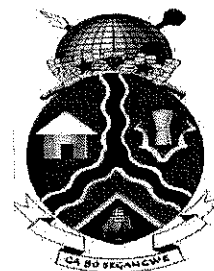


RFQ: SIYA09/2025

Siyancoma

LOCAL MUNICIPALITY



PO Box / Posbus 27
DOUGLAS
8730
Tel: 053 2981810

THE SIYANCUMA LOCAL MUNICIPALITY INVITES PROSPECTIVE BIDDERS TO QUOTE FOR MEDICAL EXAMINATION SERVICES FOR SIYANCUMA LOCAL MUNICIPALITY'S EMPLOYEES IN TERMS OF OCCUPATIONAL HEALTH AND SAFETY ACT FOR A PERIOD OF 3 YEARS (AS AND WHEN NEEDED)

Formal written Quotation are hereby requested from competent and reputable service providers to provide services of Medical Examination and

Specifications as follows:

No.	Item Description	Amount Per employee/per service/per item
	Primary services Required	
1	General Health Check up	
	Physical Examination (Height, Weight, Body mass index, Blood pressure, etc.)	
	Blood Test (Complete Blood Count, Cholesterol Levels, Blood Glucose, etc.)	
	Vision Test (Visual Acuity, Near and far Vision)	
	Hearing test (for roles requiring high sensory precision)	
2	Cardiovascular Examination	
	Electrocardiogram (ECG) for Employees in high stress Jobs or roles that may require Physical Examination	
3	Respiratory Examination	
	Pulmonary function test for Employees in environments with airborne hazards (dust, fumes, chemicals)	

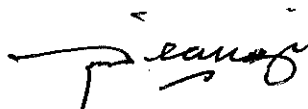
No.	Item Description	Amount Per employee/per service/per item
4.	Vaccinations	
	4.1 Standard Vaccination (for all employees)	
	Hepatitis B	
	Measles, mumps, Rubella(MMR)	
	Hepatitis A	

Quotation must be **delivered to Siyancuma Local Municipality building** not later than **06 May 2025 at 12h00 pm** and all enquiries should be addressed to Mrs. S. Xengana at 053 2981810 during office hours.

The following terms and conditions shall apply:

1. Formal Quotation must be in the **letterhead of the Prospective Service Provider.**
2. **Only RFQ's from Qualified Medical Personnel will be accepted**
 - 2.1 The service provider must have the following personal qualifications at a minimum.**
 - ✓ Licensed general Practitioners(GPs) with experience in Occupational Health
 - ✓ Qualified Nurses for vaccination administration and health assessments
 - ✓ Occupational health specialists where applicable
3. The following must accompany Tax Invoice
 - ✓ Medical Examination Results/Report
 - ✓ Vaccination Record
4. Service provider must comply with:
 - ✓ National Health regulations regarding vaccinations and medical examinations
 - ✓ Occupational Health and safety guidelines as defined by the government
 - ✓ International standards for healthcare, vaccination protocols, and employee health
5. RFQ will be evaluated using returnable, Functionality (100 points) and PPPF– Price (80) and Specified Goals Historically Disadvantage Individuals, Gender, Disability and Locality) (20)
6. RFQ will be evaluated in terms of section 5, read with section (2) (1)(b)(1) of the preferential Procurement Policy Framework act,2000, Preferential Procurement Regulations,2022 and Siyancuma Local Municipality Preferential Procurement Policy.
7. The Relevant MBD forms **must** be completed and submitted with the tender, which can be downloaded from the municipality's website [www. Siyancuma.gov.za](http://www.Siyancuma.gov.za).
8. RFQ without signed MBD Forms will not be considered.

- Relevant MBD 4, MBD 6.1, MBD 8 and MBD 9
9. Bidders **must** submit a Valid Tax Clearance Certificate or an authorized PIN obtained at SARS and tax status will be assessed just before an award, if there is a non-compliance on tax status upon award, the quotation will be disqualified.
 10. Suppliers should be registered with Centralized Suppliers Database with National treasury and MAAA number must accompany a quotation.
 11. Bidders who do not have a Vat registration and are not registered for Vat, must not split the VAT Portion amount from the grand total, for such the Municipality will consider total before Vat as the bidder is not eligible to charge VAT.
 12. The Municipality will not allow any additional cost or price increase after an award of the tender, the quoted price and award price will be the expected delivery price.
 13. Non-adherence to any of the conditions may lead to your quotation not to be considered.
 14. Council reserves the right to not make an appointment on an advertised request for tender.



MR. MADODA VILAKAZI

MUNICIPAL MANAGER

FUNCTIONALITY – BIDDERS MUST SCORE 70 POINTS OR BELOW TO BE ADVANCED TO THE NEXT STAGE OF EVALUATION

No.	Technical / Functional Requirements		Weight
1.	Previous experience of similar task / Company proven track record of quality on services of Occupational Health and safety completed. ✓ Purchase Orders and reference Letters or Appointment Letters and reference letters		30 Points
	◦ 5 - 6 similar assignments / projects	30 points	
	◦ 3 - 4 similar assignments / projects	25 points	
	◦ 1 - 2 similar assignments / projects	10 points	
	◦ 0 projects	0 points	
2.	Qualifications and experience of Key Personnel		60 Points
	Professional qualification of General Practitioner ✓ A General Practitioner with a relevant qualification ✓ Please attach Copies of Certificates and Qualification.		20 points
	Proof of Qualifications for General Practitioner to be Attached	20 points	
	No Proof of Qualifications and/or Professional Registration	0 points	

Evaluation of General Practitioner's Experience		
◦ No CV attached	0 points	
◦ 1 – 5 Years of experience	4 points	
◦ 6 – 8 Years of experience	6 points	
◦ 9 and above of experience	10 points	
Professional qualification of Professional Nurse ✓ Please attach Copies of Certificates and Qualification.		10 Points
Proof of Qualifications for Professional Nurse to be attached	10 points	
No Proof of Qualifications and/or Professional Registration	0 points	
Professional Nurse Experience post qualification ✓ Please attach Comprehensive CV to be attached.		10 Points
◦ No CV attached	0 points	
◦ 1 – 4 Years	4 points	
◦ 4 – 10 Years	6 points	
◦ 10 and above	10 points	
Professional qualification of Occupational Health specialist ✓ An Occupational Health specialist qualification		10 Points
Proof of Qualifications for Occupational Health specialist to be attached	10 points	
No Proof of Occupational Health specialist Registration	0 points	
Occupational Health Specialist Experience ✓ Please attach Comprehensive CV to be attached.		10 Points
◦ 1 - 5 Years in the field experience	5 points	
◦ 6 or more Years related field related experience	10 points	

PROCUREMENT POLICY SCHEDULE (80/20)

Definitions

- **“Historically Disadvantaged Individual” (HDI)** is defined as a South African citizen

–

- 1) who, due to the apartheid policy that was in place, had no voting rights in the national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No. 100 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) (*“the interim Constitution”*), and/or
- 2) who is a woman, and/or
- 3) who has a disability

With the understanding that any person who received South African citizenship on or before the introduction of the interim Constitution, will not be deemed to be HDI.

- **“A woman”** refers to a female person who is a South African citizen.
- **“Disability”** refers to a person with a permanent physical disability, mental disability, awareness disability, which leads to confinement or disability, or the inability to perform bodily functions in the manner or within the capacity of a normal person.
- **“HDI equity ownership”** refers to the percentage of a partnership or business that is owned by individuals, or in the case of a company, the percentage of shares which is owned by individuals who are actively involved in the management decisions and day to day operational activities of the company or business and who exercises control in the business in relation to their ownership at the close of tender. Where individuals are not actively involved in the management and day to day operational activities of the business and who does not exercise control in relation to the percentage of their ownership, Equity ownership points cannot be awarded.

Tenderers will be awarded points on the following basis:

1. Tender Price	80 points
2. Black	3 points
3. Women – Equity ownership	5 points
4. Disability – Equity ownership	2 points
5. Local nature of enterprise	<u>10 points</u>
TOTAL	100 points

Calculations will be done to two decimal points.

1 Tender Price

The calculation is based on the following formula:

$$P_s = 80 \times \left[1 - \frac{P_t - P_{\min}}{P_t - P_{\min}} \right]$$

where

- P_s = Points awarded for price of tender under consideration
 P_t = Rand value of tender under consideration
 P_{\min} = Rand value of lowest accepted tender

2 Black Ownership

A maximum of 3 points will be awarded to a Tenderer who did not have voting rights according to the definition of an HDI and/or who is using a subcontractor who is such a person.

Black ownership for black will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day activities of the company or enterprise.

% of Enterprise owned by persons who did not having voting rights %

Thus, points awarded: $3 \times \frac{KK\%}{100} =$ (carry over to 6.1)

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the company with which the ownership is listed

3 Women – Equity Ownership

A maximum of 1 point will be awarded to a Tenderer who is a woman and/or who is using a subcontractor that is a woman.

Equity ownership for women will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day management of the company or enterprise.

% of Enterprise owned by women.....%

Thus, points awarded: $5 \times \frac{KK\%}{100} =$ (carry over to 6.2)

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the company with which the ownership is listed
- 3) a certified copy of the ID-document (s) of the woman(e)n

4 Disability – Equity Ownership

A maximum of 1 point will be awarded to a Tenderer who is disabled and/or who is using a disabled subcontractor.

Equity ownership for disability will be determined by the % of the enterprise owned by such a person or by the % of shares owned by members who are actively involved in the day to day activities of the company or enterprise.

% of Enterprise owned by disabled person(s)..... %

Thus points awarded: $2 \times \frac{KK\%}{100} =$ (carry over to 6.3)

Proof of ownership must be attached in the form of

- 1) certified declaration
- 2) a certified copy of the founding documentation of the enterprise with which the ownership is listed
- 3) a certified declaration from your medical doctor certifying the degree of disability

5 Local Nature of Enterprise

A maximum of 10 points will be awarded to a Tenderer who has an active office in the following areas:

a) Within the boundaries of Northern Cape?

YES - 4 points
NO - 0 points

1) Within the boundaries of the Siyancuma Local Municipality registered as a levy duty payer?

YES - 6 points
NO - 0 points

**TOTAL POINTS AWARDED FOR LOCAL NATURE
OF ENTERPRISE**

In order to be eligible for these points, an active office is defined as an office where staff can be contacted and where your business is run from. The following needs to be attached in order to proof this:

- 2) physical address of company
- 3) registration number of enterprise
- 4) registration number awarded and location of office of local authority where levys are paid

**6 SUMMARY OF TOTAL POINTS AWARDED IN SUB
SECTIONS 2 TO 5**

Sec 2. Black Ownership

Sec 3. Women – Equity Ownership

Sec 4. Disability – Equity Ownership

Sec 5. Local Nature of Enterprise

Total Points Awarded for

Clauses 2 to 5

MBD 4



SIYANCUMA

LOCAL MUNICIPALITY

DECLARATION OF INTEREST

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.

"State" means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution:

Any other particulars:

.....

.....

.....

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

2.7.2.1 If yes, did you attached proof of such authority to the bid
document? **YES / NO**

(Note: Failure to submit proof of such authority, where
applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors /
trustees / shareholders / members or their spouses conduct
business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO

2.10.1 If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....

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

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

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

MBD 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, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND 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 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 90/10 preference point system.
- b) The applicable preference point system for this tender is the 80/20 preference point system.
- c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

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

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

The maximum points for this tender are allocated as follows:

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

1.5 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.

- 1.6 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:

80/20

or

90/10

$$P_s = 8888 \left(1 - \frac{P_t - P_{min}}{P_{min}}\right) \text{ or } P_s = 9988 \left(1 - \frac{P_t - P_{min}}{P_{min}}\right)$$

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

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:

$$P_s = 8888 \left(1 + \frac{P_t - P_{max}}{P_{max}}\right) \text{ or } P_s = 9988 \left(1 + \frac{P_t - P_{max}}{P_{max}}\right)$$

Where

- P_s = Points scored for price of tender under consideration
 P_t = Price of tender under consideration
 P_{max} = 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:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

- (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine

the applicable preference point system,
then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

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 (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Within the boundaries of Siyancuma Municipal Area	3	6		
Within the boundaries of the Northern Cape	2	4		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. 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]

4.6. 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
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

Item	Question	Yes	No
4.1	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:		

MBD 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

MBD 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.

MBD 9

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

MBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be

Restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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Signature

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Date

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Position

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Name of Bidder