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QUEST FOR QUOTATION (RFQ)

RFQ	RFQ/LOG/2022/75
RFQ ISSUE DATE	17 June 2022
COMPLUSORY BRIEFING SESSION	Radio Park Henley road, Auckland Park, 2092 Johannesburg Date: 01 July 2022 Time: 10:00 am
RFQ DESCRIPTION	REPLACEMENT OF THREE (3) PORTABLE GALVANIZED STEEL WATER TANKS AT SABC AUCKLAND PARK CAMPUS AS A ONCE OFF PROJECT
CLOSING DATE & TIME	08 July 2022 @ 12:00

Submissions must be electronically emailed to RFQSubmissions@sabc.co.za on or before the closing date of this RFQ.

PLEASE NOTE THAT AS FROM 01 JULY 2016 COMPANIES THAT ARE NOT REGISTERED WITH CSD SHALL NOT BE CONSIDERED.

CIDB GRADING: MINIMUM OF CIDB = 3 CE OR ME.

For queries, please contact: **Ledile Mokgalapa** via email: Tenderqueries@sabc.co.za

The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO. : _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION

1. All electronic submissions must be submitted in a **PDF** format that is protected from any modifications, deletions, or additions.
2. Financial/pricing information must be presented in a **separate** attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All submissions should be prominently marked with the following details in the email subject line:
 - **RFQ and bidders' name.**
5. 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
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC 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
 - delay in transmission receipt of the bid
 - failure of the Bidder to properly identify the bid
 - illegibility of the bid; or
 - Security of the bid data.

NB: BIDDERS SHOULD ENSURE THAT LINKS FOR WE-TRANSFER OR GOOGLE DROP BOX EXPIRE 30 DAYS AFTER SUBMISSIONS INSTEAD OF SEVEN DAYS

NOTES ON BRIEFING SESSION

8. Bidder attending the site briefing must forward their details to Ledile Mokgalapa or Mayibongwe Mhlongo via email: MokgalapaLR@sabc.co.za or MhlongoMR@sabc.co.za before close of business on the day preceding the Site Inspection so an arrangement can be organised with the Protection Services for the Contractor to access the building.

FIRST PHASE – PREQUALIFICATION CRITERIA: MANDATORY DOCUMENTS

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.

MANDATORY REQUIREMENT		COMPLY/ NOT COMPLY
1.	Provide a proof of CIDB Grading: minimum of CIDB = 3 CE or ME. The Tenderer shall provide a valid certificate at the time of closing and at the time of award.	
2.	Proof of a valid ECSA registration as a professional engineer or technologist mechanical (certificate or letter of good standing)	
3.	Quotation on the company letterhead	

NON-SUBMISSION OF THE MANDATORY DOCUMENTS WILL RESULT IN AUTOMATIC DISQUALIFICATION.

REQUIRED DOCUMENTS

- 1.1 Submit proof CSD registration
- 1.2 Proof of Valid TV License Statement for the Company; all active Directors and Shareholder must have valid TV Licenses.
(Verification will also be done by the SABC internally).
- 1.3 Valid Tax Clearance Certificate or SARS “Pin” to validate supplier’s tax matters
- 1.4 Original or Certified copy of Valid BBBEE Certificate (from SANAS accredited Verification Agency)
- 1.5 All EME’s and 51% black Owned QSE’s are only required to obtain a **sworn affidavit** on an annual basis, confirming the following.
 - 1.4.1 Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
 - 1.4.2 Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the ‘approved regulatory bodies’ for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.

- 1.6 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.
- 1.7 Certified copy of Shareholders’ certificates.
- 1.8 Submit Proof of Public Indemnity Cover for minimum of R10 000 000
- 1.9 Certified copy of ID documents of the Directors or Members.

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO’S TAX MATTERS ARE NOT IN ORDER.

NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO’S TV LICENCE STATEMENT ACCOUNT IS NOT VALID.

DETAILED TECHNICAL SPECIFICATION

1. Background

The domestic water system of the Radio Park building comprise of 3 water storage tanks built of sectional galvanised steel plates of dimension 1220 mm x 1220mm. This water system was installed in 1974 and has been in service since. The water system has recently failed on several occasions due to age and component failures. This has adversely affected the performance of the system. Water pump control problems have led to over filling and flooding of the water reservoirs. Leaks have been experienced due to corrosion of the steel plates.

The pipework system is in a relatively good functional status. The current tanks status risks flooding of the upper floors of the building and flooding of the central plant, which houses most electrical equipment sustaining the Radio Park Building.

2. SCOPE OF WORK

The acquisition and erection of the three galvanised sectional steel tanks. One tank will be installed in the central Plant room level K2 in the basement of the Radio Park building, the second tank will be installed in D3 (floor 15 and 16 inter-floor) plant room level and the last tank will be installed in D6 (29 and 30 floors inter-floor) plant room level.

2.1 TANKS DESIGN OUTLINE

- **DESIGN**

The water pressure applied to a tank plate determines the stress that it needs to withstand. Based on this principle, the thickness of the design panel solely depends on the depth of the tank. The maximum depth of the standard tanks is 3 panels (3 m). The better the protection against corrosion, the better the water tank is protected and the longer it will last. The recommended thickness of zinc coating according to the SANS to protect the lifespan of hot-dipped galvanised tanks. Contrary to popular opinion, it is the thickness of the zinc coating, and not the thickness of the steel, that protects the tank.

- **Roofing:**

Depending on the width of the tank, individual roof sheets span 1, 2 or 3 tank panels. If the tank width is greater than 3 panels, the roof sheets overlap each other and are bent up to deliver optimum sealing.

- **Internal support:**

In order to further optimise the accuracy of the dimension of the tank, standard tanks have internal bracing that consist of an angle iron that is welded to base plates. The

base plates are then bolted to the tank panels. All these component parts are jig-assembled to ensure the accuracy of the dimensions of the tank. For added support, the roof of the tank must be fixed to cold-rolled lipped channel purlins that are supported by tubular posts

- **Sealants:**

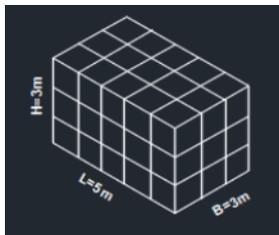
All sealants and component parts must be specially developed to provide optimum sealing. All sealants and rubber components used must be non-toxic and non-tainting.

- **Corrosion:**

To protect against corrosion, all steel components, including bolts, nuts, and washers, are hot dip galvanised.

2.2 TANKS SPECIFICATIONS

TEMPORARY TANK (BASEMENT)



Panel Size: - 1.22mx1.22mx 4.5mm thick

Volume = 45 m³

Height = 3x1.22m

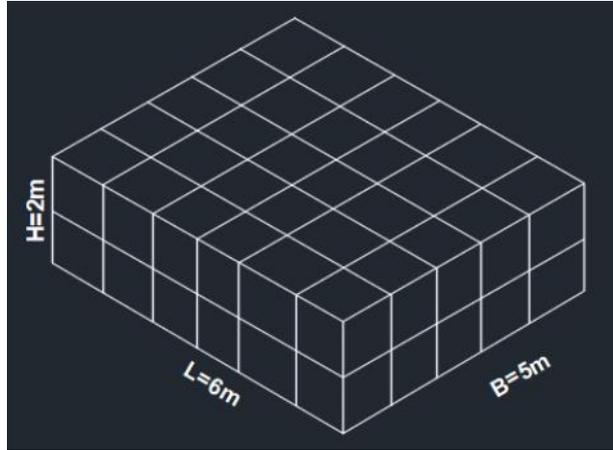
Length = 5x1.22m

Breath = 3x1.22m

- The Temporary Tank (45 m³) will be placed at the Basement, at a designated area as shown on drawing (A8020-S-004). This Tank will be used as the main tank while K2 (the main Tank) is being replaced. The Temporary Tank will receive water from the municipal connection. This Temporary Tank must be filled with water before disconnecting Tank K2. Existing valves and pumps are still in good condition and must be removed with care.

Once the temporary Tank is full of water, and fully connected, then it will be used to supply water to D6 tank on the 29/30th floor, then the K2 Tank can be disassembled.

- MAIN TANK K2 (AT THE BASEMENT)



Panel Sizes: - 1.22mx1.22mx 4.5mm thick

Volume = 108.95 m³

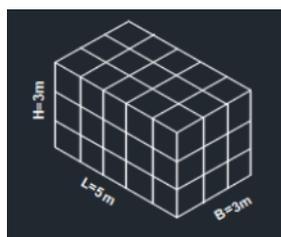
Height = 2x1.22m

Length = 6x1.22m

Breath = 5x1.22m

- The main Tank K2 placed in the Basement. This tank is to be replaced with a new similar size Galvanized steel tank. Pipes and fittings will be reused to connect to the temporary tank and on the new K2 tank.
- Once the installation of Tank K2 is completed, this temporary tank should be disassembled and moved to the roof to be used during the replacement of Tank D6.

- TANK D6: TANK BETWEEN 29/30th FLOOR



Panel Sizes:- 1.22mx1.22mx4.5mm thick

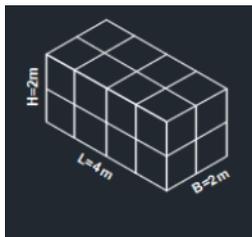
Volume = 45 m³

Height = 3x1.22m

Length = 5x1.22m

Breath = 3x1.22m

- Tank D6 on the 29/30th floor is to be replaced with a new similar size Galvanized steel tank. Pipes and fittings are still in good condition and are to be reused. This tank receive water from Tank K2, it supplies water to floor 30th up to 16th floor and feeds Tank D3 on the 16th floor also. During replacement of Tank D6, a temporary tank placed on the roof will be connected to the system to replace Tank D6.
 - This temporary tank will receive water from the newly installed K2 tank before D6 is dissembled. To make sure that optimum pressures are maintained, the contractor should conduct pressure tests on the system and install Pressure Releasing Valves (PRVs) at suitable places. These PRVs will be installed to make sure that high pressures don't cause damage to the system.
 - Once all the necessary tests are done, then the temporary tank can be used to supply water from the 30th floor down to the D3 tank on the 16th floor.
 - On completion of installing the new D6 tank, the temporary tank will be used to replace D3.
- TANK D3: TANK BETWEEN 15TH & 16TH FLOOR



Panel Sizes: - 1.22mx1.22mx4.5mm thick

Volume = 29.05 m³

Height = 2x1.22m

Length = 4x1.22m

Breath = 2x1.22m

- Tank D3 placed on the 15th/16th floor is to be replaced with similar size Galvanized steel tank. Pipes and fitting are still in good condition and to be removed with care for reused. This tank supplies water from the 15th floor to the 1st floor and also feeds tank in the TV Area.
- During the replacement of Tank D3, a temporary tank placed on the roof will be fed by Tank D6 and connected to supply water to the floors supplied by D3 including TV Area. A pressure reducing valve will be installed at a suitable place to regulate pressure for floor 15th to the 1st floor of the building.
- After installation of new Tank D3, pressure tests done at all critical points, ratification must be done where necessary.
- Dismantling of Temporary Tank and all associated pipes & fittings, Cleaning must be done before site hand over.

2.3 HEALTH & SAFETY REQUIREMENTS

- SABC Health & Safety requirements to be satisfied during maintenance phase.
- The contractor must submit the Health and Safety file

2.4 QUALITY ASSURANCE

- Where trade names are specified, the contractor may provide samples of similar or equivalent products to the relevant consultant for vetting and approval prior to installation. This process must be strictly adhered to as it will be for quality control purposes. Manufacturer's guarantee periods and installation specifications must be followed strictly to ensure that guarantees are valid.
- SABC will carry out periodic quality inspections and due diligence during the maintenance. These inspections will be monitored by means of photographic quality reports issued by the SABC. In turn these will be issued to the contractor to remediate were necessary.
- **Installation must comply with SANA 121 and 10252 standards**

2.5 HANDOVER AND CLOSE-OUT

The contractor must provide SABC with all guarantees, warranty and compliance certification for all workmanship and installations This information must be handed over timeously to be inserted into the handover and maintenance file

3. RFQ Response Information

Effective Date of Bid

Vendors should state in writing that their quotation to the SABC and all furnished information, including price, will remain valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

4. Costing

The quotation must reflect a detailed cost breakdown, and any indirect costs associated with the rendering of required service as per the schedule in **Annexure E**,

5. Duration of the Contract

Once – off project (estimated period is within 6 months)

6. Evaluation criteria

6.1 BBBEE and Price

- The RFQ responses will be evaluated on the **80/20** points system

6.2 Technical Evaluation

- The tender submission will be technically evaluated out of **85**
- A minimum threshold of **55 out of a maximum of 85** has been set.
- Bidders achieving less than the set threshold will be declared non-responsive and therefore will not continue forward for evaluation of BBBEE & Price Preference.

6.3 Objective Criteria

- The SABC further reserve the right not to award this tender to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.
- Bidders who are blacklisted or have committed other acts of fraud and misrepresentation of facts e.g. tax compliance, BBBEE, company financials, etc. will be eliminated from the bid process.

FIRST PHASE EVALUATION CRITERIA: PAPER BASED

Evaluation Area	Evaluation Criteria	Min Points	Max Points
Methodology	<p>Due to the premises being occupied, bidders must provide brief articulation of layout, plans and methods of how the work will be carried out with minimal business disruptions – NB: Bidder to submit detailed information with the below listed items as a minimum which will be rated on scale.</p> <ul style="list-style-type: none"> • Rubble removal – (3 Points) <p>Mechanism to rubble removal</p> <ul style="list-style-type: none"> • Dust management – (3 Points) <p>Methodology used to contain dust</p> <ul style="list-style-type: none"> • Noise management – (3 Points) <p>Methodology to control noise</p> <p>Flexibility to work after hours and weekend</p> <ul style="list-style-type: none"> • Water leaks management – (3 points) • Water supply during construction – (3 points) 	15	15
Experience in supply, installation, and commissioning of domestic potable water steel tanks	<p>Submit a references letter where the bidder has supplied, installed, and commissioned domestic potable water steel tanks of minimum 50m³ capacity in a multi-storey building.</p> <p>(The reference letters on client's letterhead with contact person name, either contact number and/ OR email of client, signed and must state the site name where work was performed).</p> <p>Each reference letter must meet the above criteria. Each letter will be scored points as follow:</p> <ul style="list-style-type: none"> • 3 letters – (15 points) • 4 – 6 letters – (20 points) • More than 6 letters (30 points) 	15	30
Qualification and Experience	<p>Bidder must submit a CV per category of the following workforce and must be accredited by relevant body or professional qualification and have minimum relevant experience as stipulated below.</p> <ul style="list-style-type: none"> • (Submit proof of qualification BSC, B-ENG, or BE-Tech) Professional or Technologist Mechanical engineer, registered with ECSA and a minimum of 4-years' experience – (15 points) 	15	30

	<ul style="list-style-type: none"> Contract or Project Manager with a minimum of 4 years' experience in water reticulation projects – (15 points) 		
Safe disposal of old tanks	Proof of safe disposal records of old tanks or Hazardous waste	10	10
Total		55	85

7 ADJUDICATION USING A POINT SYSTEM

- 7.1 The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- 7.2 Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- 7.3 In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 7.4 However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- 7.5 Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

8 POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

$$\text{Where: } P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

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

B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

B-BBEE Status Level of Contributor Number of Points

B-BBEE Status level of Contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- I. Bidders who qualify as EME's in terms of the B-BBEE Act must submit a certificate issued by a verification Agency accredited by SANAS for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates or DTI Affidavit.
- II. Bidders other than EMEs must submit their original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by SANAS.
- III. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate
- IV. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- V. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- VI. A tenderer will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- VII. A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

9 COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a tender, between the closing date and the date of the award of the business.

All enquiries relating to this RFQ should be emailed three days before the closing date.

10 CONDITIONS TO BE OBSERVED WHEN TENDERING

10.1 The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.

10.2 No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

10.3 The Corporation reserves the right to:

Not evaluate and award submissions that do not comply strictly with his RFQ document.

Make a selection solely on the information received in the submissions and

- Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this tender.
- Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders. During the evaluation process, no change in the content of the RFQ shall be sought, offered or permitted.
- Award a contract to one or more bidder(s).
- Accept any tender in part or full at its own discretion.
- Cancel this RFQ or any part thereof at any time.
- Should a bidder(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs, aligned to the BBBEE & Preference Point system.

11 Cost of Bidding

The Tenderer shall bear all costs and expenses associated with preparation and submission of its tender or RFQ, and the Corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

END OF RFQ DOCUMENT

Annexed to this document for completion and return with the document:

- Annexure A - Declaration of Interest
- Annexure B - Consortiums, Joint Ventures and Sub-Contracting Regulations
- Annexure C - Previous completed projects/Current Projects
- Annexure D - SBD 8 & 9 Forms
- Annexure E - Bill of Quantities

DECLARATION OF INTEREST

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-
 - (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
 - (b) any person who acts on behalf of SABC; or
 - (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
 - (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

it is required that:

The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

Does such a relationship exist? [YES/NO]

If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:
POSITION	:
OFFICE WHERE EMPLOYED	:
TELEPHONE NUMBER	:
RELATIONSHIP	:

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra*, exists.
3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
 - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
 - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS

1. CONSORTIUMS AND JOINT VENTURES

- 1.1 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 1.2 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

2 SUB-CONTRACTING

- 2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.
- 2.2 A person awarded a contract in relation to a designated sector, may not subcontract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 2.3 A person awarded a contract may not subcontract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

3 DECLARATIONS OF SUB-CONTRACTING

- 3.1 Will any portion of the contract be sub-contracted? YES / NO
- 3.2 If yes, indicate:
 - 3.2.1 The percentage of the contract will be sub-contracted%
 - 3.2.2 The name of the sub-contractor
 - 3.2.3 The B-BBEE status level of the sub-contractor.....
 - 3.2.4 whether the sub-contractor is an EME YES / NO

SIGNATURE OF DECLARANT

TENDER NUMBER

DATE

POSITION OF DECLARANT

NAME OF COMPANY OR TENDERER

ANNEXURE “C”

Previous completed projects (preferably provide a detailed company profile, detailed the below mentioned information)

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completed date

Current projects (preferably provide a detailed company profile, detailed the below mentioned information)

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completion date

ANNEXURE "D"

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:

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

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.

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.

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

ANNEXURE E BILL OF QUANTITIES

SABC TANKS					
BOQ					
Provisional and General Items					
ITEM	DESCRIPTION	UNIT	QTY	RATE	TOTAL
1	SECTION 1				
	GENERAL COSTS				
1.1	Site Establishment	Sum	1		
1.2	Setting out of Works, according to specification	Sum	1		
1.3	Cleaning of site upon completion of Contract.	Sum	1		
1.4	Development of workshop drawings, according to the specification	Sum	1		
1.5	Test and commissioning of complete Works to engineer and client satisfaction.	No	3		
1.6	Insurance of works as per specification	Sum	1		
1.7	Compilation of detail operational manuals and maintenance Manuals (with all test results), according to engineer's specification(3 sets)	Sum	1		
1.8	Client Training	Sum	1		
1.9	12 Months Guarantee and Maintenance	Sum	1		
	Carried to Summary				
ITEM	DESCRIPTION	UNIT	QTY	RATE	TOTAL
2	SECTION 2				
	TANKS				
2.1	Supply and install 29,05 m ³ (D3) tank complete with pipe work and	No	1		
2.2	Supply and install 45 m ³ (D6) tank complete with pipe work and	No	1		
2.3	Supply and install 108,95 m ³ (K2) tank complete with pipe work and	No	1		
2.4	Supply and install PVR (Pressure Relief Valve)	No	2		
2.5	Supply and install 45 m ³ Temporary tank with complete pipe work	No	1		
2.6	Demolition of 4 Concrete Plinth to 300mm height	m ³	4.76		
	Carried to Summary				
3	SUMMARY				
ITEM	DESCRIPTION				AMOUNT
3.1	Provisional and General Items				
3.2	Tanks				
	Sub Total				
	Contingencies @ 10%				
	Sub Total				
	VAT @15%				
TOTAL					