



SOUTH AFRICAN DIAMOND AND PRECIOUS METALS REGULATOR

REQUEST FOR BIDS

The South African Diamond and Precious Metals Regulator invite prospective service providers to submit bids for the following requirements:

Bid number	Bid Description	Closing date	Enquiries
SADPMR30/2022	REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF AN INSURANCE BROKER TO PROVIDE SHORT- TERM INSURANCE FOR THE ASSETS OF SADPMR FOR THE PERIOD OF 36 MONTHS.	17 June 2022 @11h00	C Khadimovha

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	SADPMR30/2022	CLOSING DATE:	17/06/2022	CLOSING TIME:	11:00am
DESCRIPTION	REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF AN INSURANCE BROKER TO PROVIDE SHORT- TERM INSURANCE FOR THE ASSETS OF SADPMR FOR THE PERIOD OF 36 MONTHS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
2 Cote D'Azur Avenue, Corner Bonaero drive, Bonaero Park, Kempton Park, 1622					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Cynthia Khadiamovha		CONTACT PERSON	Mr Bulumko Mdoana	
TELEPHONE NUMBER	(011) 223 7000		TELEPHONE NUMBER	(011) 223 7000	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	cynthiak@sadpmr.co.za		E-MAIL ADDRESS	bulumkom@sadpmr.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					



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TERMS OF REFERENCE FOR THE APPOINTMENT OF AN INSURANCE BROKER TO PROVIDE SHORT-TERM INSURANCE SERVICES FOR THE ASSETS OF SADPMR FOR THE PERIOD OF 36 MONTHS

1. PURPOSE

- 1.1. The purpose of this bid document is to appoint an experienced service provider that can provide appropriate and value-adding brokering services for short-term insurance cover to SADPMR.
- 1.2. This bid document intends to provide prospective Service Providers with adequate information to understand and respond to SADPMR's requirements for the provision of short-term insurance services. It serves to ensure uniformity in responses and to provide a structured framework for the evaluation of proposals.
- 1.3. The appointment will be for three (3) years commencing on the date as prescribed in the Letter of Award and signed Service Level Agreement.

2. BACKGROUND

- 2.1. SADPMR is a public entity listed in Schedule 3A of the Public Finance Management Act, Act 1 of 1999, and must meet the requirements of that Act.
- 2.2. SADPMR must minimise its risks by ensuring that the risks are allocated to the service provider that is best suited to manage risks and ensure that all its assets are insured.
- 2.3. The service provider must be operating legally in South Africa. Experience in the public entities sector is preferred.
- 2.4. This bid document is intended to provide a scope of work and deliverables, against which to appoint a provider of short-term insurance services.
- 2.5. SADPMR's claim history includes only one claim at approximately R 100k for storm damage in the past five years.

3. SCOPE OF SERVICES REQUIRED

The successful bidder is required to:

- 3.1 Provide SADPMR with comprehensive insurance cover with legitimate underwriters for losses on, but not limited to, all asset classes below:



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COMPUTER EQUIPMENT

Row Labels	Sum of Cost price
Desktop	2,575,900.20
Laptop and Commercial Hard-Drives	2,402,380.34
Switch, UPS, Racks and Servers	7,823,838.75
Tablets and Individual Hard Drive	52,500.00
Sub total	12,854,619.29

OFFICE EQUIPMENT

Row Labels	Sum of Cost price
Binders, Smart Boards, Trolleys and Shredders	54,145.96
Microwave, Fridges, Water coolers, Stoves, Fans and Vacuums	62,606.67
Printers and Scanners	480,916.53
Projector, Televisions, Audio equipment, Decoders, Cameras, Monitors and GPS	1,153,420.69
Scales and lamps	3,466,422.12
Sub total	5,217,511.97

FURNITURE AND FITTINGS

Row Labels	Sum of Cost price
Chairs	997,592.67
Coat stands and Food rest	29,395.70
Desk, Drawer, Pedestal and Credenza	2,726,775.89
Filing cabinets, Trolleys, Cupboards and Sofas	733,512.15
Sub total	4,488,810.46

SECURITY EQUIPMENT

Row Labels	Sum of Cost price
Alarm system, Amplifier, Alarm controller, Surveillance system, Intercoms and Power suppliers	2,853,016.21
CCTV Monitors and systems, DVRs, Video recorders, Metal detectors and scanners	504,424.05
Fire resistant cabinets	77,966.88
Safes	273,308.18
Sub total	3,708,715.32



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MOTOR VEHICLE

Row Labels	Sum of Cost price
Bakkies	1,783,667.21
Hatch backs and Sedans	1,551,214.40
Sub total	3,334,881.61
Cell phones	58,000.00
Grand total	29,662,538.65

- 3.2. Provide a clear and user-friendly claim procedure, with a turnaround time of approximately seven (7) days once the claim is submitted for losses/damages.
- 3.3. Facilitate insurance for SADPMR for all assets/portfolios, including new asset/portfolios.
- 3.4. Facilitate ad hoc adjustments and endorsements on sums insured and declaration to insurers / re-insurers.
- 3.5. Report regularly on the progress on all claims, risk control issues and other general matters raised.
- 3.6. Ensure a quick turnaround of documentation and interpret the insurance jargon for SADPMR.
- 3.7. The bidder must disclose the insurer or consortium of insurers on each portfolio of insured assets.

SERVICE LEVELS

- 3.8. Notwithstanding those above, and without prejudice to any other SADPMR rights, SADPMR reserves the right to enter into service disputes at any point in time with the view of contract cancellation. During a service dispute, the service provider shall continue to render services per these service levels.

4. EVALUATION CRITERIA

4.1 The bid will be evaluated on four (4) stages:

Stage 1: Administrative compliance and screening mandatory documents

Stage 2: Mandatory requirements

Stage 3: Functionality evaluation

Stage 4: Price and Broad-based Black Economic Empowerment (B-BBEE)

4.1 STAGE 1: ADMINISTRATIVE COMPLIANCE AND SCREENING OF MANDATORY DOCUMENTS

- 4.1.1 Bidders must make sure that all standard bid documents are signed, and the Central Supplier Database



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(CSD) report or Unique Number or Supplier number from the CSD is attached to the proposal.

4.2 STAGE 2: MANDATORY REQUIREMENTS

4.2.1 Bidders must submit the following documents to advance to the Functionality Evaluation

4.2.2 Proof of registration with the Financial Services Conduct Authority (FSCA) or Financial Services Provider (FSP);

4.2.3 Proof of Professional Indemnity cover.

N.B KINDLY SUBMIT ONE ORIGINAL HARD COPY AND SOFT COPY IN A USB FORM IN YOUR RESPONSE TO BID.



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4.3. STAGE 3: FUNCTIONALITY EVALUATION

The functionality will be scored against the following criteria. Please note that where a “Minimum Rating to Qualify” for a criterion has been indicated, a bidder will be disqualified if not achieved.

FUNCTIONALITY: PHASE 1		
Criteria	Sub-criteria	Points
<p>Bidder's relevant experience for the assignment:</p> <p>(The bidder must attach duly signed reference letter(s) of the organisation where the short-term insurance services were provided to qualify for the indicated points)</p>	<p>The duly signed reference letter must bear the letterhead of the organisation where short-term insurance services were provided. SADPMR reserves the right to contact these organisations, without prior notice to the bidder.</p> <ol style="list-style-type: none"> 1. A bidder with no reference letters = 0 points 2. A bidder with one reference letter = 10 points 3. A bidder with two reference letters = 20 points 4. A bidder with three reference letters = 30 points 5. A bidder with four reference letters = 40 points 6. A bidder with five or more reference letters = 50 points <p>NB:</p> <ul style="list-style-type: none"> • Reference letters may not be replaced by letters of agreement, contracts or purchase orders. 	50
<p>Experience of bidder's Lead Broker/ Consultant that will be assigned to the contract:</p> <p>(The bidder must attach Curriculum Vitae (CV), finance or any insurance related qualifications and experience of the Lead Broker/ Consultant in the above team to qualify for points)</p>	<p>The Curriculum Vitae (CV) and qualifications of the Lead Broker/ Consultant will be used for the allocation of points as follows:</p> <ul style="list-style-type: none"> • Lead Broker/ Consultant with zero years working experience = 0 points • Lead Broker/ Consultant with qualifications and one-year working experience = 10 points • Lead Broker/ Consultant with qualifications and two years working experience = 15 points • Lead Broker/ Consultant with qualifications and 	30



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	<p>three years working experience = 20 points</p> <ul style="list-style-type: none"> Lead Broker/ Consultant with qualifications and four years working experience = 25 points Lead Broker/ Consultant with qualifications and five or more years working experience = 30 points <p>NB:</p> <ul style="list-style-type: none"> The bidder is required to submit a list of all team members' credentials who will be involved in the project, specifying the Lead Broker/ Consultant. 	
<p>Proof of Accredited Professional Insurance Association or affiliation of the service provider and the lead broker/consultant</p> <p>(The bidder must attach a valid certificate of membership of both the company and the Lead Broker/Consultant to obtain points)</p>	<ul style="list-style-type: none"> Company and Lead Broker/ Consultant with no membership certificates = 0 points The Company with membership certificate only = 10 points Lead Broker / Consultant with membership certificate only = 10 points The Company and Lead Broker/ Consultant with membership certificates = 20 points 	20
TOTAL POINTS		100

MINIMUM SCORING

A bidder must have obtained a minimum of 70% points out of the total points for functionality to qualify to be evaluated on prices and B-BBEE. After the functionality evaluation, the qualifying bids will be evaluated per the 80/20 preference point system, as contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000), Preferential Procurement Regulation 2017.



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4.4. Points awarded for B-BBEE status level of contributor

(a) 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 per the table below:

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



DECLARATION OF INTEREST

1. 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 / persal 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



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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**



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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

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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SBD 6.1

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

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the80/20..... preference point system shall be applicable;

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
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 means of the contributor”** 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



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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** means the Broad-Based **Act”** 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) 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;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$P_t \leq P_{\min}$$

$$P_s \leq 80 \leq 1 \leq P_{\min}$$

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 (80/20)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant Contributor	0



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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 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 subcontractor.....
- iii) The B-BBEE status level of the subcontractor.....
- 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 last 51% owned	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 / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company



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☐ (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 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 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 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.



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WITNESSES

1.

2.

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

DATE:

**ADDRES
S**
.....



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SBD 8

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	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? (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). 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.	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)? 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.	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"/>



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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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SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 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 *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:

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

REQUEST FOR PROPOSAL FOR THE APPOINTMENT OF AN INSURANCE BROKER TO PROVIDE
SHORT- TERM INSURANCE FOR THE ASSETS OF SADPMR FOR THE PERIOD OF 36 MONTHS..

(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;



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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 consortium³ 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.
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.



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Signature

.....
Date

.....
Position

.....
Name of Bidder

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.

³ 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.



**SOUTH AFRICAN DIAMOND AND
PRECIOUS METALS REGULATOR**

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