hereto, or the RFP submitted hereto, the relevant stipulations in this RFP shall take precedence.
 - 2.2.2 Where this RFP is silent on any matter, the relevant stipulations addressing such matter, and which appear in the PPPFA shall take precedence. Bidders shall refrain from incorporating any additional stipulations in its proposal submitted in terms hereof other than in the form of a clearly marked recommendation that the NLC may in its sole discretion elect to import or to ignore. Any such inclusion shall not be used for any purpose of interpretation unless it has been so imported or

acknowledged by the NLC.

- 2.2.3 It is acknowledged that all stipulations in the PPPFA are not equally applicable to all matters addressed in this RFP. It, however, remains the exclusive domain and election of the NLC as to which of these stipulations are applicable and to what extent. Bidders are hereby acknowledging that the decision of the NLC in this regard is final and binding. The onus to enquire and obtain clarity in this regard rests with the Bidder(s). The Bidder(s) shall take care to restrict its enquiries in this regard to the most reasonable interpretations required to ensure the necessary consensus.
- 2.3 Preferential procurement reform
- 2.4 The NLC supports B-BBEE as an essential ingredient of its business. In accordance with government policy, the NLC insists that the private sector demonstrates its commitment and track record to B-BBEE in the areas of ownership (shareholding), skills transfer, employment equity and procurement practices (SMME Development) etc.
- 2.5 The shall apply the principles of the Preferential Procurement Policy Framework Act, (Act No. 5 of 2000) to this proposal read together with the Preferential No. 5 of 2000) to this proposal read together with the Preferential Procurement Regulations published in Government Notice No.32 in Government Gazette No. 40553 dated 20 January 2017("the Preferential Procurement Regulations, 2017").
- 2.6 Bidders must be registered with the central supplier database (CSD) and submit CSD report reflecting tax compliant.
- 2.7 National Industrial Participation Programme
- 2.8 The Industrial Participation policy, which was endorsed by Cabinet on 30 April 1997, is applicable to contracts that have an imported content. The NIP is obligatory and therefore must be complied with. Bidders are required to sign and submit the Standard Bidding Document (SBD).
- 2.9 Language
- 2.9.1 Bids shall be submitted in English.
- 2.10 Gender
- 2.10.1 Any word implying any gender shall be interpreted to imply all other genders.
- 2.11 Headings
- 2.11.1 Headings are incorporated into this RFP document and submitted in response thereto, for ease of reference only and shall not form part thereof for any purpose of interpretation or for any other purpose.
- 2.12 Occupational Injuries and Diseases Act 13 of 1993
- 2.12.1 The Bidder warrants that all its employees (including the employees of any sub-contractor that may be appointed) are covered in terms of the Compensation for Occupational Injuries and Diseases Act 13 of 1993 and that the cover shall remain in force for the duration of the adjudication of this RFP and/ or subsequent agreement. the NLC reserves the right to request the Bidder to submit documentary proof of the Bidder's registration and "good standing" with the Compensation Fund, or similar proof acceptable to the NLC.

2.13 Processing of the Bidder's Personal Information

2.13.1 All Personal Information of the Bidder, its employees, representatives, associates and sub-contractors ("Bidder Personal Information") required under this RFP is collected and processed for the purpose of assessing the content of its tender proposal, and awarding the bid. The assessment and award of the bid shall be conducted in accordance with applicable legislation including the PPPFA read with the Preferential

Procurement Regulations, 2017. The Bidder is advised that Bidder Personal Information may be passed on to third-parties to whom the NLC is compelled by law to provide such information. For example, where appropriate, the NLC is compelled to submit information to National Treasury's Database of Restricted Suppliers.

2.13.2 All Personal Information collected will be processed in accordance with POPIA and with the NLC Data Privacy Policy.

2.13.3 The following persons will have access to the Personal Information collected:

2.13.3.1 The NLC personnel participating in procurement/award procedures; and

2.13.3.2 Members of the public: within seven working days from the time the bid is awarded, the following information will have to be made available on National Treasury's e-Tender portal:

2.13.3.2.1 contract description and bid number;

2.13.3.2.2 names of the successful bidder(s) and preference points claimed;

2.13.3.2.3 the contract price(s) (if possible);

2.13.3.2.4 contract period;

2.13.3.2.5 names of directors; and

2.13.3.2.6 date of completion/award.

2.13.4 The NLC will ensure that the rights of the Bidder and of its employees and representatives (i.e. the right of access and the right to rectify) are effectively guaranteed in accordance with the procedures as specified in the NLC PAIA manual.

2.13.5 In signing this document, the Bidder consents to the use of its Personal Information for the purposes as specified in section 2.9.1 above.

3. Formal Briefing Session

There will be no compulsory briefing session.

4. Validity Period

4.1 The NLC requires a validity period of 120 [one hundred and twenty] Business Days [from closing date] against this RFP.

4.2 Bidders are to note that they may be requested to extend the validity period of their bids, on the same terms and conditions, if the internal evaluation process are not finalised within the validity period.

5. National Treasury's Central Supplier Database

- 5.1 Bidders are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information.
- 5.2 The NLC may not award business to a bidder who has failed to register on the CSD.
- 5.3 Only foreign suppliers with no local registered entity need not register on the CSD.
- 5.4 The CSD can be accessed at <https://secure.csd.gov.za/>

6. Confidentiality

- 6.1 Bids submitted for this Request for Proposals will not be revealed to any other bidders and will be treated as contractually binding;
- 6.2 The NLC reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in Bid Proposals.
- 6.3 The Bidder acknowledges that it will obtain and have access to personal information of The NLC and agrees that it shall only process the information disclosed by the NLC in terms of this bid award and only for the purposes as detailed in this RFP and in accordance with any applicable law.
- 6.4 The Bidder shall notify the NLC in writing of any unauthorised access to personal information and the information of a third party, through cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such

7. Communication

- 7.1 Specific queries relating to this RFP should be submitted bids@nlcsa.org.za, before the closing date.
- 7.2 In the interest of fairness and transparency the NLC's response to such a query may be made available to other bidders.
- 7.3 It is prohibited for bidders to attempt, either directly or indirectly, to canvass any officer or employee of the NLC in respect of this RFP between the closing date and the date of the award of the business.
- 7.4 Bidders found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

RFP FOR PANEL OF THREE COURIER SERVICE PROVIDERS
REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO
PROVIDE A COMPREHENSIVE EMPLOYEE WELLNESS PROGRAMME FOR A PERIOD OF
THREE (3) YEARS

Section 3: EVALUATION CRITERIA

The NLC will evaluate all proposals in terms of the Preferential Procurement Regulation of 2017 and Preferential Procurement Policy Framework Act, No. 5 of 2000 (PPPFA). The six (6) phase evaluation criteria will be considered in evaluating the proposals, being



Stage 1 : Tender Closing and Opening

1.1 Tender closing details

The deadline for Tender submission is 20 May 2022 at 12:00 Standard South African Time. Any late tenders will not be accepted. Tenders are to be submitted to the NLC Tender Box at the following physical address:

National Lotteries
Commission 333 Grosvenor
Street
Block D, Hatfield
Gardens Hatfield,
Pretoria
0083

1.2 Bid Formats

Bid submissions must be submitted in a PDF format that is protected from any modifications, deletions, or additions.

Financial/pricing information must be presented in a separate attachment from the Technical/Functional Response information. The onus is on the Bidder to ensure that all mandatory and required documents are included in the electronic submission.

Submissions must be prominently marked with the full details of the tender namely Bidder's Name, Tender No and Tender Title.

Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email

Tender submission emails received after submission date and time will be declared late bid submissions and will not be accepted for consideration by the NLC.

The NLC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:

- ☐ Receipt of incomplete bid
- ☐ File size (must not exceed 30mb)
- ☐ Delay in transmission or receipt of the bid
- ☐ Failure of the Bidder to properly identify the bid
- ☐ Illegibility of the bid; or
- ☐ Security of the bid data.

Stage 2: Administrative Compliance

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation. The Administrative Compliance Evaluation will include the following:

Evaluation Criteria	Supporting Document
1. In the event of the bidder being in a joint venture (JV), a signed JV agreement must be submitted (where applicable)	JV Agreement
2. Returnable documents (standard bidding documents) and/or schedules were completed, duly signed by the authorized person	Bid Proposal; Standard Bidding Document (SBD) Forms & Pricing Schedule
3. Registration with Independent Communications Authority of South Africa (ICASA) for the provision of unreserved postal services	Certified copy of ICASA registration to operate unreserved postal services
4. Liability Insurance Cover for consignment for a minimum of R 1000 000.	Valid Liability Insurance Cover

5. Signed consent form in terms of the Protection of Personal Information Act 4 of 2013 (POPIA) (Consent Forms Attached to the Bid as part of the SBDs).	Signed POPIA Consent Form
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Stage 3: Technical evaluation

The evaluation for the Technical and Functional threshold will include the following:

Category & Criteria Description	Weightings (%)	Scoring Matrix (0 to 5)
1. Company Experience and Capacity	30%	
1.2 Witten reference letters Provide written reference letters for the courier services previously performed from contactable existing / recent clients (public / private sector) within the past 5 years. References should be presented in a form of a written letter on an official letterhead from clients where similar services (courier services) have been provided, the date on the letters must not be older than two (2) years and must be signed. Letters must include the company name, contact name, address, phone number, duration of contract, value of the contract, a brief description of the services that you provided.	15%	<ul style="list-style-type: none"> - 2 reference letters for courier services = 0 Point. - 3 reference letters for courier services = 1 Point. - 4 reference letters for courier services = 3 Points. - 5 reference letters and above for courier services = 5 Points.
1.2 Capacity to deliver The bidder must provide details of work of a similar nature (courier services) undertaken by the bidder within the previous years. Specific details must be given to indicate the extent to which these previous experiences relate to the work described in the TOR. Bidders are required to submit their company profile.		<ul style="list-style-type: none"> - No information provided = 0 Point. - Company profile with relevant company experience in courier services for 1 – 3 years = 2 Points
1.2.1 Company profile (8%)	15%	<ul style="list-style-type: none"> - Company profile with relevant company

<p>The bidder is required to provide a company profile on its size, staff complement, infrastructure, location etc.</p> <p>The bidder must have the ability to deliver nationally and access remote areas. Delivery timeframe for overnight, same day, public holidays and on weekends.</p>		<p>experience in courier services for 3 – 5 years = 3 Points.</p> <ul style="list-style-type: none"> - Company profile with relevant company experience in courier services for 5 – 10 years = 4 Points. - Company profile with relevant experience in courier services for 10 years and above = 5 Points.
<p>1.2.2 National footprint</p> <p>Bidders are required to demonstrate capability to deliver courier services nationally by providing details about the offices/satellite offices in all provinces</p>		<ul style="list-style-type: none"> - No satellite offices = 0 Point - Offices/ satellite offices in 1 – 2 Provinces = 1 Point - Offices/ satellite offices in 3 – 4 Provinces = 2 Points - Offices/ satellite offices in less than 5 - 6 Provinces = Points - Offices/ satellite offices in 7 – 8 Provinces = 4 Points - Offices/ satellite offices in all provinces = 5 Points
<p>2. Members Experience</p>	<p>20%</p>	

<p>Considers the technical and professional skills of the project team. Abbreviated Curriculum Vitae (CV's) of personnel involved with the implementation of the project, not longer than one page each, shall be included in an Appendix. Please provide with the CV's of a project team of 3 including the Project Leader (Courier Manager).</p> <p>Abridged CV of the incumbent must be provided for the project team (Team leader & project team of 2 members).</p>		<ul style="list-style-type: none"> - No Experience = 0 Point - 1 - 2 years of combined experience in courier services = 1 Point - 3 – 4 years of combined experience in courier services = 2 Points - 5 – 6 years of combined experience in courier services = 3 Points - 7 - 10 years of combined experience in courier services = 4 Points - More than 10 years' combined experience in courier services = 5 Points
<p>3. Project Plan/ Methodology</p>	<p>20%</p>	
<p>Considers the responsiveness to the TOR, the level of detail in the proposal, attention to project management and innovative approaches and ideas. Respondent's responsiveness to and understanding of the assignment (methodology and proposed work plan).</p> <p>Project Plan / Methodology (service execution)</p> <p>The plan must include but not limited to the following:</p> <ul style="list-style-type: none"> • Provide details about the processes of the company to handle courier services. • Turn-around times from the initial request until the parcel is delivered. • The bidder must provide a clear customer support plan for the duration of the term. 		<p>No plan provided = 0 Point</p> <p>The courier provides with 1 service from the required list OR Poor project plan proposed = 1 Point.</p> <p>The courier provides with 2 services from the required list OR average project plan proposed = 2 Points.</p> <p>The courier provides with 3 services from the required list OR Fair project plan proposed = 3 Points.</p> <p>The courier provides with 4 services from the required list OR Good project plan proposed = 4 Points.</p>

<ul style="list-style-type: none"> Technology solution i.e. courier management system proposed. Reliability. 		The courier provides with 5 services from the required list OR Excellent project plan = 5 Points .
4. Infrastructure – Site Inspection	30%	
<p>Presentation for demonstration of courier model & resources during site inspection</p> <p>Site inspection/ virtual consultation to be conducted to assess the resources and only bidders that scored at least 40% and above weighting points from criteria 1 – criteria 4 will qualify for the next evaluation phase (site inspection / virtual demonstration).</p> <p>4.1 Courier Model</p> <p>Presentation during the site inspection will be required to demonstrate the model. The bidder will have to present or demonstrate a courier model of how the process (including turn-around time) will unfold from the time of collection to final delivery of the consignments for domestic deliveries. The bidder must demonstrate their ability and flexibility to fulfil the assignment within the required time frames and cost effective budget.</p>	15%	<p>Poor presentation of the courier model = 0 Point.</p> <p>Fair presentation of the courier model = 2 Points.</p> <p>Average presentation of the courier model = 3 Points.</p> <p>Good presentation of the courier model = 4 Points.</p> <p>Excellent Presentation of the courier model = 5 Points.</p>
<p>4.2 Resources</p> <p>Demonstrate resources (personnel, fleet management, equipment & financial) to be used during the project to substantiate the bidder's capacity to undertake the project.</p>	15%	<p>No resources = 0 Point</p> <p>Moderate resources = 1 Point</p> <p>Fair resources = 2 Points</p> <p>Satisfactory = 3 Points</p> <p>Adequate resources = 4 Points</p> <p>Excellent resources = 5 Points</p>
Total Weighting:	100	
Minimum qualifying score required:	70	

Stage 4: Pricing and B BBEE comparatives

The evaluation for Pricing and B-BBEE will include the following

Evaluation Criteria	Final Weighted Scores																				
<p>Price</p> <p>The following formula will be used to calculate the points out of 80 for price in respect of a tender with a Rand value equal to or above R30 000 and up to a Rand value of R50 million, inclusive of all applicable taxes:</p> $P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Score for the Bid under consideration</p> <p>P_t = Price of Bid under consideration</p> <p>P_{min} = Price of lowest acceptable Bid</p>	80																				
<p>B-BBEE - Scorecard</p> <p>The following table will be used to calculate the score out of 20 for BBEE level status as evidenced by the certificate or sworn affidavit</p> <table border="1" data-bbox="225 1249 1038 1809"> <thead> <tr> <th>B-BBEE Status Level of Contributor</th><th>Number of Points (80/20 system)</th></tr> </thead> <tbody> <tr><td>1</td><td>20</td></tr> <tr><td>2</td><td>18</td></tr> <tr><td>3</td><td>14</td></tr> <tr><td>4</td><td>12</td></tr> <tr><td>5</td><td>8</td></tr> <tr><td>6</td><td>6</td></tr> <tr><td>7</td><td>4</td></tr> <tr><td>8</td><td>2</td></tr> <tr><td>Non-Compliant Contributor</td><td>0</td></tr> </tbody> </table>	B-BBEE Status Level of Contributor	Number of Points (80/20 system)	1	20	2	18	3	14	4	12	5	8	6	6	7	4	8	2	Non-Compliant Contributor	0	20
B-BBEE Status Level of Contributor	Number of Points (80/20 system)																				
1	20																				
2	18																				
3	14																				
4	12																				
5	8																				
6	6																				
7	4																				
8	2																				
Non-Compliant Contributor	0																				
TOTAL SCORE:																					
	100																				

Stage 5: Due Diligence

The NLC reserves the right to undertake a due diligence exercise on the preferred bidder/s as part of a material risk evaluation aimed at determining to its satisfaction, the validity of the information provided by the Bidder. Such exercise shall be fully documented and may include, but need not be limited to, all or any combination of the following:

- a) Physical inspection of the Bidder's offices, branches or other places
- b) Verification of accuracy, correctness and authenticity of information provided
- c) Validation of extent of compliance to the RFP requirements and evaluation criteria based on what has so far been found by the evaluation team
- d) Inquiry and reference checking with National Treasury Restricted Suppliers
- e) Inquiry and reference checking with previous clients on the performance on on-going or contracts completed, including physical inspections of previous works, as necessary;
- f) Financial Stability Assessments

Stage 6: Contract and Award

The stage is for negotiation after receipt of formal tenders and before the conclusion of contracts with suppliers/contractors submitting the lowest acceptable tender with a view to obtaining an improvement in price, delivery or content, in circumstances which do not put other tenderers at a disadvantage or affect adversely their confidence or trust in the competitive system. Bidders may be requested to provide their best and final offers based on contract negotiations.

RFP FOR HUMAN CAPITAL MANAGEMENT

REQUEST FOR PRICE PROPOSALS FOR THE APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A COMPREHENSIVE EMPLOYEE WELLNESS PROGRAMME FOR A PERIOD OF THREE (3) YEARS

Section 4: INVITATION TO BID (SBD 1)

PART A

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF							
BID NUMBER:	.....	ISSUE DATE:	.....	CLOSING DATE:	.....	CLOSING TIME:	.....
DESCRIPTION	.....					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)							
.....							
.....							
.....							
.....							
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO				TECHNICAL ENQUIRIES MAY BE DIRECTED TO:			
CONTACT PERSON	.....			CONTACT PERSON	.....	
TELEPHONE NUMBER	.....			TELEPHONE NUMBER	.....	
FACSIMILE NUMBER	.....			FACSIMILE NUMBER	.....	
E-MAIL ADDRESS	.....			E-MAIL ADDRESS	.....	
SUPPLIER INFORMATION							
NAME OF BIDDER	.....					
POSTAL ADDRESS	.....					
STREET ADDRESS	.....					
TELEPHONE NUMBER	CODE			NUMBER			
CELLPHONE NUMBER	.....					
FACSIMILE NUMBER	CODE	<input type="checkbox"/>	<input type="checkbox"/>	NUMBER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E-MAIL ADDRESS	.....					
VAT REGISTRATION NUMBER	.....					

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE	UNIQUE REGISTRATION REFERENCE NUMBER: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] Yes No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] Yes No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

1 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]	2 ARE YOU A FOREIGNBASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER QUESTIONNAIRE BELOW]
---	--	--	---

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. TAX COMPLIANCE REQUIREMENTS

- 1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:
 (Proof of authority must be submitted e.g. company

resolution) DATE: _____

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Section 5: PRICING SCHEDULE – FIRM PRICES (SBD 3.1)

(PURCHASES)

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

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

Name of bidder.....	Bid number.....
Closing Time 11:00	Closing date.....

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

ITEM QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY
NO.	** (ALL APPLICABLE TAXES INCLUDED)	

Required by:

At:

- Brand and model

- Country of origin

- Does the offer comply with the specification(s)? *YES/NO

- If not to specification, indicate deviation(s)

Period required for delivery

*Delivery: Firm/not firm

- Delivery basis

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

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Section 6: DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²):
.....

2.4 Company Registration Number:

2.5 Tax	Reference	Number:
.....		

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / personal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

2.7 Are you or any person connected with the bidder presently employed by the state?

YES / NO

2.7.1 If so, furnish the following particulars:

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

.....
Name of state institution at which you or the
person connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

2.7.2 If you are presently employed by the state, did you
obtain the appropriate authority to undertake
remunerative
work outside employment in the public sector?

YES / NO

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

YES / NO

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

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

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

YES / NO

2.8.1 If so, furnish particulars:

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

YES / NO

2.9.1 If so, furnish particulars.

2.10 Are you, or any person connected with the bidder,
aware of any relationship (family, friend, other)
between any other bidder and any person employed by the
state
who may be involved with the evaluation and or

YES/NO

adjudication of this bid?

2.10.1 If so, furnish particulars.

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

2.11 Do you or any of the directors / trustees / shareholders / members
of the company have any interest in any other related
companies whether or not they are bidding for this
contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

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

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

4 DECLARATION

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

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

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

.....

.....Signature

.....

Date

.....

.....Position

.....

Name of bidder

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Section 7: PREFERENCE POINTS CLAIM FORM (SBD 6.1)

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 (B-BBEE) Status Level of Contribution

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

1 GENERAL CONDITIONS

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

- 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 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) B-BBEE Status Level of Contributor.

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

	POINT S
PRICE	
B-BBEE STATUS LEVEL OF CONTRIBUTOR	
Total points for Price and B-BBEE must not exceed	100

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

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

2 DEFINITIONS

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

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
- | | | |
|----|---|-----------------------|
| 1) | certificate issued by an authorized body or person; | B-BBEE Status level |
| 2) | prescribed by the B-BBEE Codes of Good Practice; | A sworn affidavit as |
| 3) | prescribed in terms of the B-BBEE Act; | Any other requirement |
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3 POINTS AWARDED FOR PRICE

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

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

	80/20	or	90/10
P_s	$80 - 1 \frac{P_t - P_{min}}{P_{min}}$	or	P_s
			$90 - 1 \frac{P_t - P_{min}}{P_{min}}$

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{min} = Price of lowest acceptable bid

4 POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points(90/10 system)	Number of points(80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5 BID DECLARATION

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

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

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

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

7 SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (***Tick applicable box***)

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

7.1.1 If yes, indicate:

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

(***Tick applicable box***)

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

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

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		

OR		
Any EME		
Any QSE		

8
DECLARATION WITH REGARD TO COMPANY/FIRM

- 8.1
- Name of company/firm:.....
- 8.2
- VAT registration number:.....
- 8.3
- Company registration number:.....
- 8.4
- TYPE OF COMPANY/ FIRM

Partnership/Joint Venture /

ConsortiumOne person

business/sole propriety Close

corporation

Company

(Pty)

Limited

[TICK APPLICABLE BOX]

8.5
DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

...

.....

...

.....

...

.....

8.6
COMPANY CLASSIFICATION

Manufactur

erSupplier

Professional service provider

Other service providers, e.g. transporter,

etc.[TICK APPLICABLE BOX]

- 8.7
- Total number of years the company/firm has been in business:.....
- 8.8
- I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that thepoints 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 acknowledgethat:
- 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 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-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or an

of the conditions of contract have not been 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 been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

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

DATE:

ADDRESS

.....

.....

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Section 8: DECLARATION OF BIDDER'S 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	<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>The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	<p>If so, furnish particulars: <input type="checkbox"/> <input type="checkbox"/></p>		
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 (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes	No
4.2.1	<p>If so, furnish particulars:</p>		

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

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Section 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION (SBD 9)

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per 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:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

respect: I certify, on behalf of: _____ that:

(Name of Bidder)

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