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Johannesburg Tourism Company NPC
A City of Johannesburg Metropolitan Municipality Entity
Reg. No. 2003/009873/08

Sandton Library Offices
Nelson Mandela Square
West Street, Sandton
Johannesburg
South Africa

P.O Box 7776
Johannesburg
South Africa
2000

Tel +27 11 779 0200
[Visit. Joburg](http://www.joburgtourism.com)

REQUEST FOR QUOTATION (RFQ)

RFQ Number	JTC0001/2024-25
DESCRIPTION: REQUEST FOR QUOTATION FROM A QUALIFIED MARKETING AGENCY TO RE-IMAGINE FINE-TUNE, LAUNCH AND IMPLEMENTATION OF THE EXISTING WELCOME2JOBURG CONSUMER CAMPAIGN FOR A PERIOD OF SIX (6) MONTHS FROM DATE OF APPOINTMENT	
THIS REQUEST FOR PROPOSAL IS FOR THE JOHANNESBURG TOURISM COMPANY	

Date of advertisement:	30 August 2024
Closing date:	06 September 2024
Closing time:	10H00
Compulsory briefing meeting date (if applicable)	Date: 04 September 2024 Time: 10h00 Sandton Library (Auditorium) Joburg Tourism Company Sandton Library, Nelson Mandela Square
Quotations may be deposited in bid box at: Sandton Library Offices Nelson Mandela Square West Street, Sandton NO EMAILED BIDS WILL BE ATTENDED TO.	Quotations will be received on the closing dates and times shown and must be enclosed in sealed envelopes, bearing the applicable quotation description and reference number as well as the closing time and due date, and must be addressed to: THE ACCOUNTING OFFICER JOHANNESBURG TOURISM COMPANY Quotations will be opened at the latter address at the time indicated and no late submissions will be received.
Procurement Enquiries	sphiwem@joburgtourism.com Tel: (011) 779 0200
Technical Enquiries	lumkad@joburgtourism.com Tel: (011) 779 0200

ENTITY DETAILS

Entity Type	Private	Partnership	Close Corporation		Sole Proprietor
	Other (Specify)				
Entity Name	Legal Name:				
	Trading as:				
Entity Registration Number					
City of Johannesburg/ JTC Vendor Registration Number (if already have)					
National Treasury Central Supplier Database number: (Compulsory)					
Entity Street Address					
	Postal Code:				
Contact Details of the Person Representing the Entity	Name	:			
	Telephone:	:			
	Cell phone:	:			
	E-mail address	:			
Income Tax Number					
VAT Reference Number (if applicable)					

CONDITIONS OF QUOTATION

- 1. Quotation documents must be completed in black ink.**
- 2. The lowest price or any quotation will not necessarily be accepted, and Joburg Tourism Company reserves the right to accept the whole or any portion of a quotation.**
- 3. Quotations are to remain open for acceptance for a period of thirty (30) days effective from the date on which they are lodged and shall be accepted at any time within the said period of thirty (30) days.**
- 4. In the event of a mistake having been made on the price schedule it shall be crossed out in ink and be accompanied by an initial at each price alteration. Corrections in terms of price may not be made by means of a correction fluid such as Tipp- Ex or a similar product. If correction fluid has been used on any specific item price, such item will not be considered. No correction fluid may be used in a Bill of Quantities where prices are calculated to arrive at a total amount. If correction fluid has been used, the quotation will not be considered. The entity will reject the quotation if corrections are not made in accordance with the above**
- 5. NO PRICE INCREASES/ADJUSTMENTS WILL BE CONSIDERED.**
- 6. All purchases will be made through an official purchase order form; therefore, no goods must be delivered, or services rendered before an official purchase order has been forwarded to and accepted by the successful bidder.**
- 7. JOHANNESBURG TOURISM COMPANY WILL NOT MAKE ANY UPFRONT PAYMENTS AND TENDERERS MUST ENSURE THAT THEY HAVE SUFFICIENT CASH FLOW TO COVER THE PROVISION OF THE GOODS/SERVICES**
- 8. To participate in the City's Quotation process for the procurement of goods and/or services, vendors are advised to get accredited and registered primarily on the Central Supplier Database.**
- 9. All prices must be quoted in South African currency (SA rand), all applicable taxes included.**
- 10. All prices quoted must be inclusive of Value Added Tax (VAT). Suppliers who are not registered for VAT will be treated as Non - VAT Vendors.**
- 11. All prices submitted must be firm. "Firm" prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.**
- 12. All prices and details must be legible/readable to ensure the quotation will be considered for adjudication.**
- 13. Prices quoted must be all inclusive of delivery charges and goods must be delivered to the address indicated on the quotation page.**
- 14. The successful company must provide labour for off-loading/delivering.**

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15. Quantities are given in good faith and without commitment to the Johannesburg Tourism Company. The City reserves the right to increase or reduce the quantity to be in line with the set threshold for quotations prescribed in the SCM Policy.
 16. In the event of price/prices being based on the exchange rate, the successful tenderer/s will be required to obtain exchange rate cover in order to protect the Municipality against exchange rate variations. Proof must be provided that forward Exchange Rate cover has been taken out within 14 days after an order has been placed. If proof that cover was taken out within 14 days after the order has been placed, is not submitted to Johannesburg Tourism Company, with the invoice, the contract price adjustment will not be accepted, and the contract may be cancelled.
 17. Tenderers are reminded that orders placed against accepted quotations are to be executed in strict accordance with the accepted specification and within the quoted delivery period.
 18. Where applicable, the tenderer is required to record the vendor number in the space provided on the cover page of this quotation document.
 19. The Johannesburg Tourism Company reserves the right, to cancel and re-issue the quotation.
 20. Bidders should note, that in accordance with legislation, no contract may be awarded to a/an person/entity who/which has failed to submit a Valid Tax Clearance Certificate issued by the South African Revenue Service (SARS), certifying that the taxes of that person/entity are in order, or that suitable arrangements have been made with SARS
 21. Copyright in any document produced, and the patent rights or ownership in any plant, machinery, thing, system or process designed, by a consultant/trainer in the course of the consultancy service is vested in the Johannesburg Tourism Company
 22. FALSE DECLARATION ON MUNICIPAL BIDDING DOCUMENTS FORM (MBD) WILL LEAD TO AUTOMATIC DISQUALIFICATION.

VALIDITY OF RFQ: 30 DAYS

I HEREWITH CONFIRM THAT I HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED CONDITIONS.

SIGNATURE_____

NAME_____

SCHEDULE OF PRICES/ RATES:

Quotation Description:

REQUEST FOR QUOTATION FROM A QUALIFIED MARKETING AGENCY TO RE-IMAGINE FINE-TUNE, LAUNCH AND IMPLEMENTATION OF THE EXISTING THE WELCOME2JOBURG CONSUMER CAMPAIGN FOR A PERIOD OF SIX (6) MONTHS FROM DATE OF APPOINTMENT

Pricing	(R)
Sub Total Price	
Vat 15% (if applicable)	
Total Quoted Price (Inclusive of Vat)	

SCOPE OF WORK

The Joburg Tourism Company, referred to as JTC is mainly tasked with positioning and promotion of Joburg as a tourism, business and lifestyle destination both internationally, regionally and domestically. JTC focuses on experience-based destination and tourism marketing, stimulating tourism growth.

1. STRATEGY VISION AND OBJECTIVES

1.1 Vision

To position Johannesburg as a tourism, business and lifestyle destination (global positioning) that caters to a diverse spectrum of travel appetites (range of product offerings) in an environment that is safe, accessible and ensures visitor satisfaction (providing quality products and services).

1.2 Mission

To position Joburg as a competitive business, tourism and lifestyle destination that offers diverse experiences.

1.3 Strategic objectives

JTC aims to position Joburg as a premium tourism, business and lifestyle destination that offers diverse experiences. JTC strategic objectives includes the following:

- To improve destination performance by increasing number of visitors coming to Joburg.
- To enhance attractiveness of Joburg as a destination and diversify its offering base through extensive tourism development.
- To enhance the destination's competitiveness through constant innovation, upgrades, and expansion of product offerings.
- To enhance customer service, stakeholder engagement and increased communication effectiveness

2. BACKGROUND

Joburg brand has evolved over the years. Originally it was defined in line with the heritage and liberation story of South Africa. It was later expanded to include eight (8) more sectors namely,

- Heritage and Cultural Tourism
- Lifestyle and Events Tourism
- Sports Tourism
- Medical Tourism

-
- Rail/Transport Tourism
 - Real Estate Tourism
 - Business Tourism
 - Mining Tourism

As such the consumer campaign excluded the above niche sectors. This proposal seeks to find a qualified service provider that will redefine and re-launch the Welcome2Joburg campaign. It is also necessary to align the campaign to destination unique selling points (USPs as this campaign will be targeting both new and repeater travelers from local and international markets.

The exciting and ground-breaking move of re-instating of JTC as an independent destination marketing organisation requires a bold, future-focussed, and undeniably compelling campaign that can take the destination to greater heights and beyond. A campaign that consumers - both local and international - can associate with. The campaign must be vibrant and upbeat in line with the destination brand attributes. Effectively marketing a well-developed consumer campaign has the following benefits:

- Increase in number of digital engagements.
- Opportunity for user generated destination content.
- Exposure of experiential destination content
- Enhance destination brand image.
- Increase in number of visitors.
- Build brand equity and enhance brand loyalty.
- Enhance brand affinity.
- Stimulate interest in visiting diverse local tourism offerings and improve geographical spread.

3. DELIVERABLES

JTC seeks to appoint qualified marketing services provider to re-imagine fine-tune, launch and implementation of the existing Welcome2Joburg consumer campaign for a period of six (6) months from date of appointment to deliver on the following:

- a) Campaign goal.
- b) Campaign brand- aligned to the new destination brand.
- c) Campaign messaging aligned to the new marketing strategy.
- d) Redefined consumer insights in line with campaign.
- e) Manifesto
- f) Creative

-
- g) Content plan
 - h) Influencer campaign
 - i) Define opportunity for user generated destination content, to stimulate interest in visiting diverse local tourism offerings and improve geographical spread.
 - j) Campaign media plan and budget (below and above the line)
 - o FaceBook
 - o Instagram
 - o TikTok
 - o YouTube
 - o Radio
 - o X (Twitter)
 - k) Destination content: 60 seconds Welcome2Joburg experiential video
 - l) Launch of the campaign (virtual launch of the campaign in line with physical activation).

4. DISCLAIMER:

The successful bidder shall be expected to have sufficient cash flow to project manage the work from beginning to end, since the JTC shall not offer upfront payment for any work to be done. Payment will be made upon submission of invoice/s for completed project/s.

5. CONTRACT PERIOD:

- The appointment shall be for a period not exceeding six (6) months from the date of issue of purchase order for the project, unless negotiated and agreed by both parties. The successful bidder will be required to submit to JTC the final brand and marketing strategy document electronically and as open files.
- All intellectual property rights created, acquired or otherwise obtained, including but not limited to copyright in documents and operational analysis, concepts, ideas, methods, methodologies, procedures, processes, know-how, techniques, models, templates; generalized features of the structure, sequence and organisation of software, user interfaces and screen designs; general purpose consulting and software tools, utilities and routines; and logic, coherence and methods of operation systems, related to and in the reports, documents, databases developed and supplied prior to the conclusion of this Agreement shall remain the sole property and right of Joburg Tourism Company.

PRICING SCHEDULE

NO	DESCRIPTION	QUANTITY	UNIT PRICE (EXCL. VAT)	TOTAL PRICE (EXCL. VAT)
1	Campaign creative			
	Re-imagine fine-tune and execution of the existing Welcome2Joburg consumer campaign	1		
2	Campaign video			
	Production of a 60 sec Welcome2Joburg campaign experiential video	1		
3.	Content Plan			
	Production of a content plan that will inform the influencer campaign and all the social media campaign,	1		
4	Influencer campaign			
	Welcome2Joburg influencer campaign	1		
5	Print			
	Create, produce, book and place one (1) half page, full color Welcome2Joburg advert in Joburg based community Caxtons newspaper targeting all 7 regions of Johannesburg for three (3) months period, one per month from date of appointment campaign;	3 adverts		
6	Radio			
	Create, produce and book space for 30sec Welcome2Joburg campaign live reads for one (1) month on Kaya FM radio station on the afternoon drive show on Wednesdays for six (6) months from date of appointment.			
	Kaya FM, Afternoon drive	6 live reads		
7	Text messages			
	One (1) x Welcome2Joburg campaign SMS per month to be produced targeting 30 000 CoJ staff for 6 months from the duration of the contract	6 SMS		
8	Online (Website, FaceBook, YouTube, Instagram, Google)			
	Plan, produce and execute Welcome2Joburg online/digital campaign media plan to run for the duration of six (6) months on the above-mentioned platforms. Facebook and Instagram post on the first two (2) weeks of the month and Twitter and TikTok posts on the last two (2) weeks of the month.	24		
	FaceBook: 1 post bi-weekly	6		
	Instagram: 1 post bi-weekly	6		
	X (Twitter): 1 post bi-weekly	6		
	YouTube: Welcome2Joburg campaign experiential video	1 post		
	TikTok: 1 post bi - weekly	6		
TOTAL excluding VAT				

VAT		
TOTAL including VAT		

EVALUATION CRITERIA

PRICE AND PREFERENTIAL GOALS POINTS

Proposals will be evaluated in terms of the Preferential Procurement Policy Framework Act using the 80:20 points system. The evaluation in terms of price and preferential goal points will be conducted on responsive bidders. A maximum of 80 points will be awarded for price and a maximum of 20 points will be awarded in line with the City's Preferential Goals in terms of the Preferential Procurement Regulations 2022 as follows:

FUNCTIONALITY

The quotations will be evaluated using the using **Functionality** as set out in Table 1 below in terms of MFMA Circular 53. Offers that fail to meet **75 out of the 100** points on functionality will not be considered for further evaluation.

Table 1

Criteria	Guidance for criteria	Point Allocation
1. Quality submission in line with the brief	Methodology used in developing the consumer campaign. Demonstrate understanding of Joburg brand and its tourism offerings. Showcase experience in development and execution of a consumer campaign creative and campaign results for destination marketing.	70 Points
2. Track record	Reference letters indicating bidder's work experience in consumer campaign creative and execution for tourism destination marketing. a) No reference letter (0 point) b) 2x reference letters (5 points) c) 3x reference letters (10 points) d) 4 and more reference letters (15 points)	15 Points
3. Project management	Display capability of delivering the project within specified time	5 Points
4. Company Experience	Attach a detailed company profile demonstrating at least three (3) years' company experience in development and execution of a consumer campaign creative for destination marketing.	10 Points

Criteria	Guidance for criteria	Point Allocation
	a) Less than 3 years' experience = (0 points) b) 3 to 4 years' experience = (5 points) c) More than 4 years' experience = (10 points)	
Total		100 Points
Threshold		75 Points

Further evaluation for proposals that meet the functionality threshold will be in terms of price competitiveness where 80 points will be allocated for price and 20 points for the empowerment goals of the JTC as stipulated in table 2 below:

TABLE 2

Preferential Goals	Number of Points	Means of verification
Business owned by 51% or more – Black People	3	CSD, valid BBBEE Certificate/Affidavit sworn under oath, ID Copy of owner/s of the business and shareholders certificate
Business owned by 51% or more – Women	3	CSD, ID Copy of owner/s of the business and shareholders certificate
Business owned by 51% or more – Black Youth	2	CSD, valid BBBEE Certificate/Affidavit sworn under oath, ID Copy of owner/s of the business and shareholders certificate
Business owned by 51% or more – black people with disabilities	2	CSD, ID Copy of owner/s of the business and shareholders certificate
Enterprises located within the jurisdiction of the City of Johannesburg Metropolitan Municipality	5	CSD and proof of Municipal accounts / Letter from Ward Council confirming business address
SMMes (An EME or QSE)	5	CSD and BBBEE Certificate/Affidavit sworn under oath.
Maximum Points	20	

RETURNABLE DOCUMENTS

Checklist documents and requirements should be attached and submitted with the bid on submission.

1. Quotation on company letter head.
2. All parts must be quoted. (If there is an omission of any part or parts will result in disqualification.)
3. Valid certified BBBEE certificate or affidavit.

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4. Valid Tax Clearance certificate
 5. CSD registration number to be filled in on the front page of RFQ in clear handwritten.
 6. Completed RFQ
 7. Municipal Account not in arrears for more than 90 days for all directors or lease agreement if leasing a property or affidavit if the company and directors are neither leasing nor own a property.
 8. Municipal Account not in arrears for more than 90 days for the company with the address appearing on CSD report or lease agreement if leasing a property or affidavit if the company are neither leasing nor own a property.
 9. 1 x submission in hard copy format.
 10. 1 x submission in an electronic version on a USB.

DISQUALIFICATION CRITERIA

1. Failure to quote for all items in the pricing schedule.

CONDITIONS OF AWARD

1. Compliant tax status in terms of the CSD.
2. Municipal accounts not older than 90 days for the Company and all its director's not more than 90 days in arrears, or a valid lease agreement or sworn affidavit. If in arrears proof of acknowledgement of debt must be provided
3. Directors and Principal members not in the Service of the State
4. Name of the bidder or that of its directors should not appear on the National Treasury's database of Restricted Suppliers.

Bidder's Name:

- Johannesburg Tourism Company is not bound to accept the lowest or any quotation and reserves the right to accept the whole or any part of a quotation and to award the bid to more than one bidder.
- Offers to be valid for 60 days from the closing date of bid and no second-hand/refurbished materials/parts may be used in the final goods to be delivered by the bidder.
- Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered in cases where different delivery points influence the pricing; a separate pricing schedule must be submitted for each delivery point.

- Do you intend to subcontract more than 25% of the work?

(Tick applicable box)

YES	NO
☐	☐

- If the answer is **YES**, indicate the name of the subcontractor _____, the percentage to be sub-contracted _____% and attach the BBEE certificate of the subcontractor.
- The quotation will be evaluated on 80/20 preference point system in line with PPPFA Regulations, 2017.
- A bidder must submit proof of its B-BBEE status level of contributor to be awarded preference points, attach original or certified certificate (not older than 3 months) or sworn affidavit.
- For quotations above R30 000, the bidder should submit the municipal account for the company and all directors or lease agreement or an affidavit if they do not own or lease a property.
- B-BBEE Status Level of Contribution _____ (preference points, maximum 20) _____

- Other than completing the pricing schedule below, a bidder should submit the quotation on their company's letterhead or logos.

MBD 4: DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the state¹.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name of Owner of the Bidding Entity:

3.2 Identity Number if applicable:.....

3.3 Position occupied in the Company (director, trustee, shareholder²):

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:.....

3.7 The names of all directors/ trustees/ shareholders' members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below

3.8 Are you presently in the service of the state?

(Tick applicable box)

YES	NO
☐	☐

3.8.1 If yes, furnish particulars.

3.9 Have you been in the service of the state for the past twelve months?

(Tick applicable box)

YES	NO

3.9.1 If yes, furnish particulars.....

3.10 Do you have any relationship (close family member, partner or associate) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

(Tick applicable box)

YES	NO

3.10.1 If yes, furnish particulars

3.11 Are you aware of any relationship (close family member, partner or associate) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

(Tick applicable box)

YES	NO

3.11.1 If yes, furnish particulars.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in the service of the state?

(Tick applicable box)

YES	NO

3.12.1 If yes, furnish particulars

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state?

(Tick applicable

YES	NO

box)

3.13.1 If yes, furnish particulars.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?

(Tick applicable box)

YES	NO

3.14.1 If yes, furnish particulars:.....

4. Full details of directors / trustees / members / shareholders. (Attach for additional members)

Full Name	Identity Number	State Employee Number (If applicable)

¹MSCM Regulations: “in the service of the state” means to be –

- (a) a member of – (i) any municipal council; (ii) any provincial legislature; or (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of 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);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

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

MBD8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Municipal Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by municipalities and municipal entities 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 rejected if that bidder, or any of its directors have:
 - b. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - c. been convicted for fraud or corruption during the past five years;
 - d. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - e. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid. (tick applicable box).

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as a company or person 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐

Item	Question	Yes	No
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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	Yes ☐	No ☐
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 of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

Item	Question	Yes	No
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE AND/OR THE EMM MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidding Entity

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Form “I” 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. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This Form “I” 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 must be completed and submitted with the bid:

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by: **Johannesburg Tourism Company**, do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

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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.

.....
Signature

.....
Date

.....
Full Names of Person Representing Company

.....
Position in Company

DECLARATION ON STATE OF MUNICIPAL ACCOUNTS

A Any bid will be rejected if:
Any municipal rates and taxes or municipal service charges owed by the bidder or any of the directors to the municipality or a municipal entity, or to any other municipality or municipal entity, are in arrears for more than three months.

B Bid Information

- 1. Name of bidder ii. Registration Number
- iii. Municipality where business is situated
- iv. Municipal account number for rates
- v. Municipal account number for water and electricity
- vi. Names of all directors, their ID numbers and municipal account number.
 - 1.
 - 2.
 - 3.
 - 4.
 - 5.
 - 6.
 - 7.

C Documents to be attached.

- 1. A copy of municipal account mentioned in B (iv) & (v) (Not older than 3 months)
- 2. A copy of municipal accounts of all directors mentioned in B(vi) (Not older than 3 months)
- 3. Proof of directors

I/We declare that the abovementioned information is true and correct and that the following documents are attached to this form:

.....

.....

Signature

Date