



T 02/2023

REQUEST FOR PROPOSAL TO CONDUCT A SOCIO-ECONOMIC IMPACT OF THE GAMBLING INDUSTRY IN THE MPUMALANGA PROVINCE

**CLOSING DATE 15 JUNE 2023
@ 11:00 AM**



Tender number: 02/2023

Tender Document- 02/2023

May 2023

Issued by:

The Acting Chief Executive Officer
Mpumalanga Economic Regulator
Private Bag X9908
White River
1240

Contact Person:

Ms Reineth Mampane
Acting Chief Financial Officer
Email: makhosazanem@mer.org.za
Tel 013 750 8000

Name of tenderer: _____

Total Bid price: _____



Bidder

RFP NUMBER:	T 02/2023
DESCRIPTION:	SOCIO-ECONOMIC IMPACT OF GAMBLING IN MPUMALANGA
PUBLISH DATE:	16 May 2023
VALIDITY PERIOD:	90 Days from the closing date
CLOSING DATE:	15 June 2023
CLOSING TIME:	11:00 AM
COMPULSORY BRIEFING SESSION	Date: 29 May 2023 Time: 11:00 AM Address: MER Building, First Avenue, White River, 1240, Mpumalanga Province, South Africa
BID RESPONSES MUST BE HAND DELIVERED / COURIERED TO:	MER Building, First Avenue, White River, 1240, Mpumalanga Province, South Africa
ATTENTION:	Ms Reineth Mampane Acting Chief Financial Officer
NB: Bidders must ensure that they sign the register at the reception when delivering their bids	



Bidder

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Bidder

SECTION: 1

CONDITIONS AND UNDERTAKINGS BY TENDERER IN RESPECT OF THIS TENDER



	Bidder
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1 CONDITIONS AND UNDERTAKINGS BY THE BIDDER

- 1.1 **The Bid forms should not be retyped or redrafted but photocopies may be prepared and used.** However, only documents with the original signature in black ink shall be accepted. Additional offers against any item should be made on a photocopy of the page in question.
- 1.1.1 Black ink should be used when completing Bid documents.
- 1.1.2 Bidders should check the numbers of the pages to satisfy themselves that none is missing or duplicated. Mpumalanga Economic Regulator will accept NO liability in regard to anything arising from the fact that pages are missing or duplicated.
- 1.2 I/We hereby Bid to supply all or any of the supplies and/or to procure all or any of the services described in the attached documents to Mpumalanga Economic Regulator on the terms and conditions and in accordance with the specifications stipulated in the Bid documents (and which shall be taken as part of, and incorporated into, this Bid) at the prices inserted therein.
- 1.3 I/We agree that -
- 1.3.1 the offer herein shall remain binding upon me/us and open for acceptance by Mpumalanga Economic Regulator during the validity period indicated and calculated from the closing hour and date of the Bid;
- 1.3.2 the laws of the Republic of South Africa shall govern the contract created by the acceptance of my/our Bid and that I/we choose domicilium citandi et executandi in the Republic as indicated below; and
- 1.4 **NB: BIDDERS TERMS AND CONDITIONS ARE NOT ACCEPTABLE.**
- 1.5 I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our Bid that the price(s) and rate(s) quoted cover all the work/item(s) specified in the Bid documents and that the price(s) and rate(s) cover all my/our obligations under a resulting contract and that I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.

Bidder

1.6 I/We hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this Bid as the Principal(s) liable for the due fulfilment of this contract.

.....

Signature(s) of Bidder or assignee(s)

Date

Name of signing person

Capacity

Are you duly authorized to sign this bid?

Name of Bidder [company name]

.....

Postal address (full street address of this place) (in block letters)

.....

Telephone Number: Cell Number

Email address



Bidder

SECTION: 2

2 BID CONDITIONS



	Bidder
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2.1 Submission of Tenders

- 2.1.1 The closing date, company name and the return address must also be endorsed on the envelope.
- 2.1.2 If a courier service company is being used for delivery of the tender document, the tender description must be endorsed on the delivery note/courier packaging to ensure that documents are delivered into the tender box.
- 2.1.3 No tender received by telegram, telex, email, facsimile or similar medium will be considered.
- 2.1.4 Where a tender document is not in the tender box at the time of the tender closing, such a tender document will be regarded as a late tender. Late tenders will not be considered.
- 2.1.5 Amended tenders may be sent in an envelope marked “Amendment to tender” and should be placed in the tender box before the closing time.
- 2.1.6 The tenderer is responsible for all the cost that they shall incur related to the preparation and submission of the tender document.
- 2.1.7 A list of all references (minimum of 3) must be included in the tender document.
- 2.1.8 A valid tax clearance certificate must be included in the tender document.
- 2.1.9 A copy/s of any affiliations that you are affiliated to.
- 2.1.10 Kindly note that the MER is entitled to amend any tender conditions, validity period, specifications, or extend the closing date of tenders before the closing date. All tenderers, to whom the tender documents have been issued, will be advised in writing of such amendments in good time.
- 2.1.11 The MER reserves the right not to accept the lowest tender or any tender in part or in whole. It normally awards the contract to the tenderer who proves to be fully capable of handling the contract and whose tender is technically acceptable and/or financially advantageous to the MER.
- 2.1.12 The MER also reserves the right to award this tender to a purely empowerment company or may award this tender on condition that a joint venture with an empowerment company is formed. This will be added to the criteria when evaluating the tenders.
- 2.1.13 The MER also reserves the right to award this tender as a whole or in part.

Bidder

- 2.1.14 The tenderer hereby offer to render all or any of the services described in the attached documents to the MER on the terms and conditions and in accordance with the specifications stipulated in this Tender documents (and which shall be taken as part of, and incorporated into, this Proposal at the prices inserted therein).
- 2.1.15 Tenders submitted by Companies must be signed by a person or persons duly authorised thereto by a resolution of a Board of Directors, a copy of which Resolution, duly certified be submitted with the Tender.
- 2.1.16 The tenderer shall prepare for a possible presentation should MER require such and the tenderer shall be notified thereof no later than 4 (four) days before the actual presentation date.
- 2.1.17 The tenderer hereby agree that the offer herein shall remain binding upon him/her and receptive for acceptance by the MER during the validity period indicated and calculated from the closing hour and date of the Tender; this Proposal and its acceptance shall be subject to the terms and conditions contained in this tender document.
- 2.1.18 The tenderer furthermore confirm that he/she has satisfied himself/herself as to the correctness and validity of his/her Tender response that the price(s) and rate(s) quoted cover all the work/item(s) specified in the Tender response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accept that any mistakes regarding price(s) and calculations will be at his/her risk.
- 2.1.19 The tenderer hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on him/her under this agreement as the Principal(s) liable for the due fulfilment of this contract.

Name of your Company (in block letters)

Signature(s) of the Tenderer or assignee(s)

Date

Name of person signing (in block letters)

Capacity

Are you duly authorized to sign this Tender?

Company Registration Number

VAT Registration Number

Postal address (in block letters)

Physical address (in block letters)

Bidder

Domicilium citandi et executandi in the RSA (full street address) (in block letters)

Contact person: _____

Telephone Number: _____ Fax Number: _____

Cell phone Number: _____

e-mail: _____

2.1.20 Failure to comply with any of the conditions as set out above will invalidate the tender.

Bidders shall provide full and accurate answers to all (including mandatory) questions posed in this document, and, are required to explicitly state either "Accept" or "Not Accept" regarding compliance with the requirements. Where necessary, the bidder shall substantiate their response to a specific question.

2.2 A "√" under "Accept" will be interpreted as full compliance/acceptance to the applicable paragraph. A "√" under "Not Accept" will be interpreted that the Bidder/s has/have read and understood the paragraph, but the bidder does **not accept** the content of the applicable paragraph.



	Bidder
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- 2.3 The following bid conditions will govern the contract between the Mpumalanga Economic Regulator and the successful bidder:

Requirement	ACCEPT	NOT ACCEPT
2.3.1 Bidders are invited to offer the Services in accordance with the attached terms of reference within this document.		
2.3.2 The successful Bidder/s will be contracted to procure the Services for a period to be agreed after which MER reserves the right to review and extend the contract for further period/s at the MER's discretion.		
2.3.3 The fees will be negotiated.		

Interpretation of requirements	ACCEPT	NOT ACCEPT
2.1.21 The Bidder/s shall accept MER's interpretation of any specific requirement in the Bid documents or Specifications should there be a difference of interpretation between the Bidder/s and MER.		
2.3.5 Should any dispute arise as a result of this Bid and/or the subsequent contract, which cannot be settled to the mutual satisfaction of the Bidder/s and MER, it shall be dealt with in terms of General Conditions of Contract of this document		
2.3.6 Should there be any discrepancies between the Bid conditions and any other documentation that forms part of this RFP, the Bid conditions shall take preference.		

☐ Bidder

Documentation	ACCEPT	NOT ACCEPT
<p>2.3.7</p> <p>Fully comprehensive service documentation shall be supplied in English by each Bidder, which shall explicitly and detail, describe the service/s offered. This documentation shall include sufficient detail to clearly give the reader a precise and unambiguous description of the service/s offered. Incomplete or incomprehensive service documentation will result in rejection of the offer.</p>		
<p>2.3.8</p> <p>Bidder's name and address should clearly appear on the outside of tender documents and on envelope.</p>		

Selection	ACCEPT	NOT ACCEPT
<p>2.3.9</p> <p>MER reserves the right to evaluate and consider any Bids that do not comply strictly to this RFP.</p>		
<p>2.3.10</p> <p>Acceptance of any Bids will only indicate, without any obligations on the part of either MER and/or a Bidder, the willingness of such parties to enter into negotiations, which may or may not result in a contract/order as the case may be.</p>		
<p>2.3.11</p> <p>MER reserves the right to make a selection solely on the information received in the Bids or to negotiate further with one or more Bidder/s.</p>		
<p>2.3.12</p> <p>The Bidder/s selected for further negotiations, if any, will be chosen on the basis of the greatest benefit to MER and</p>		

☐ Bidder

not necessarily on the basis of lowest price or any other criteria.		
2.3.13 Should MER consider it necessary, the Bidder/s shall agree to an inspection of the resources and works of the Bidder, if so required?		
2.3.14 Should MER consider it necessary, MER will visit the Bidder/s customer sites.		
2.3.15 MER reserves the right:		
2.3.15.1 to cancel this RFP at any time;		
2.3.15.2 not to accept any Bids;		
2.3.15.3 to accept one or more Bids for further negotiation and;		
2.3.15.4 to contact any Bidder during the evaluation period, to clarify information only, without informing any other Bidder.		

Copyright	ACCEPT	NOT ACCEPT
2.3.16 The specifications are the intellectual property of Mpumalanga Economic Regulator.		
2.3.17 The contents of any specifications are the property of MER and are confidential. It shall not in any manner be reproduced, destroyed, lent or given away without the permission.		



Bidder

Precedence	ACCEPT	NOT ACCEPT
<p>2.3.18</p> <p>All details, dimensions and instructions shown on any drawings, diagrams and specifications quoted, shall form part of this bid document.</p>		
<p>2.3.19</p> <p>If there are any contradictory requirements between the specifications, the drawings referred to and other specifications that have been quoted, the order of precedence, from highest to lowest is:</p> <ul style="list-style-type: none"> • Statutory and mandatory requirements, • This bid document, • Contract Conditions. 		

Alternative suppliers	ACCEPT	NOT ACCEPT
<p>2.3.20</p> <p>The Bidder accepts that the MER will have the right to contract with any other Service Provider for provision of services not covered by this specification.</p>		
<p>2.3.21</p> <p>Bidder must also submit: A written statement to the specification of MER by the bidder, that none of his personnel have any involvement or interest in the bidder's business.</p>		

Service approval	ACCEPT	NOT ACCEPT
<p>2.3.23</p> <p>The Procuring of the Services shall not take place until MER has given final approval of all procedures.</p>		

☐ Bidder

Additional Criteria	ACCEPT	NOT ACCEPT
<p>2.3.24</p> <p>MER will evaluate the bids against the following criteria:</p> <ul style="list-style-type: none"> • Functionality; and • The 80\20 preference point system as prescribed in the Preferential Procurement Policy Framework Act., 2000 (PPPFA). 		

Black Economic Empowerment	ACCEPT	NOT ACCEPT
<p>2.3.25</p> <p>MER has established a programme of economic empowerment in our procurement strategies. In this regard, companies are required to indicate their involvement, current and planned, with black businesses and professionals. This will for an important part of the evaluation criteria to be used. MER reserves the right to request all relevant information, agreements and other documents to verify information supplied in response hereto.</p>		

Addenda	ACCEPT	NOT ACCEPT
<p>2.3.26</p> <p>In the event that modifications, clarifications or additions to the RFP become necessary, all Bidders will be notified, in writing, addenda to this RFP.</p>		

Preparation Costs	ACCEPT	NOT ACCEPT
<p>2.3.27</p> <p>All costs incurred in the preparation, presentation and demonstration of the response shall be for the account of the bidder. All supporting documentation and manuals submitted with RFP will become MER property unless otherwise stated by the Bidder/s at the time of submission.</p>		

Bidder

Confidential Material	ACCEPT	NOT ACCEPT
<p>2.3.28</p> <p>Any material submitted by the Bidder/s, which is considered to be confidential in nature, must be clearly marked as such.</p>		

Payment Terms – Local Creditors	ACCEPT	NOT ACCEPT
<p>2.3.29</p> <p>Payments of invoices will be effected on by last day of the calendar month following the calendar month of receipt of a correct and original invoice. Invoices/statements should be submitted <u>after</u> MER has acknowledged receipt of the services procured or goods supplied. A correct and original monthly statement reflected the above invoices must be submitted to MER by the 5th of each month.</p>		

2.2 RESPONSE FORMAT

Tenderers shall submit their responses in accordance with the response format specified below (each schedule must be clearly marked):

- 2.3 **Cover Page:** (the cover page must clearly indicate the tender reference number, tender description and the tenderer's name)
- 2.4 **Schedule 1:** Executive Summary (clearly indicating the bidding structure and the responsibilities of each member of the bidding structure)



Bidder

2.5 Schedule 2

- 2.5.1 Conditions of Bid and Contract: Section 1 - Pages 6-7 of this tender document (duly signed);
- 2.5.2 Original and Valid tax clearance certificate(s);
- 2.5.3 Certified copies of your CIPRO company registration documents listing all members with percentages, in case of a CC. Or latest certified copies of all share certificates in case of a company;
- 2.5.4 Standard bidding documents (duly signed).
- 2.5.5 BEE Certificate verified by a SANAS accredited verification agency or a letter from the supplier's auditor (option only for Exempted Micro Enterprises with annual turnover less than R5 million);

Note: If a Consortium, Joint Venture or Subcontractor, the documents listed above (2.5.4) must be submitted for each Consortium/ JV member or subcontractor.

2.6 Schedule 3: Response to Section 2 of this document

2.7 Schedule 4: Price Proposal

2.8 Schedule 5: Soft copies of the proposal (can either be USB/CD)



Bidder

SECTION: 3

TERMS OF REFERENCE



	Bidder
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3 TERMS OF REFERENCE

3.1 BACKGROUND

The Mpumalanga Economic Regulator (“MER”) is a juristic persona established in terms of the Mpumalanga Economic Regulator Act, 2017 (Act No 2 of 2017) and has been charged with the responsibility to perform all functions assigned to it in terms of the said Act, or any other legislation by advising, reporting or making recommendations to the Responsible Member on any matter relating to the regulation of the gambling and liquor industries in the Mpumalanga Province.

The South African gambling industry has seen unsuccessful attempts to develop new regulatory instruments, from the National Gambling Amendment Act of 2008 to the National Gambling Policy of 2016 and the National Gambling Amendment Bill of 2018.

Due to an increase in technological advancement in the gambling sector we noted that digitalisation of everything moves at a faster pace than the currently available standards which can be measured.

Research is needed for appropriate standards to be developed for software products that comply with international, national and provincially set standards for public use that can be monitored and tracked by all relevant Regulatory Authorities.

3.2 RESEARCH OBJECTIVES

The objectives of the study are, namely:

- (a) to measure and compare the socio-economic impact of gambling in Mpumalanga against the previous study conducted in 2015; and
- (b) to measure the impact of betting on the outcome of all random number generator (RNG) contingencies in Mpumalanga.

Bidder

3.3 SCOPE OF WORK

The study will cover the following areas:

3.3.1 Social Impact:

- (a) Incidence/prevalence of gambling by mode including unlicensed gambling and modes not under the jurisdiction of the MER.
- (b) Profile of gamblers by gambling mode and demographic characteristics such as age, employment status, educational level, income group and gender.
- (c) Provide analysis, insights and possible interventions designed to promote responsible gambling and punter protection, including but not limited to, the vulnerable (unemployed and pensioners) and under-age persons, pre-set gambling limits, online availability, information to players and staff training to identify problem gamblers.
- (d) Awareness/participation in licensed and unlicensed modes (lack of knowledge versus intention).
- (e) Frequency of participation by mode, most preferred mode. Preference of land-based games (i.e. slot machines/poker/black jack games) or online betting games (RNG games, sports betting, etc).
- (f) Impact on punter behaviour using incentive options, including but not limited to, loyalty programmes, free credits, promotions, sign up bonuses, VIP areas, advertising, etc.

3.3.2 Economic impact:

- (a) Propensity to gamble (i.e., percentage of household income allocated to gambling)
- (b) Funding of gambling expenditure.
- (c) Expenditure displacement effect of gambling.
- (d) Impact of gambling on household welfare levels, specifically on the less affluent.
- (e) Gambling behaviour of social welfare recipients.
- (f) Payment methodologies used in online betting.
- (g) Exclusions and how effective are they in the online betting.
- (h) Types and resolution of online betting disputes/complaints.

Bidder

- (i) Social economic development initiatives and their impact on communities in Mpumalanga.

3.3.3 Economic contribution and limitations to the gambling sector:

- (a) Size and role of the gambling sector in the Mpumalanga economy.
- (b) Direct and multiply effects of gross domestic product (GDP) and employment.
- (c) Relative contributions of gambling modes (GGR versus level of participation).

3.4 METHODOLOGY

Due to the cost and timeframe associated with extensive empirical studies, data from existing studies should, where possible, be used, extracted and adjusted to serve particular characteristics of the population of Mpumalanga. Where questionnaires are to be used, the Researcher will be required to compile them covering all data needs outlined in the various research objectives. Some of the data needs could, however, be met by the database maintained by the MER.

The determination of the sample size must take into account cost and time, and include the following:

- (a) Degree of variability of the survey population. The more heterogeneous the population, the larger the sample size should be.
- (b) Degree of precision. The greater the precision required, the larger the sample size that is needed.
- (c) Degree of confidence - preferably at a 95 % confidence level.
- (d) The extent of disaggregated analysis.

The Researcher shall be required to submit a proposal on how the study will be commissioned, as well as, a price proposal to carry out the study.

A briefing session may be held with the Researcher, prior to commencement of the research study, to agree on final time frames of deliverables to ensure final submission on or before 15 January 2024.

Bidder

3.5 TIME FRAMES

The project shall commence immediately after signing of a service level agreement between the MER and the Researcher. The final report must be submitted to the MER not later than 15 January 2024.

3.6 NATURE AND FORM OF THE RESULTS

3.6.1 Deliverables

The Researcher shall be required to submit a written report in a descriptive manner with supporting statistical analysis. The data in the report shall be available for graphic exposition and presentation. The report shall be available in hard copy and electronically (MS Word). A data set of the survey results shall also be supplied in SPSS or any statistical package preferred by the MER. A comprehensive PowerPoint presentation of the research results shall also be submitted.

3.6.2 Presentations

Presentation of research findings and statistical analysis shall be presented to the MER Board.

3.6.3 Progress Reports

Progress reports shall be submitted to the MER at regular intervals as agreed upon, indicating the progress with the project, as well as any constraints that might be experienced.

3.6.4 Intellectual Property

The ownership of any intellectual property resulting and relating to this research project shall vest in the MER.



Bidder

3.7 Competency and expertise requirements

It is essential that the service provider is experienced, suitably qualified and competent to conduct professional research. The service provider may be requested to provide evidence of qualifications and experience in similar research projects.

3.8 Validity of proposal

The proposal must be valid for a period of at least ninety (90) days from the due date for submission of all bids.

3.9 Number of proposals

Proposals must be submitted as one original tender document with one copy of the entire proposal, including all documents referred to below, as well as a soft copy of the proposal. All submitted proposals will become the property of the MER, and will not be returned.

3.10 Evaluation Criteria

3.10.1 Mandatory Administrative Criteria

Bids that do not meet the following criteria will be disqualified and will not be evaluated further (i.e. following documentation required):

- Proposal to conduct the research on the Socio-Economic Impact of liquor in Mpumalanga.
 - methodology used by the firm including, but not limited, the approach that will be adopted
 - Professional affiliation where applicable;
 - qualifications of team members (**Curriculum Vitaes and certified copies of qualification certificates must be attached**);
- Certified copy of company registration \close cooperation;
- Certified copy of identities documents of directors \members \partners
- A copy of joint Venture agreement if applicable
- Original and Valid tax clearance certificate
- Certified copy \Original B-BBEE certificate
- Proof of banking details
- Details of support services: Annexure C (where applicable); and
- Complete and signed SBD (Standard bidding document) forms:
 - SBD 1: Invitation to Bid
 - SBD 3.3: Pricing schedule
 - SBD 4: Declaration of interest forms
 - SBD 6.1: Preference points claim form
 - SBD 8: Declaration of bidder's past supply chain management practices
 - SBD 9: Certificate of independent Bid of Declaration

Bidders must satisfy the mandatory administration criterion in order for them to be evaluated further.

Bidder

Refer to Annexure A

- Details of contracts for similar/related work and contact details (Appointment letter or contract for each project must be attached);

Refer to Annexure B.



Bidder

3.11 This tender will be evaluated using a two-stage bidding process.

3.11.1 Functionality; and

3.11.2 The preference point system as prescribed in the Preferential Procurement Policy Framework Act., 2000 (PPPFA). 80 Points representing price and 20 points as per specific goals. Refer to SBD 6.1. Only bidders who meet the minimum requirement in the functionally criterion will be considered for this phase.

Functionality Criterion:

Technical / Functional Criteria	Weightings
Company profile to be submitted (in case of a Joint Venture, all companies must submit separate profiles) <ul style="list-style-type: none"> Track record with traceable references 	10 points
Bidders Relevant Experience Provide MER with portfolio of research work done <ul style="list-style-type: none"> 0 projects – 0 points 1 project – 5 points 2 projects – 10 points 3 projects – 20 points 4 projects – 30 points 5 or more projects – 40 points 	40 points
Research approach and methodology Detailed approach, methodology and process to be adopted. Work plan to be linked to deliverables and outputs. <ul style="list-style-type: none"> Approach – 10 points Methodology – 10 points Work plan – 10 points 	30 points



Bidder

Technical / Functional Criteria	Weightings
Resources Experience The service provider must submit the CV's of the project team that will be used in the project and indicate where they will be utilized. <ul style="list-style-type: none"> • Qualification – 10 points • Experience – 10 points 	20 points

The minimum qualifying score for functionality will be 80, Bids scoring less than 80 points on functionality will be set aside and not be evaluated further.

3.8 Submission details

The submission of proposals should be forwarded to the MER's Office as follows

- Closing Date: 15 June 2023
- Closing Time :11H00
- The time and location for opening of the tender offers is 15 June 2023 at 11H00 AM; MER Boardroom.
- There compulsory briefing meeting will be held on 29 May 2023 at 11:00AM.
- Tender documents will be available as from 16 May 2023.
- The physical address for collection and submission of tender documents is: Mpumalanga Economic Regulator, First Avenue, White River ,1240.
- Documents may be obtained from the MER website National Treasury's e-tender portal.
- Proposals must be enclosed in a sealed envelope.
- Tenders may only be submitted on the tender documentation that is issued. Bidders must initial each page of the tender document. Emailed, faxed, facsimile and late tenders will not be accepted.

Failure to comply with these conditions will invalidate your offer.

The MER reserves the right to appoint.

Any queries regarding this matter can be directed in writing to the Acting Chief Financial Officer, at makhosazanem@mer.org.za



Bidder

SBD 1**PART A- INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MPUMALANGA ECONOMIC REGULATOR					
BID NUMBER:	T02/2023	CLOSING DATE:	15 JUNE 2023	CLOSING TIME:	11:00
DESCRIPTION	SOCIO-ECONOMIC IMPACT OF THE GAMBLING INDUSTRY				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (<i>STREET ADDRESS</i>)					
MER BUILDING					
FIRST AVENUE					
WHITERIVER					
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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT <input type="checkbox"/> Yes <input type="checkbox"/> No		
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			

 Bidder

[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 ENCLOSURE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER	DATE
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)	CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)	
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE) R.....
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		
PUBLIC ENTITY	MPUMALANGA ECONOMIC REGULATOR	
CONTACT PERSON	MS REINETH MAMPANE	
TELEPHONE NUMBER	013 750 8000	
E-MAIL ADDRESS	makhosazanem@mer.org.za	



Bidder

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.**
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE**
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.**
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.**
- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.**

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.**
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.**
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.**
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.**
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.**
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.**



Bidder

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA RSA?

☐ YES ☐ NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?

☐ YES ☐ NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?

☐ YES ☐ NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.



Bidder

PRICING SCHEDULE
(Professional Services)

NAME OF BIDDER: BID NO.: **T02/2023**

CLOSING TIME 11:00

CLOSING DATE: **15 JUNE 2023**

OFFER TO BE VALID FORDAYS FROM THE CLOSING DATE OF BID.

ITEM NO. DESCRIPTION

BID PRICE IN RSA CURRENCY

**(ALL APPLICABLE TAXES INCLUDED) R.....

1. The accompanying information must be used for the formulation of proposals.
2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.

R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	R.....	R.....
	R.....	R.....
	R.....	R.....
	R.....	R.....
	R.....	R.....
	R.....	R.....

Bidder

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED,	COST PER PHASE	MAN-DAYS TO BE SPENT
.....	R..... days
.....	R..... days
.....	R..... days
.....	R..... days

5.1 Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R
.....	R
.....	R
.....	R

TOTAL R.....

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

5.2 Other expenses, for example accommodation (specify, e.g. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	R
.....	R.....
.....	R.....
.....	R.....

Bidder

6. Period required for commencement with project after acceptance of bid
7. Estimated man-days for completion of project
8. Are the rates quoted firm for the full period of contract *YES/NO
9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index

.....

*[DELETE IF NOT APPLICABLE]

Any enquiries regarding bidding procedures may be directed to the –

Ms Reineth Mampane
Acting Chief Financial Officer

Tel: (013) 750 8000

Email: makhosazanem@mer.org.za



Bidder

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SBD 4

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):

.....

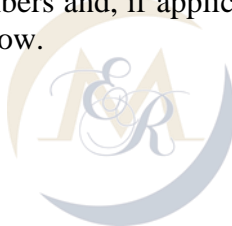
2.4 Company Registration Number:

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 –



Bidder

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

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

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

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

.....

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

.....

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you 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.

Bidder

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, **YES/NO**
 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?

2.10.1 If so, furnish particulars. **YES/NO**

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:

.....

Bidder

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

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

.....

.....



Bidder

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SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals

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, 2022.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- The applicable preference point system for this tender is the 80/20 preference point system.

1.2 Points for this tender shall be awarded for:

- (a) Price; and
- (b) Specific Goals

1.3 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

1.4 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

Bidder

- 1.5 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of lowest acceptable tender



Bidder

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration
 Pt = Price of tender under consideration
 Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:



Bidder

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
51% owned by black people	5	
51% owned by black people who are women	5	
51% owned by black people who are youth	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name _____ of
company/firm.....

4.3. Company registration number:

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]



Bidder

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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

forward the matter for criminal prosecution, if deemed necessary

<p>.....</p> <p>SIGNATURE(S) OF TENDERER(S)</p> <p>SURNAME AND NAME:</p> <p>.....</p> <p>DATE:</p> <p>.....</p> <p>ADDRESS:</p> <p>.....</p> <p>.....</p>

Bidder

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SBD 8

7.1 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

Bidder

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:		

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

☐ Bidder

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.

Bidder

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SBD 9

8.1 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:

Mpumalanga Economic Regulator

(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

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.

Bidder

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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.



Bidder

8.2 ANNEXURE A: CHECKLIST

8.3 Documents to be completed

- Bid Conditions
- Completed and signed SBD (Standard bidding document) forms:
- SBD 1: Invitation to Bid
- SBD 3.3: Pricing schedule
- SBD 4: Declaration of interest forms
- SBD 6.1: Preference points claim form
- SBD 8: Declaration of bidder's past supply chain management practices
- SBD 9: Certificate of independent Bid of Declaration
- Annexure B: Track record

8.4 Documents to be attached:

- Proposal to conduct the socio-economic impact of gambling in Mpumalanga;
- Curriculum Vitae with experience of research team;
- Certified copies of qualification certificate of research team;
- Proof of registration to a professional body if registered;
- Certified copy of company registration \close cooperation;
- Certified copy of identities documents of directors \members \partners;
- A copy of joint Venture agreement if applicable;
- Original and Valid tax clearance certificate;
- Certified copy \Original B-BBEE certificate;
- Proof of banking details;
- Details of support services;
- Details of similar completed contracts (maximum of five). A copy of the appointment letter/Reference letter/contract must be attached.

Kindly take note that:

Should all of these documents not be included, the bidder may be disqualified on the basis of non-compliance.



Bidder

Annexure B: Track Record

List the company's track record of similar completed contracts

<u>No.</u>	<u>Project Description</u>	<u>Place (town)</u>	<u>Reference/ contact person</u>	<u>Telephone Number</u>	<u>Email Address</u>	<u>Contract amount</u>	<u>Contract period</u>	<u>Date of commencement</u>	<u>Scheduled date of completion</u>	<u>Actual Date of completion</u>
<u>1</u>										
<u>2</u>										
<u>3</u>										
<u>4</u>										
<u>5</u>										

Kindly attach proof in the form of the appointment letter/reference letter/contract for the work listed above.