

## REQUEST FOR QUOTATION

### PROCUREMENT OF PHOTOGRAPHY AND VIDEOGRAPHY; AV, SOUND AND STAGING SERVICES ON 25 AUGUST 2022 FOR THE 60<sup>TH</sup> ANNIVERSARY OF NELSON MANDELA CAPTURE EVENT TO BE HELD IN HOWICK

<b>RFQ NUMBER:</b>	RFQ NHC/85/2022/23
<b>RFQ ISSUE DATE:</b>	2022-08-17
<b>CLOSING DATE AND TIME:</b>	19 August 2022 @ 11:00am
<b>COMPULSORY BRIEFING SESSION</b>	None

**SUPPLIERS ARE REQUESTED TO PLEASE SUBMIT A QUOTATION ON THE COMPANY LETTERHEAD FOR THE FOLLOWING:**

<u>No</u>	<u>Item Description</u>	<u>Quantity</u>	<u>Unit of Measure</u>
4.1.	Procurement of Photography and Videography; AV, Sound and Staging Services required on 25 August 2022 for the 60 <sup>th</sup> anniversary of Nelson Mandela Capture Event held at the Nelson Mandela Capture Site Museum in Howick, Kwazulu-Natal  Suppliers are required to refer to the attached specifications for submit a detailed breakdown cost on the company letterhead. Summarised quotations will not be accepted.	1	Each

ITEM DESCRIPTION	DETAILED INFORMATION
<b>RFQ VALIDITY PERIOD</b>	30 days (COMMENCING FROM THE RFQ CLOSING DATE)
<b>COMPULSORY REQUIREMENT</b>	<ul style="list-style-type: none"> <li>- Valid current Tax compliance status pin code for verification of tax compliance status with SARS.</li> <li>- Only suppliers registered on the Central Supplier Database (CSD) will be considered. Suppliers must include with their quotation / proposal their Master Registration number as proof of registration on CSD</li> </ul>

ITEM DESCRIPTION	DETAILED INFORMATION
	<ul style="list-style-type: none"> <li>- Only bidders that submit a valid current certified copy of the B-BBEE Certificate or original BBEE certificate issued by the verification agency accredited by SANAS or Sworn Affidavit signed by the EME representative and attested by a Commissioner of Oaths i.r.o (EMEs), will be considered for scoring on the 20 points as per the 80/20 principle</li> <li>- Completed and signed Standard Bidding Documents (SBD) forms included with the bid document / RFQ.</li> </ul>
<b>COMPULSORY CLARIFICATION MEETING</b>	None
<b>OTHER COMPULSORY REQUIREMENTS / INFORMATION</b>	
<b>SUBMISSION OF QUOTES</b>	e-mail to: <a href="mailto:procurement@nhc.org.za">procurement@nhc.org.za</a>
<b>CONTACT PERSON FOR ENQUIRIES</b>	Ms. Zamajobe Sithole <a href="mailto:z.sithole@nhc.org.za">z.sithole@nhc.org.za</a> cc <a href="mailto:procurement@nhc.org.za">procurement@nhc.org.za</a>

## INTRODUCTION

### 1. PURPOSE OF THE REQUEST

NHC seeks to invite quotations for the supply and delivery of laptops as per attached requirements.

### 2. NHC's TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

- 2.1. NHC's conditions of purchase shall apply.
- 2.2. The validity period of the quotations must be clearly stated on the quotation.
- 2.3. Prices quoted shall be in South African Rand and inclusive of VAT and costs such as delivery, insurance, taxes, etc.
- 2.4. No price adjustments or amendments of the delivery particulars contained in this document will be considered by the NHC.
- 2.5. The supplier accepts full responsibility for the proper execution and fulfilment of the goods or services quoted for.
- 2.6. NHC reserves the right to accept or reject any special terms and conditions that may qualify the goods or services to be provided.
- 2.7. Quotations shall be submitted on an official letterhead and duly signed.
- 2.8. Goods or services shall be supplied / rendered upon receipt of an official purchase order from the NHC.

- 2.9. The General Conditions of Contract issued by National Treasury are applicable.
- 2.10. Only quotations from suppliers that complies with the specifications and indicate the date of delivery, shall be evaluated and considered.
- 2.11. Your quotation must indicate the expected delivery date / period.
- 2.12. The NHC reserve the right to do due diligence on the quotations.
- 2.13. The NHC reserves the right to benchmark prices quoted.
- 2.14. No services must be rendered or goods delivered before an official NHC Purchase Order form has been received and the service level agreement is signed (if applicable).
- 2.15. Late and incomplete submissions will not be accepted.
- 2.16. NHC shall pay within 30 days after receipt of an invoice.
- 2.17. All invoices must be submitted to SCM via the email to [procurement@nhc.org.za](mailto:procurement@nhc.org.za).

### 3. EVALUATION CRITERIA

All quotations will be evaluated based on compliance with compulsory requirements, compliance with specifications / Terms of Reference and the 80/20 preference point system prescribed by the Preferential Procurement Policy Framework Act 5 of 2000 and its Regulations. The lowest acceptable price will score 80 points; the 20 BBEE points will be allocated as follows:

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

Your assistance and co-operation is appreciated.

Kind Regards

*Ms. Corné van Huyssteen*  
*Supply Chain Management*  
*National Heritage Council of South Africa*  
*353 Festival Street*  
*Hatfield*  
*0028*  
*Tel: 012 748-3915*  
*Email: [procurement@nhc.org.za](mailto:procurement@nhc.org.za) / [c.vanhuyssteen@nhc.org.za](mailto:c.vanhuyssteen@nhc.org.za)*

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REQUEST FOR A QUOTATION – 60<sup>TH</sup> ANNIVERSARY OF NELSON MANDELA  
CAPTURE: PHOTOGRAPHY AND VIDEOGRAPHY; AUDIO, VISUAL & SOUND

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## 1. BACKGROUND OF THE PROJECT

The National Heritage Council of South Africa (NHC) is a Schedule 3(A) Public Entity that is responsible for the preservation of the country's and education, knowledge production in heritage subjects that were previously neglected, and making funding available to projects that place heritage as a socio-economic resource.

The NHC and the Nelson Mandela Capture Site seek to host a commemorative event in a form of an intergenerational dialogue to observe the anniversary of Nelson Mandela's capture at Howick. This is so because the year 2022 marks 60 years of that fateful day of the 5th of August 1962 and so this is one of the historically important moments in the struggle against apartheid. Nelson Mandela made great strides in awakening the consciousness of South Africans, and the world, to the inequalities and unfair treatment that was carrying on within the borders of this great land. His legacy should always be recognized as the future of this country.

## 2. PRODUCTS AND SERVICES REQUIRED

The NHC requires a quotation on Photography, Videography, Audio-visual clips.

### 2.1 Videography

This service is required at the Nelson Mandela Capture Site Museum in Howick, Kwazulu Natal on 25 August 2022 (11h00 to 15h00). The Service Provider will be required to attend a setup briefing meeting (date to be determined once appointed) of the Organising Committee and be available for a scheduled dry-run session a day prior to the event. The following is required:

#### a. Video recording, editing and production

- i. Full length recording in high resolution on a flash-drive
- ii. 45-minute edited version on flash-drive in high resolution and compressed in MP4

- iii. Post the dialogue, maximum of 5 attendees are to be interviewed about their views on the dialogue

#### **b. Social media live streaming**

The event should be streamed live through the Zoom platform of the National Heritage Council of South Africa. A minimum of two video cameras on the floor are required for the live stream. A vision and sound mixer is required.

- i. Video footage to be streamed live via Zoom for 2 hours from 11h00 to 14h00 on 25 August 2022
- ii. Service provider to provide for streaming data costs and router
- iii. Zoom platform or account to be provided by the NHC

## **2.2 Photography**

The **duration** of the photography and videography services will start from the arrival of guests until the closing of the event on 25 August 2022.

**Photo opportunities** – please ensure the best pictures are stored on an electronic flash drive/external hard drive clearly separated in folders and sub-folders packaged according to the explanation below. Photographs to be delivered on the same day of the event. All photos required in JPEG format.

**Packaging of the photographs:** unless stated differently, we require photographs to be high resolution of minimum 300dpi JPEG format (not RAW) of each photo opportunity. A separate folder should contain all other unedited photographs that were taken during the entire event.

**Delivery of packaged photographs:** five flash or external hard drives containing folders and subfolders of photographs indicated in categories above.

#### **a. Photo opportunities**

- i. **Event venue setting (folder):** external landscape and site signage, registration area, panel of speakers' setting and entertainers [minimum 10]
- ii. **During arrival (folder): (sub-folders)** exterior landscape, dignitaries, guests seated guests [minimum 20]
- iii. **On stage (folder): (sub-folders)** programme director, Speakers on the programme, cultural performances, audience posing questions, speeches made by the designated speakers and presentations by the panel. [300 pictures]
- iv. **After event (folder): (sub-folders)** site tour, panelist with NHC executive and board members; panelists only; task team – NHC & NMC Museum
- v. **NB:** some pictures will be required during the event for social media usage

## **2.3 Audio Visual, Sound and stage**

- Projector
- Projector screen 4 m x 3m

### **Sound**

- PA System for an audience of 150 people should be provided (minimum requirements: 2x speakers, 3x cordless microphones, 4x lapel microphones).
- Provide sanitizing material for your equipment – especially microphones

### **Stage**

- 1x Stage (15mx3m) x500/600mm high [for speakers/panel of speakers]
- 1x Podium for the stage
- The stages to be fitted with stairs and ramps in accordance with safety standards.
- Lighting for main stage required – compatible for videography

## **4. PACKAGING OF FINAL MATERIAL**

The material that was produced (videos and remaining photographs) should be delivered to the NHC in 2 identical external hard drives no later than seven working days after the event. The content should be properly arranged and labelled in folders.

## **5. ADDITIONAL INFORMATION**

Should your company be appointed for this service, you will be expected to take care of your own travel and accommodation. These cost should be included in the quotation.

The following information is compulsory to be submitted with your quotation.

- Ten samples of previous photographs taken outdoors during the day should be submitted in electronic format (JPEG) with your quotation.
- A short clip of at least 30sec and maximum of 4 minutes should be submitted in an MPEG/MP4 format with your quotation.
- List the number and type of cameras and lenses that will be used for the video and photography.
- Specify how many technicians will be on site for which responsibilities.

The submission of the quotation is on 19 August 2022, 11h00 by email [procurement@nhc.org.za](mailto:procurement@nhc.org.za)

## **3. ENQUIRIES**

All enquiries and submissions should be sent on email to: [z.sithole@nhc.org.za](mailto:z.sithole@nhc.org.za).

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, 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, shareholder<sup>2</sup>): .....

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 / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>"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.

<sup>2</sup>"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 attached 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 adjudication of this bid? YES/NO

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 / Persal Number



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

May 2011

## PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** 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:

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

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

- (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) “**price**” includes all applicable taxes less all unconditional discounts;
- (h) “**proof of B-BBEE status level of contributor**” means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (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;

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmax = Price of highest acceptable bid

## 5. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 5.1 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

## 6. BID DECLARATION

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

## 7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 7.1 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.)

## 8. SUB-CONTRACTING

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

(**Tick applicable box**)

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

- 8.1.1 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		

9. **DECLARATION WITH REGARD TO COMPANY/FIRM**

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 **TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

9.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

9.6 **COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business:.....

9.8 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-BBEE 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 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 any 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	.....
	.....
	.....

# DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p><b>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>e Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		

4.3	Was the bidder or any of its directors convicted by a court of law (including a court 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:		

### CERTIFICATION

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

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

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

Js365bW



## CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

### 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:

**NATIONAL HERITAGE COUNCIL**

(Name of Institution)

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

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

(Name of Bidder)

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

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

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