



RTIA

Road Traffic Infringement Agency

Justice in Adjudication

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Tel: +27 87 285 0500 | Fax: 086 263 6504 | www.rtia.co.za

REQUEST FOR QUOTATIONS

You are hereby invited to submit price quotation(s) for the requirements of the Road Traffic Infringement Agency (RTIA) indicated hereunder:

RFQ number	RFQ24/2022/23	
Date issued	25 July 2022	
Closing date and time	Closing 2 nd August 2022, Time: 16:00pm	
Quotation validity period	Quotation should be valid 30 days from RFQ closing date	
Description of goods/service required	Request for quotation from service providers to provide virtual training on Business Writing Skills to the employees of the Agency: Unit Standard 12153 .(See full description under Specifications)	
Email address (for submission of quotes)	Daphney.Matlhoko@rtia.co.za and Quotes@rtia.co.za	
Enquiry	Name	Daphney
	Tel.	087 285 0500
	Email	Daphney.Matlhoko@rtia.co.za and Quotes@rtia.co.za

Terms and conditions of RFQ

The following RTIA's standard conditions of purchase shall apply:

1. Late and incomplete submissions shall not be accepted.
2. Any Supplier who has reasons to believe that the RFQ specification is bias must inform RTIA before RFQ closing date.
3. Original/Certified B-BBEE status level verification certificate/Sworn affidavit must be submitted in order to qualify for preference points for B-BBEE, for procurement above R30 000).
4. Must be tax compliant.
5. Suppliers are required to complete the required Standard Bidding Documents.
6. No services must be rendered, or goods delivered before an official RTIA Purchase Order form has been received by the successful Supplier.
7. Upon acceptance of the Purchase Order, delivery will take place within stipulated timeframes as per the date of delivery indicated on the Purchase Order or within the date agreed with the RTIA.
8. If delivery is not effected within the specified period, the RTIA reserves the right to cancel the purchase order



Request for Quotations

Business Writing Skills

04 July 2022

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1. Purpose

The purpose of this document is to invite proposals from suitably qualified service providers to provide virtual training on Business Writing Skills to the employees of the Agency: **Unit Standard 12153**

2. Objectives

The successful service provider must provide virtual training to twenty (20) employees of the Agency on Business Writing Skills according to the learning outcomes listed below:

Name of training intervention	Learning outcomes	Number of employees	Duration of training
Business Writing Skills	<ul style="list-style-type: none">✓ How to profile your readers and adapt your writing style accordingly;✓ Preparing and planning all written work;✓ Delivering Impactful writing;✓ How to write clearly and concisely;✓ Advanced grammar and punctuation rules;✓ Proper formatting and layouts for letters, minutes, memos and reports;✓ How to create professional and sophisticated documents; and✓ E-mail etiquette;✓ Learn a method for continuously improving your writing skills based on Action-Reflection;✓ Revisit the rules of proper grammar and understand sentence and paragraph fundamentals;✓ Apply essential verbal and non-verbal strategies for effective communication;✓ Structure and compose a variety of texts using simple language to effectively communicate a message to a specific audience;✓ Match the type of communication purpose with the most appropriate channel for the receiver;✓ Write professional letters, memoranda, e-mails, reports and proposals by reviewing standard templates and customizing these to your work context;	20	3 Days

	<ul style="list-style-type: none"> ✓ Apply effective language skills through correction of grammatical mistakes in written texts; ✓ Be confident to prepare and deliver a professional written presentation within a business context; ✓ Review errors and assess accuracy through rigorously applying a checklist to your texts; ✓ Learn the value of professional written communication in building good client relationships. 		
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3. Requirements

The qualifying service providers are required to provide a comprehensive quote for virtual training of employees on Business Writing Skills. The virtual training must be structured according to the requirements of the learning outcomes mentioned above.

4. Deliverables

- 4.1 Provide virtual training to ten (10) employees of the Agency on Business Writing Skills;
- 4.2 Conduct compulsory online facilitation and assessments;
- 4.3 Clarify all assessments expected from the delegates and indicate the due dates for submission of the Portfolio of Evidence for unit standard based programme;
- 4.4 Collect Portfolios of Evidence from the Road Traffic Infringement Agency a week after the submission due date for unit standard based programme;
- 4.5 Arrange suitable dates with the Agency's training coordinator for re-submission and collection of Portfolio of Evidence for unit standard based programme;
- 4.6 Deliver SAQA accredited certificates of competent to the Agency within four months after the training has been completed for unit standard based programme;
- 4.7 Make provision for the reassessment of officials who were not competent for unit standard based programme;
- 4.8 Submit the course report after fourteen days after the last day of the course to the Agency training coordinator;
- 4.9 The course report should indicate the names of the delegates who have attended the course, and who have submitted the portfolios of evidence;
- 4.10 Upon completion of the programme, the service provider will be required to submit a final evaluation report alluding to achievements, challenges and proposal of improvement plan of future similar initiatives.

5. Duration and schedule

The duration of the virtual training is three (3) days.

6. Venue and refreshments

Training should be delivered online (virtual) and the service provider must provide the virtual platform.

7. Commitment Period

The commitment period will be for three (03) months from the date of engagement and or award.

8. Required expertise and skills

The Service Provider should have:

- 8.1 Clear understanding of Skills Development legislations, communication skills framework; SAQA, knowledge of SETA landscape and Public Service Regulations.
- 8.2 Virtual facilitation skills.
- 8.4 Ability to train adults in work situation.
- 8.5 Have necessary training qualifications and resources/facilities.

9. Accreditation

The service provider and the facilitator should be fully accredited by the Quality Council to qualify to provide training on Digital Transformation. **(must be attached)**

10. Company experience

- 10.1 Companies are required to provide proof that they have facilitated/performed similar project accompanied by correspondence from references providing that such a programme was executed as well as their contactable references.
- 10.2 Minimum experience of 3 to 6 years and above is required, team leaders and members should have at least minimum of 3 years and should be able provide their CV's for reference check.
- 10.3 Facilitators and assessors should be accredited by a relevant SETA.

11. Evaluation Criteria

- Service Providers will be evaluated on delivery expertise, approach and methodology, price as well as equity ownership in accordance with the RTIA's supply chain management policies which are in line with the Preferential Procurement Policy Framework Act 5 of 2000 (80/20) PPPFA scoring principles); and
- The contract will be awarded to the service provider obtaining the highest number of points as per the 80/20 preference points system.

Description of functions criteria	Points
Delivery Expertise and Relevant Experience	50 points
Methodology and Project Approach	30 points
Qualifications and skills of resources	20 points
TOTAL	100 points
Minimum required score	70 points

Detailed functionality evaluation criteria

APPLICABLE VALUES TO SCORE: 1 = Poor; 2 = Average; 3 = Good; 4 = Very Good and 5 = Excellent

Phase 1

Description of functions criteria	Points	Points
Delivery Expertise and Relevant Experience Demonstrate the following:		
<ul style="list-style-type: none"> Demonstrate ability to provide training as specified in Requirements (section 3 above) 		20
<ul style="list-style-type: none"> At least 3-6 years' and above training experience for reputable organizations; 0-3 years = 1 3-4 years = 2 4-5 years = 3 5-6 years = 4 Above 6 years = 5 		15
<ul style="list-style-type: none"> The service provider must submit at least three (3) references with details of the nature of the contract and contact details. 		15
Non submission		0
Methodology and Project Approach A comprehensive schedule of how the services are to be provided as the terms of reference.		30
Non submission		0
Qualifications and skills of resources Summarised CV's of the proposed team members/consultants, which should highlight a minimum three (3) years relevant experience in similar project and qualifications.		20
Non submission		0
Total		100
Minimum Score		70

A bidder must obtain a minimum of **70** points in the prequalification phase to progress to the next phase.

Failure to obtain **70** points will render the proposal non-responsive and no further evaluation of the next phase will be considered.

Phase 2: Pricing and B-BBEE: Preferential Procurement Policy Framework Act 5 of 2000 (80/20) PPPFA scoring principles); and 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

12. Submission of proposals

Bidders must furnish the following information as part of the bid response:

- 1.1 All evidence required in the functionality criteria;
- 1.2 Proposal in response to the request for quotation/proposal and;
- 1.3 All mandatory SCM documents, signed SBD forms (4, 6.1, 8, 9), CSD report, Tax Compliance Status and BBEE.

The following conditions will be applied:

- 1.3.1 This quote is subject to the Government Procurement General Conditions of Contract that may not be amended. Quotes should not be qualified by own conditions;
- 1.3.2 All price (s) must be inclusive of all costs plus VAT and must be firm for the duration of the contract period.

13. Right to appoint

The Agency reserves the right not to appoint a service provider, if it is established that no proposal meets the requirements.

14 Closing Date & submission of quotes

14.1 Quotes are expected to be submitted no later than 16h00 on Tuesday the 2nd August 2022.

14.2 Quotes may be submitted electronically by e-mails to Daphney.Matlhoko@rtia.co.za or Quotes@rtia.co.za

15. Enquiries and more information

All enquiries and requests for more information should be directed to the sender by email. The response will be distributed to all the prospective bidders by email so that every bidder has the same information.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

- 2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? YES/NO

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? YES/NO

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² 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.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature	Date
.....
Position	Name of bidder

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:
 - 1) 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 OR 90/10 PREFERENCE POINT SYSTEMS

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

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

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

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

5. BID DECLARATION

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

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

- 6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- 7.1.1 If yes, indicate:

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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- 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	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are youth	<input type="checkbox"/>	<input type="checkbox"/>
Black people who are women	<input type="checkbox"/>	<input type="checkbox"/>
Black people with disabilities	<input type="checkbox"/>	<input type="checkbox"/>
Black people living in rural or underdeveloped areas or townships	<input type="checkbox"/>	<input type="checkbox"/>
Cooperative owned by black people	<input type="checkbox"/>	<input type="checkbox"/>

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
 - ☐ (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.

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

4.4.1	If so, furnish particulars:
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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

Js365bW

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.

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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

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Date

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Position

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Name of Bidder

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