



REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ-Expert -PER-PTA-30.09.2021	
DATE ISSUED	30.09.2021	
PROJECT NAME/ DESCRIPTION OF GOODS, WORK OR SERVICES	APPOINTMENT OF A SERVICE PROVIDER TO EXAMINE AND ANALYSE PPE SAMPLES See detailed sec on page 3	
BRIEFING SESSION (<i>Compulsory or Non-compulsory</i>) if applicable	DATE	TIME
	N/A	
CLOSING DATE AND TIME	08.10.2021	14H00
RFQ VALIDITY PERIOD	30 Days (commencing from the official RFQ closing date)	
NAME OF A BIDDER/TENDERER		
TELEPHONE NUMBER		
FACSIMILE NUMBER		
EMAIL ADDRESS		
POSTAL ADDRESS		
PHYSICAL/STREET ADDRESS		
B-BBEE STATUS LEVEL OF CONTRIBUTION	LEVEL:	
EME OR QSE		
B-BBEE STATUS LEVELS ¹		
FULL NAME OF BIDDER OR HIS/HER REPRESENTATIVE		
NATIONAL TREASURY-CENTRAL SUPPLIER DATABASE NUMBER: CSD MAAA	MAAA:	
	TAX COMPLIANT AS PER CSD	TAX COMPLIANCE SYSTEM PIN

¹ A B-BBEE status level verification certificate/sworn affidavit-oath commissioned (for EME & QSE) must be submitted in order to qualify for preference points for B-BBEE)

SUPPLIER COMPLIANCE STATUS (Please tick appropriate box and submit proof)	Yes	No	☐ Yes PIN NO:
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?	[TICK APPLICABLE BOX] ☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS SERVICES/WORKS OFFERED	[TICK APPLICABLE BOX] ☐ Yes ☐ No [IF YES ENCLOSE PROOF AND COMPLETE BELOW QUESTIONNAIRE]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS (To be completed by Foreign suppliers)	IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? ☐ YES ☐ NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 8. III BELOW.		
IDENTITY NUMBER			
POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)			
COMPANY REGISTRATION NUMBER			
VAT REGISTRATION NUMBER (If applicable)			
QUOTE PRICE (INCL VAT)	R.....		
SIGNATURE (of the bidder)			

1. ELIGIBILITY CRITERIA/MANDATORY REQUIREMENTS

ELIGIBILITY/MANDATORY REQUIREMENTS	Comply	Not Comply
a) Proof of National Treasury Central Supplier Database (CSD Summary report)		
b) CSD Overall Tax Status must be compliant (Tax Compliant)		
c) Conformance to the Scope of Work/ Terms of Reference (ToR)		

NB: Failure to submit/or reflect the above eligibility requirements and conformance to the scope of work will result in non-compliance and will lead to the bid being disqualified.

2. INTRODUCTION TO THE SIU

The SIU is an independent statutory body established by proclamation R.118 of 31 July 2001, issued in terms of the Special Investigating Units and Special Tribunals Act No. 74 of 1996 as amended (*"the SIU Act"*). The purpose of the SIU is to investigate serious malpractices, maladministration and corruption in connection with the administration of State Institutions, state assets and public money as well as any conduct, which may seriously harm the interest of the public. Furthermore, the purpose of the SIU is to institute and conduct civil proceedings in any court of law or a Special Tribunal in its own name or on behalf of State Institutions.

3. SCOPE OF WORK/ TERMS OF REFERENCE (TOR)

- **5X Efficacy Testing SANS 636/639/1616 (sub)**
- **5X Alcohol % hand sanitizer**
- **Please note the tests must be done in Port Elizabeth and results be delivered at our SIU Port Elizabeth**

4. DELIVERABLES**5. CONTRACT PERIOD**

(i)

6. CONDITIONS

Quotations above R30 000 will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Regulation 2017, SIU's Supply Chain Management Policies and National Treasury Practice and instruction note (s).

PLEASE NOTE THAT THE QUOTATION MAY BE REGARDED INVALID/DISQUALIFIED IN THE FOLLOWING INSTANCES:

- a) If the quotation page is not signed
- b) If the SBD 4: declaration of interest form is not completed and signed
- c) If the SBD 8: declaration of bidder's past supply chain management practices form is not completed
- d) If the SBD 9: certificate of independent bid determination form is not completed
- e) CSD tax clearance is non-compliant
- f) If SBD and/or information is proven incorrect.
- g) Late and incomplete submissions will not be accepted
- h) Service providers who are listed on the national treasury's database of restricted suppliers and defaulters
- i) Service providers who are under investigation of corrupt activities
- j) Appointment may be subjected to screening by the SIU internal integrity unit or vetting by the state security agency before commencements

7. TAX COMPLIANCE REQUIREMENTS

I. Bidders must ensure compliance with their tax obligations.

II. Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to verify the taxpayer's profile and tax status.

III. Application for Tax Compliance Status (TCS) pin may be made via e-filing through the SARS website www.sars.gov.za.

IV. Bidders may also submit a printed TCS certificate together with the bid.

V. In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.

VI. Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

VII. No bids will be considered from persons in the service of the state, companies with directors who are persons in the service of the state, or close corporations with members' persons in the service of the state."

8. TERMS AND CONDITIONS:

- a) *Quotations must be submitted in the company letterhead*
- b) *All copyright and intellectual property herein rests with the SIU*
- c) *All goods or services purchased will be subject to SIU's conditions, policies and procedures.*
- d) *It is the responsibility of the bidder to ensure that the SIU is in possession of a compliant Tax Status documentations. The onus therefore rests on the bidder to ensure that the SIU is in receipt of a Compliant Tax Status as per CSD summary report.*
- e) *All purchases will be made through an official order form therefore; no goods must be delivered or render services before an official order has been received.*
- f) *To participate in SIU's Quotation of goods and/or services, vendors are advised to register on SIU's National Treasury Central Supplier Database (CSD)*
- g) *Bidder² certify that the information supplied is correct and I have read and understood SIU's Conditions and procedures and accept it.*
- h) *Bidder further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the bid.*
- i) *Payments are effective within 30 days after receipt of invoice*
- j) *No late responses will be considered.*
- k) *All quotes should be accompanied by a valid BBBEE status Certificate with a SANAS logo or Sworn Affidavit by the Commissioner of Oaths with an SAPS Stamp for 80/20 evaluation criteria.*
- l) *Note that there are no pre-payments and payments will take place within 30 working days from the invoice date*
- m) *Successful bidders must be able to deliver the specified goods/services in full no later than stipulated date.*
- n) *Please do not hesitate to contact the undersigned for further information.*
- o) *When a bidder responds to this request for quotations, accept SIU's condition and also confirm that should he/she is successful, will be able to offer and deliver quality service*
- p) *SIU as a public entity is not allowed to do pre-payments, therefore when the bidder respond to this request, accept the quotation*
- q) *The appointed bidder is required to sign of the SBD document truthfully and in full*
- r) *Any bidder who has reasons to believe that the RFQ specifications is based on a specific brand must inform SIU on or before RFQ's closing date.*
- s) *Awarding of the quotation will be subject to the Service Provider's express acceptance of the SIU Supply Chain Management policy, general contract conditions and any other related general*
- t) *By responding to this RFQ document, a bidder commits to bind himself or herself by SIU's conditions which supersedes bidders' own quotation's conditions.*
- u) *Upon finalisation of the appointment, SIU may enter into a Service Level Agreement (SLA),*
- v) *SIU reserves the right to conduct its own internal tests and analysis on products/goods to ascertain the quality as per SABS compliance etc.*
- w) *No equipment, utensils or agents that may damage the buildings, fittings, persons shall be used. The SIU reserves the right to reject such conduct.*
- x) *Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.*
- y) *All bids must be submitted on the official forms provided– (not to be re-typed) or in the manner prescribed in the bid document.*
- z) *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 special conditions of contract.*
- aa) *This RFQ is subject to Procurement General Conditions of Contract, (you may request a copy from SCM official or download from National Treasury's website.*
- bb) *The successful bidder will be required to fill in and sign a written contract form (SBD7).*

9. DECLARATIONS

Full details of directors / trustees / members / shareholders, or kindly attached additional information in

² A bidder and/or service provider will be used interchangeably across the bid document

this tabular format as an Annexure.

Name	Entity Number	Personal Tax Number	State Employee Number/ Persal number

10. EVALUATION CRITERIA

SIU promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price, which does not necessarily provide the best value. Best value incorporates the expertise, experience and technical proposal of the organisation and individuals who will be providing the service and the organisational capacity supporting the project team.

SIU is committed to achieving the government's transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA), Procurement Regulation 2017.

The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable. (This is by no means the budget of the project but the process threshold as per PPPFA)

The procedure for the evaluation of responsive bids is Price, and Preference method.

The preference points evaluation of the responsive bids will be evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor.

SIU promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price,

SIU is committed to achieving Government's transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA).

11. PRICING SCHEDULE

Price must include the entire scope of work and any other logistics or disbursement that assist the service provider in delivering the final product (s) to SIU as per the scope of work and within the set timelines.

Note: VAT must be included and disbursements on the final product.

Item No	Deliverable/Description of Work/Services/Goods	Pricing R'
		R
		R

³ Responsive bids, are those bids that meet the eligibility/mandatory/administrative criteria as set out on the bid document.

		R
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- Quotation must reflect a cost breakdown and prices quoted must be inclusive of VAT.
- A separate quote should be on bidders' letter head
- The Bidder must thus complete the attached schedule and return (No separate schedules permitted).
- All fee rates shall be quoted in the currency of the Republic of South Africa for the periods specified, and will be held to be firm for the period of the Bid.

12. DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state, accounting authority, executive 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;
- SIU's accounting authority; 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

"State" means –

- 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);
- any municipality or municipal entity;
- provincial legislature;
- national Assembly or the national Council of provinces; or
- Parliament

Are you or any person connected with the bidder presently employed by the state? 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:	YES / NO
If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? If yes, did you attach proof of such authority to the bid document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid If no, furnish reasons for non-submission of such proof:	YES / NO
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? If so, furnish particulars:	YES / NO
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? If so, furnish particulars:	YES / NO
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? If so, furnish particulars:	YES / NO

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? If so, furnish particulars:	YES / NO
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13. SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic

Empowerment Act, 2003 (Act No. 53 of 2003);

- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

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

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

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

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . = (maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

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

(Tick applicable box)

YES			NO	
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7.1.1 If yes, indicate:

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

(Tick applicable box)

YES		NO	
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- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at last 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

8.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

14. Declaration of Bidder's past supply chain management practices (SBD 8)

- a. This Standard Bidding Document must form part of all bids invited.
- b. 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
- c. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
- 2.3.1 Abused the institution's supply chain management system
- 2.3.2 Committed fraud or any other improper conduct in relation to such system; or
- 2.3.3 Failed to perform on any previous contract.

2.4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
2. 4.1	Is the bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
2.4.1.1	If so, furnish particulars:		
2.4.2	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 ☐
2.4.2.1	If so, furnish particulars:		
2.4.3	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 ☐	No ☐
2.4.3.1	If so, furnish particulars:		
2.4.4	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 ☐	No ☐
2.4.4.1	If so, furnish particulars:		

15. Certificate of Independent Bid Determination (SBD 9)

3.1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

3.2 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.

3.3 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.

3.4 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.

3.5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

Certificate of Independent Bid Determination

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

- A. I have read and I understand the contents of this Certificate;
- B. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- C. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- D. 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;
- E. 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

- F. 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.
- G. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (i) prices;
 - (ii) geographical area where product or service will be rendered (market allocation)
 - (iii) methods, factors or formulas used to calculate prices;
 - (iv) the intention or decision to submit or not to submit, a bid;
 - (v) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (vi) bidding with the intention not to win the bid.
- H. 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.
- I. 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.**
- J. 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.

6. SPECIAL CONDITIONS

- a) Quotations to be returned to: **RFQ@siu.org.za**
- b) Proposal submitted to the SIU becomes the property of the SIU. SIU is therefore not obliged to send it back to the bidder
- c) The service provider shall commit to post support service where and when required by SIU.
- d) Payment will be done on deliverables achieved, with payments done within 30 days of receipt of invoice.
- e) CSD Tax Compliance status must be found on the CSD Summary report
- f) **SIU Head Office are situated at the following address:**
74 Water Meyers Street
Rentmeester Building
Meyers Park
First Floor

7. SUPPORTING DOCUMENTATION AND MINIMUM CRITERIA

- a. A B-BBEE status level verification certificate must be submitted in order to qualify for preference points for B-BBEE);
- b. List Two (02) References including organisation name, contact person and contact numbers;
- c. A valid tax clearance certificate and Company documents must be provided to the SIU with the proposal (Electronic copy should be send and the original will be requested from the recommended bidder) failure to attached will lead to disqualification.
- d. The quote must be valid for a period of 30 days
- e. All quotations must be accompanied by the following documents if you have not submitted the information before:
 - ❖ **Central supplier database for Government (CSD)**

- f. Quotation must reflect a cost breakdown, where applicable, prices quoted must be inclusive of VAT
- g. All pages of quotation must be signed by the responsible person
- h. SIU has the right to withdraw any quotation at any time within or outside the validity of the quotation.
- i. **SIU reserves the right to invite suppliers/companies to present their bid proposals for final decision**

8. DECLARATION

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- ii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iii) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and ;
- iv) Confirms that the contents of this questionnaire/forms (SBD 4, 6, 8 & 9) are within my personal knowledge and are to the best of my belief both true and correct
- v) Accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.

Please note that if the supporting documentation is not provided then the submission will be classified as non-responsive.

Tender Conditions**1. Disqualification**

Please note that if a tender document is not filled in correctly or completely, or is delivered/sent after the tender closing time, or CSD tax compliant status is not reflected on the CSD summary report will automatically disqualify the bid. Please return this document with the supporting documents including CSD Tax Compliance summary status report.

2. Tender Document Submission

Faxed and emailed tender documents will be accepted. However, the onus is on the tenderer to ensure that complete faxed or email documents have been received by the SIU by the due time.

Please note that any alterations to the tender document other than filling in the tenderer's details and tender price will automatically disqualify the tenderer.

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....

END