

NONGOMA LOCAL MUNICIPALITY

**G, DESIGN AND DELIVERY OF PROMOTIONAL
(RFQ 12/2018/19)**



REQUEST FOR QUOTATION

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME)

QUOTATION NUMBER: SCM RFQ12/2018/19 CLOSING DATE: 12th OCTOBER 2018
CLOSING TIME: 12H00

DESCRIPTION: SUPPLY, PRINTING, DESIGN AND DELIVERY OF PROMOTIVE MATERIALS

The successful bidder will be required to fill in and sign a written Contract

BID DOCUMENTS MAY BE DELIVERED TO:

DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

NONGOMA MUNICIPALITY
Lot 103
Main Street
Entrance Area
Nongoma

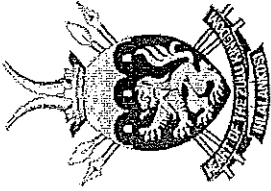
Bidders should ensure that quotations are delivered timeously to the correct address, otherwise it will not be accepted for consideration.

The bid box is generally open 24 hours a day, 7 days a week.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE REPRODUCED)

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY AND REGULATIONS, 2011, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE REPUBLIC OF ZAMBIA



hkhandlu wakwa - **NONGOMA** - Local Municipality

Tel: (035) 831 7500 | Fax: (035) 831 3152 | P.O. Box 84 | Nongoma 3950

	PROJECT NAME AND DESCRIPTION
	<ul style="list-style-type: none">• Supply, printing, design and delivery of A1 calendars (2500 units)• Supply, printing, design and delivery of A2 calendars (1000 units)• Supply, printing, design and delivery of A2 desk calendars 12 pages (100 units)• Supply, printing, design and delivery of A5 diaries (300 units)• Supply, printing, design and delivery of A4 diaries

- Supply, printing, design and delivery of A4 file folders (350 units)

section 18(a) of Nongoma Municipality Supply Chain Management policy together with section 83 of the Municipal and read together with section 110, 111,112 of the Municipal Finance Management Act 56 of 2003 for the supply, mentioned items.

envelope marked "SCMRFQ12/2018/19 and deposited in the Nongoma Municipality quotations/bid box at the reception MA 3950, not later than 12H00 on Friday the 12th October 2018. Late quotations and quotations not clearly marked as documents will be obtained from cashier's office from the 04th to 11th October 2018 @ a non-refundable fee of R website: www.nongoma.org.za

least ninety (90) days from date of your offer.

ted

arms of the 80/20 preference point system as prescribed in the Preferential Procurement Policy Framework Regulations ed forms, MBD1, MBD 2, MBD 4, MBD 6.1, MBD 6.2, MBD 8 and MBD 9 must be scrutinized, completed and submitted

oe attached together with the valid tax Clearance certificate

ll of not older than 3 months must be attached or proof of residence with affidavit from SAPS if the business operate in

THE FOLLOWING PARTICULARS MUST BE FURNISHED
(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODENUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2)

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6)

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CO)

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDIT

A REGISTERED AUDITOR

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

ARE YOU THE ACCREDITED REPRESENTATIVE
IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?

Municipality / Municipal Entity: Nongoma Municipality

Department: Supply Chain

Contact Person: Mrs Tusiwe S. Bukhosini

Tel: 035 831 7527

Fax: 086 723 7882

QUANTITY	DESCRIPTION	UNIT PRICE
2500	A1 CALENDARS	
1000	A2 CALENDARS	
100	A2 DESK CALENDARS (12 PAGES)	
300	A5 DIARIES	
200	A4 DIARIES A) 65 UNITS MUST HAVE GOLD NAME TAGS/PERSONALIZED B) 135 UNITS ARE JUST NORMAL DIARIES	
800	BUSINESS CARDS	
50	POCKET DIARIES	
350	A4 FILE FOLDERS	
		SUBTOTAL
		VAT @ 15 %
		TOTAL

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be paid and satisfactory arrangements have been made with South African Revenue Service to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office. Tax Clearance Certificate Requirements are also applicable to foreign bidders who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that is valid for (one) year from the date of approval.
- 3 The original Tax Clearance Certificate must be submitted together with a copy of the original and valid Tax Clearance Certificate will result in the invalidation of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" can be obtained from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via the website provision, taxpayers will need to register with SARS as e-taxpayers on www.sars.gov.za.

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, or any relationship, may make an offer or offers in terms of this invitation. Any allegations of favouritism, should the resulting bid, or part thereof, be connected with or related to persons in service of the state, it is the duty of their authorised representative declare their position in relation to the state authority.

3 In order to give effect to the above, the following questions must be answered and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, shareholder, etc.)

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 and state employee numbers must be indicated in p.....

3.8 Are you presently in the service of the state?

3.8.1 If yes, furnish particulars.

.....

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

(a) a member of –

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

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

3.9.1 If yes, furnish particulars.....

.....

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

3.10.1 If yes, furnish particulars.

.....

.....

3.11 Are you, aware of any relationship (family, friend, other) 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?

3.11.1 If yes, furnish particulars

.....
.....

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

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?

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.

3.14.1 If yes, furnish particulars:

.....
.....

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

Full Name	Identity Number	State En Num

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFEREN REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE 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 amounts included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all amounts included).

1.2

- a) The value of this bid is estimated to not exceed R50 000 000 (all amounts included); therefore the 80/20 preference point system shall be applicable; or
- b) Either the 80/20 or 90/10 preference point system will be applicable to this bid (if *is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

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

- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of good practice on black economic empowerment, issued in terms of section 9 (1) of the Black Economic Empowerment Act;
- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an organ of state for the provision of goods or services, through 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 that meet the 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;
 - 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 as stated in the invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

or

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contributor are as follows:

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPH 4.1

6.1 B-BBEE Status Level of Contributor: =(maximum of 8 points)
 (Points claimed in respect of paragraph 7.1 must be in accordance with paragraph 4.1 and must be substantiated by relevant proof of B-BBEE Status Level of Contributor)

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?
(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with Preference Beneficiaries in terms of the Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME
Black people	√

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 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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

8.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of
the points claimed, based on the B-BBE status level of contributor in
6.1 of the foregoing certificate, qualifies the company/ firm for the pr
acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General
paragraph 1 of this form;

the shareholders and directors who acted on a fraudulent basis to prevent the National Treasury from obtaining business from any organization for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) has been applied; and

- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF P

DATE:

ADDRESS

.....

.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT SECTORS

This Municipal Bidding Document (MBD) must form part of all bids invited. It and serves as a declaration form for local content (local production and content interchangeably).

Before completing this declaration, bidders must study the General Conditions of Contract applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011 and the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content Declaration Templates [Annex C (Local Content Declaration: Summary) and Annex E (Local Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where local production and content is of critical importance, such bids must be awarded on the condition that only locally produced goods, services or works or locally sourced materials stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage process will be followed, where the first stage involves a minimum threshold for local production and content, and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, must ensure in a manner that the local production and content of the overall value of the contract meets the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011.

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or price quotations.
- 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT) and other taxes.
- 2.3. **“contract”** means the agreement that results from the acceptance of a bid.
- 2.4. **“designated sector”** means a sector, sub-sector or industry that is designated by the Department of Trade and Industry in line with national development and industrial production, where only locally produced services, works or goods or locally sourced materials meet the stipulated minimum threshold for local production and content;
- 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by a Financial Officer or other legally responsible person nominated in writing by the bidder, who is a senior member / person with management responsibility (close corporation or company).
- 2.6. **“imported content”** means that portion of the bid price represented by services or materials which have been or are still to be imported (whether by the bidder or a subcontractor) and which costs are inclusive of the costs abroad (this includes labour and materials) plus freight and other direct importation costs, such as landing costs, duties, taxes, and other duty or other similar tax or duty at the South African port of entry;
- 2.7. **“local content”** means that portion of the bid price which is not imported or subcontracted, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content required by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, managing or subcontracting to another person to support such primary contractor in the execution of part of the contract.

3. **The stipulated minimum threshold(s) for local production and content for the SATS 1286:2011 for this bid is/are as follows:**

- 4.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local paragraph 1.5 of the general conditions must be the rate(s) published by currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on **www.reserv**

Indicate the rate(s) of exchange against the appropriate currency in the ta of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited (Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

- 5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
- (b) Practice number:
- (c) Telephone and cell number:
- (d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the Accounting Officer / Accounting Authority)

6. Where, after the award of a bid, challenges are experienced in meeting the for local content the dti must be informed accordingly in order for the dti to the Accounting Officer / Accounting Authority provide directives in this regard

CONTRACT FORM - PURCHASE OF GOODS/WORKS

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL BIDDER AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED BY THE SUCCESSFUL BIDDER AND THE PURCHASER. THE SUCCESSFUL BIDDER AND THE PURCHASER WOULD SIGN SEPARATELY AND ORIGINALY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or work specified in the bidding documents to (Nongoma Municipality) in accordance with the specifications stipulated in bid number at the price/s quoted. My bid is valid for 90 days and open for acceptance by the purchaser during the validity period calculated from the closing time of bid.
2. The following documents shall be deemed to form and be read as part of the agreement:
 - (i) Bidding documents, *viz*
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment of Contribution in terms of the Preferential Procurement Regulations;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and completeness of the price(s) and rate(s) quoted cover all the goods and/or work specified in the bidding documents; that the price(s) and rate(s) cover all my obligations under the contract; and that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

W
1
2

CONTRACT FORM - PURCHASE OF GOODS/WORKS

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity
as.....accept your bid
.....dated.....for the supply of goods/works
and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the conditions of the contract, within 30 (thirty) days after receipt of an invoice and delivery note.
4. I confirm that I am duly authorized to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.
2.
-

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN 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 goods and services are being procured, all reasonable steps are taken to implement a supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors,
 - a. abused the municipality's / municipal entity's supply chain management system or any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government or public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 22 of the Combating of Corrupt Activities Act (No 12 of 2004).
- 4 In order to give effect to the above, the following questionnaire is to be submitted with the bid.

Item	Question
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>
4.1.1	If so, furnish particulars:

4.3.1	If so, furnish particulars:
Item Question	
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?
4.4.1	If so, furnish particulars:
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?
4.7.1	If so, furnish particulars:

CERTIFICATION

I, **THE UNDERSIGNED (FULL NAME)**

.....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE

.....
Signature

.....
Date

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits a decision by an association of firms, or a decision by an association of parties in a horizontal relationship and if it involves collusive bidding, where such bidding is a *pe se* prohibition meaning that it cannot be justified under any law.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management officer, among others, shall take the following measures for the combating of abuse of the supply chain management system:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors or officers are involved in any corrupt, fraudulent or dishonest conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt, fraudulent or dishonest conduct during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by in all bids 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

I, the undersigned, in submitting the accompanying bid:

SCM BID 03/2018/19

SUPPLY AND DELIVERY OF UNIFORM AND PROTECTIVE CLOTHING, TOOLS AND

in response to the invitation for the bid made by:

NONGOMA MUNICIPALITY

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

I certify, on behalf of: _____

(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 not complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the bid on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized 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 bidder shall include any individual or organization, other than the bidder, who is authorized to sign on behalf of the bidder, who:
 - (a) has been requested to submit a bid in response to this bid;
 - (b) could potentially submit a bid in response to this bid;

6. The bidder has arrived at the accompanying bid independently from communication, agreement or arrangement with any competitor. However, partners in a joint venture or consortium³ will not be construed as collusion.
7. In particular, without limiting the generality of paragraphs 6 above, the bidder has not had any communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered;
 - (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 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 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, directly or indirectly, to any competitor, prior to the date and time of the official bid opening and the award of the contract.

10. I am aware that, in addition and without prejudice to any other restrictive practices related to bids and contracts, bids that are suspended by the Competition Commission for investigation and possible imposition of a fine under 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 bidding in 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

.....
Position

.....
Name of Bidder