



**FREE STATE DEVELOPMENT CORPORATION**  
**SUPPLY, DELIVERY AND ERECTING OF HIGH DENSITY, PANEL FENCING AND GATES AT**  
**PARYS SMME BUSINESS HUB**

**BID NUMBER: FDC BID NO. 009/2018**

**COMPULSORY BRIEFING SESSION:**

**52 BREE STREET, PARYS, FREE STATE**

**WEDNESDAY, 19 SEPTEMBER 2018 AT 11:00**

**CLOSING DATE: THURSDAY, 04 OCTOBER 2018 AT 12:00**

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**PREPARED BY:**

FREE STATE DEVELOPMENT CORPORATION

33 KELLNER STREET

WESTDENE BLOEMFONTEIN

9301

**TECHNICAL CONTACT PERSON: KHANYISA TOBOSE 051 400 0800**

**SUPPLY CHAIN MANAGEMENT CONTACT PERSON: NTOMBI**  
**MTIMKULU**

051 400 0800

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## PART A INVITATION TO BID

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)**

BID NUMBER:	FDC BID NO.	CLOSING DATE:		CLOSING TIME:	
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DESCRIPTION	<b>SUPPLY, DELIVERY AND ERECTING OF HIGH DENSITY, PANEL FENCING AND GATES AT PARYS SMME BUSINESS HUB</b>
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**BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)**

**FDC BUILDING, 33 KELLNER STREET, WESTDENE, BLOEMFONTEIN, 9301**

<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>	<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>
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CONTACT PERSON	NTOMBI MTIMKULU	CONTACT PERSON	KHANYISA TOBOSE
TELEPHONE NUMBER	051 400 0800	TELEPHONE NUMBER	051 400 0800
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS	scmqueries@fdc.co.za	E-MAIL ADDRESS	khanyisa@fdc.co.za

**SUPPLIER INFORMATION**

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE		NUMBER
CELLPHONE NUMBER			

FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No: MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX]	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX]	
	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR <b>THE GOODS /SERVICES /WORKS OFFERED?</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No	YES, ANSWER THE QUESTIONNAIRE BELOW
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>				

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>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 2.3 BELOW.</b>		

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. 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.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 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.”</p>

**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: .....

## **REQUEST FOR TENDER**

### **Introduction**

The Free State Development Corporation (FDC) is a public entity established in terms of the FDC Act 6 of 1995. In terms of the Public Finance Management Act it is classified as a schedule 3D entity.

The mandate of the FDC is to establish and develop sustainable SMMEs in the Free State Province by providing both financial and non-financial support services.

### FDC Purpose

To contribute to the economic growth of the free State Province through property development and management, SMME's and Cooperatives funding, investment and trade promotion.

### FDC Vision

- "To be the leading catalyst for economic growth and development in the Free State Province".

### FDC Mission

- Contributing to the radical social-economic transformation of the Free State Province.

- Providing financial and non-financial services to SMME's and Cooperatives.
- Identifying business opportunities which are developed through capital raising and partnerships.
- Developing and managing properties for business and residential purposes.
- Facilitating and promoting investments and trade.

## **SECTION: 1**

### **CONDITIONS AND UNDERTAKING BY SERVICE PROVIDER IN RESPECT OF THIS SERVICE**

#### CONDITIONS AND UNDERTAKINGS BY SERVICE PROVIDERS IN RESPECT OF THIS SERVICE

##### **1. Proprietary Information:**

Free State Development Corporation (FDC) considers this SERVICE and all related information, either written or verbal, which is provided to the respondent, to be proprietary to FDC. It shall be kept confidential by the respondent and its officers, employees, agents and representatives. The respondent shall not disclose, publish, or advertise this specification or related information to any third party without the prior written consent of FDC.

##### **2. Enquiries**

All communication and attempts to solicit information of any kind in relation to this Service should be channeled in writing to:

##### 2.1 Contact person (Supply Chain Management)

Name: **Ntombi Mtimkulu**

Telephone Number: **051 4000 800**

Email address: [scmqueries@fdc.co.za](mailto:scmqueries@fdc.co.za)

2.2 Contact person (Technical)

Name: **Khanyisa Tobose**

Telephone Number: **051 4000 800**

Email address: [khanyisa@fdc.co.za](mailto:khanyisa@fdc.co.za)

3. All the documentation submitted in response to this tender must be in English.
4. Vendor should check the numbers of the pages to satisfy themselves that none are missing or duplicated. No liability will be accepted by FDC in regard to anything arising from the fact that pages are missing or duplicated.

## 5. Validity Period

Responses to this request received from vendors will be valid for a period of 90 days from the closing date.

## 6. Submission of Quotations and Returnable

**Bids should be submitted all bound in a sealed enveloped endorsed, "SUPPLY, DELIVERY AND ERECTING OF HIGH DENSITY PANEL FENCING AND GATES AT PARYS SMME BUSINESS HUB". The sealed envelope must be placed in the tender box at the main Reception area FDC House, 33 Kellner, C/O Markgraff Street, Westdene, Bloemfontein by no later than 04 OCTOBER 2018 at 12H00, a Compulsory Briefing session will be held at 11:00 am on 19 SEPTEMBER 2018 at 52 BREE STREET, PARYS, FREE STATE.**

- 6.1 The closing date, company name and the return address must also be endorsed on the envelope.

- 6.2 If a courier service company is being used for delivery of the document, the description must be endorsed on the delivery note/ courier packaging to ensure that documents are delivered into the tender box.
- 6.3 No document received by telefax, email, facsimile or similar medium will be considered.
- 6.4 Where a document is not in the tender box at the time of the closing, such a document will be regarded as late. Late documents will not be considered.
- 6.5 The service provider is responsible for all the cost that they shall incur related to the preparation and submission of the document.
- 6.6 Reference letters must be attached to the document.
- 6.7 A Valid Tax Clearance certificate must be included in the document.
- 6.8 A valid BBBEE Certificate/ sworn affidavit must be submitted with the document.
- 6.9 Company registration documents.
- 6.10 Company profile.
- 6.11 Registration on Central Supplier Database.
- 6.12 Proof of registration on CIDB ( grading designation of 3 SQ)
- 6.13 Kindly note that the FDC is entitled to amend any conditions, validity period, specifications, or extend the closing date beforehand. All applicants, will be informed in writing of such amendments in good time.



- 6.14 The FDC reserves the right not to accept the lowest or any quote in part or in whole. It normally awards the contract to the bidder who proves to be fully capable of handling the contract and whose document is technically acceptable and/or financially advantageous to the FDC.
- 6.15 The service provider hereby offers to render all or any of the services described in the attached documents to the FDC on the terms and conditions and in accordance with the specifications stipulated in this Tender document (and which shall be taken as part of, and incorporated into, this Proposal at the prices inserted therein).
- 6.16 Documents submitted by Companies must be signed by a person or person duly authorized thereto by a resolution of a Board of Directors, a copy of which Resolution, duly certified be submitted with the document.
- 6.17 The service provider shall prepare for possible presentation on trading site should FDC require such.
- 6.18 The service provider hereby agree that the offer herein shall remain binding upon him/her and receptive for acceptance by the FDC during the validity period indicated and calculated from the closing hour and date; this proposal and its acceptance shall be subject to the terms and conditions contained in this document.
- 6.19 The service provider furthermore confirm that he/she has satisfied himself/herself as to the correctness and validity of his/her response that the price(s) and rate(s) quoted cover all the work/item(s) specified in the response documents and that the price(s) and rate(s) cover all his/her obligations under a resulting contract and that he/she accept that any mistakes regarding price(s) and calculations will be at his/her risk.

6.20 The service provider hereby accepts full responsibility for the proper execution and fulfilment of all obligations and conditions passed on him/her under this agreement as the Principals(s) liable for the due fulfilment of this contract.

Name of your Company (in block letters)

\_\_\_\_\_

Signature(s) of the

Bidder or assignee(s) and date \_\_\_\_\_

Name of person signing

(In block letters) \_\_\_\_\_

Capacity \_\_\_\_\_

\_ Are you duly authorized to sign this

document \_\_\_\_\_

Company Registration Number \_\_\_\_\_

VAT Registration Number \_\_\_\_\_

Postal address (in block letters)

\_\_\_\_\_

Physical address (in block letters) \_\_\_\_\_

\_\_\_\_\_

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

Contact person: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

6.21 Failure to comply with any of the conditions as set out above will invalidate the quote

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>RATE</u>	<u>AMOUNT</u>
	<b><u>SECTION 1 - PRELIMINARIES</u></b>				
	<b><u>BILL NO. 1</u></b>				
	<b><u>PRELIMINARIES</u></b>				
	<b><u>PREPARATION</u></b>				
1	Security and Guarantees	Item	1		-
2	Risk and Insurance	Item	1		-
	<b><u>MANAGEMENT OF CONTRACT</u></b>				
3	Management of the Works	Item	1		-
4	Programme for the Works	Item	1		-
5	Progress meetings	Item	1		-
	<b><u>SAMPLES AND SHOP DRAWINGS</u></b>				
6	Samples of materials	Item	1		-
7	Workmanship samples	Item	1		-
	<b><u>TEMPORARY WORKS AND PLANT</u></b>				
8	Enclosure of the works	Item	1		-

9	Plant, equipment, sheds and offices	Item	1		-
10	Main notice board	Item	1		-
11	Subcontractors notice board	Item	1		-
<b><u>TEMPORARY SERVICES</u></b>					
12	Water (To be provided by the Contractor).	Item	1		-
13	Electricity (To be provided by the Contractor).	Item	1		-
					-
Section No. 1 PRELIMINARIES Bill No. 1 PRELIMINARIES AND GENERAL					
				<b>Carried to</b>	R

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>RATE</u>	<u>AMOUNT</u>
<b><u>GENERAL</u></b>					
14	Telecommunication equipment (To be provided by the Contractor).	Item	1		-
15	Ablution facilities (To be provided by the Contractor).	Item	1		-
16	Protection of the Works	Item	1		-
17	Protection/isolation of existing/sectionally occupied works	Item	1		-
18	Site security	Item	1		-
19	Works cleaning and clearing	Item	1		-
<b><u>OCCUPATIONAL HEALTH AND SAFETY</u></b>					
20	Preparation of the Contractor's site specific Health and Safety Plan	Item	1		-
21	Contractor's initial obligations in respect of the Occupational Health and Safety Act and Construction Regulations	Item	1		-

22	Provision of Personal Protective Equipment (PPE)				
	a) Reflective vests	Item	1		-
	b) Hard hats	Item	1		-
	c) Protective foot wear	Item	1		-
	d) Earplugs	Item	1		-
	e) Dust Masks	Item	1		-
	d) Gloves	Item	1		-
23	Provision of a full time Construction Health and Safety Officer	Item	1		-
					-
	<b>Carried to Collection</b>				
	Section No. 1				
	PRELIMINARIES				
	Bill No. 1				
	PRELIMINARIES AND GENERAL				
				R	

Section No. 1 PRELIMINARIES Bill No. 1 PRELIMINARIES AND GENERAL				
<b><u>COLLECTION</u></b>				
	Page No			Amount
Total Brought Forward From Page No.	1			-

		2			-
PRELIMINARIES Section No. 1 Bill No. 1					-
PRELIMINARIES AND GENERAL	Carried Page	to	Summary	R	

PARYS BUSINESS HUB/ CONTAINER PARK					
Item	Description	Unit	Quantity	Rate	Amount
	SECTION 2				
	<u>EXTERNAL WORKS</u>				
	<u>High Density Panel Fencing and Gates (Provisional)</u>				
	<u>Site Clearance</u>				

1	Allow for site clearance	m	287		-
	<b><u>SECURITY FENCING</u></b>				
2	2400mm High, 'High Density' panel fence with 4mm thick mesh diameter and aperture sizes of 76,2 x 12,7mm centres. Panels to be finished with line galvanized deep etch primer and epoxy enamel finish coat, all fixed between posts with clamping plate to secure mesh panel against post using anti-vandal bolt heads as tamper proof fixing. Posts to be taper posts of maximum 85 x 85mm at maximum centres of 3382mm posts to be capped with UV stabilised polymer end caps. 100mm High galvanised 'shark tooth' type spike rails, bolted to 50mm wide ClearVu mesh flange bent along fence top, all supplied and installed strictly in manufacture's specification and recommendation				
	<u>Sundries</u>				
3	Anti-Burrow 600x 150mm underdig including all necessary excavation, cartaways, etc.	m m	287 287		- -
	<b><u>Posts</u></b>				
4	Taper locking post size 85x45x2400mm high including locking recess mechanism sealed with a UV stabilized polymer cap and bedded in 500 x 500 x 600mm mass concrete (15MPa) bases and related earthworks.	No	87		-
5	Corner post size 76x152x2400mm high including locking recess mechanism sealed with a UV stabilized polymer cap and bedded in 500 x 500 x 600mm mass concrete (15MPa) bases and related earthworks.	No	28		-
	<b><u>Gates</u></b>				
6	Double leaf swing size 2750 x 2400mm high formed of galvanised framing including heavy duty hinges and spikes, 3mm diameter wire with apertures size 76.2mm x 25mm with galvanised mesh infill	No	2		-
	Sliding gate size 6000x 2400mm high ditto	No	1		-
7	Sliding gate size 8000x 2400mm high ditto	No	1		-
8	Sliding gate motor to suit 6000mm long x 2400mm high sliding gate frame	No	1		-
9	Sliding gate motor to suit 8000mm long x 2400mm high sliding gate frame	No	1		-
	<b>Bill Total Carried Forward</b>			R	-

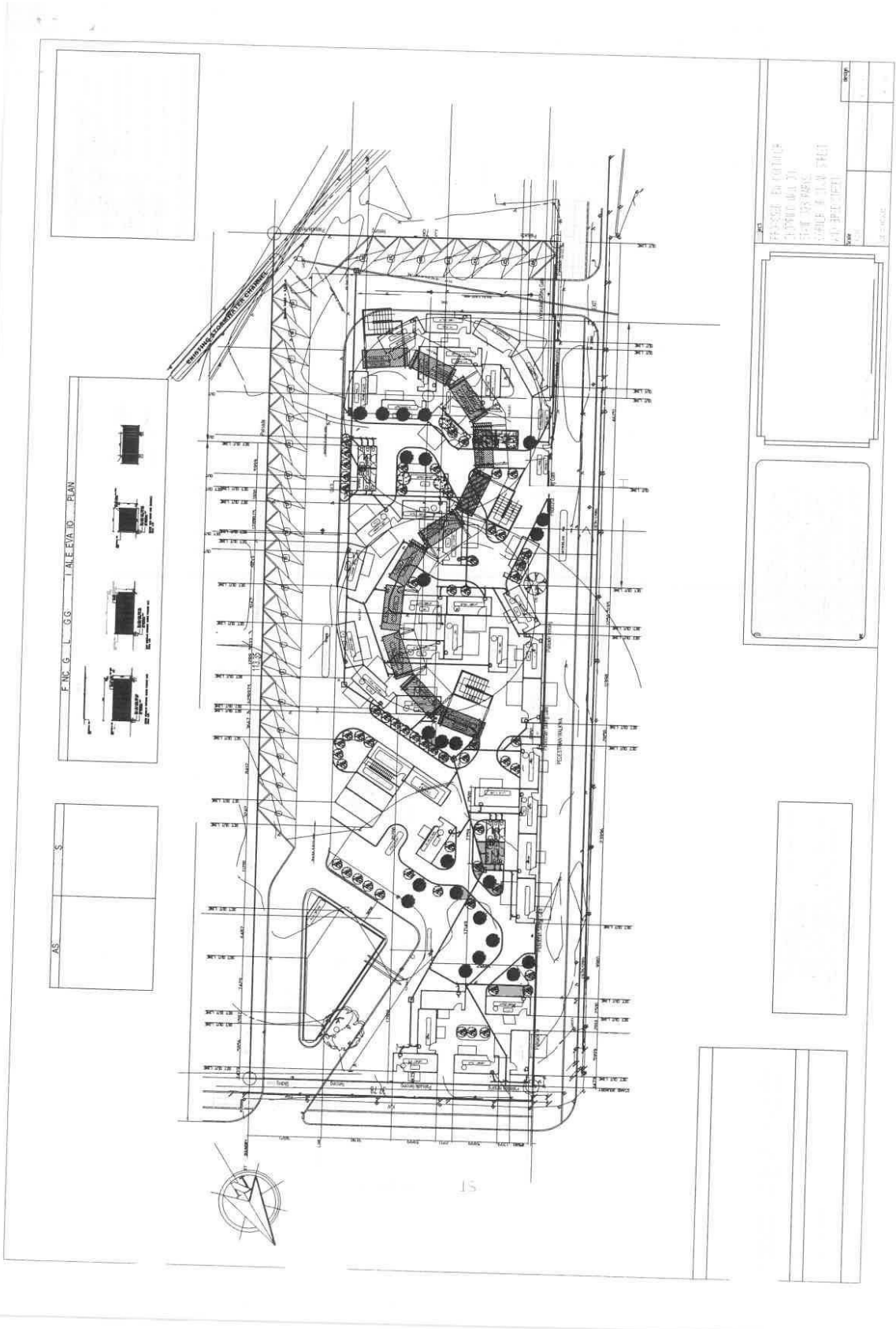
Item	Description	Unit	Quantity	Rate	Amount
	<b>Bill Total Brought Forward</b>			R	
	<b><u>The following in 15Mpa/20mm concrete in bases</u></b>				

9	300 x 300 x 300mm Cement concrete 15MPa block with 12mm diameter x 200mm long galvanised pipe embedded in top as gate keep including all excavations, backfilling, etc.	No	10		-
	<b><u>Sundries:</u></b>				
10	Extra over all excavations for excavation in soft rock.	m <sup>3</sup>	24		-
11	Ditto, but in hard rock.	m <sup>3</sup>	12		-
<b>Bill Total to Summary Page</b>				R	-

<b><u>FINAL SUMMARY</u></b>					
<b>Section No</b>		<b>Page No</b>			<b>Amount</b>







## SECTION: 2

### SUPPLY, DELIVERY AND ERECTING OF HIGH DENSITY, PANEL FENCING AND GATES AT PARYS SMME BUSINESS HUB

#### EVALUATION CRITERIA

Tenders shall be evaluated in terms of the following parameters:

<b>ELEMENT</b>	<b>WEIGHT</b>
<p>The bidder's experience in the field three (3) years' experience in similar projects.</p> <p>Completion of 5 (five) similar projects to the value of R1.5 million or above within the last 3 (three) years - 40 points</p> <p>Completion of 3 (three) similar projects to the value of R1.5 million or above within the last 3 (three) years – 20 points</p> <p>Completion of 2 (two) similar projects to the value of R1.5 million or above within the last 3 (three) years – 10 points</p> <p>Attach relevant reference letters</p>	40
<p><b>QUALITY OF WORK</b></p> <p>FDC representative will contact references provided by respective bidders and also do physical inspection if necessary.</p> <p>Excellent: 81%-100% - 40 points</p> <p>Good: 61%-80% - 30 points</p> <p>Acceptable: 41%-60% - 20 points</p> <p>Poor: 21%-40% - 10 points</p> <p>Unacceptable: 0%-20% - 0 points</p> <p>Please attach relevant reference letters.</p>	40
<p>Free State based companies (please attach proof)</p>	20
<p><b>TOTAL</b></p>	100

Note: The minimum qualifying score for functionality is 80%. All tenders that fail to achieve the minimum qualifying score on functionality shall not be considered for further evaluation on Price and BBBEE.

All bidders that will achieve the minimum qualifying score (acceptable bids) will be evaluated further in terms of the preference point system as follows:

	<b>POINTS</b>
Price	80
BBBEE	20
<b>TOTAL</b>	<b>100 points</b>

- Prices must be based on the South African Rand;
- Prices must include Value Added Tax (VAT).
- Prices must include consumables e.g. labour, equipment, delivery costs and transport.
- All figures are to be entered without alteration.

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
  
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

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

2.2 Identity Number:  
.....  
.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>):  
.....

2.4 Company Registration Number:  
.....

2.5 Tax Reference Number:  
.....

2.6 VAT Registration Number:

.....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup>“State” means –

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

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

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

2.7.1 If so, furnish the following particulars:

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

..... Name of state institution at which you or the person

connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....  
.....  
.....

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

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

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

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

.....  
.....  
.....

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

2.8.1 If so, furnish particulars:

.....

.....  
.....

2.9 Do you, or any person connected with the bidder, have **YES / NO**  
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?

2.9.1 If so, furnish particulars.

.....  
.....  
.....

2.10 Are you, or any person connected with the bidder,  
**YES/NO**

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

2.10.1 If so, furnish particulars.

.....  
.....  
.....

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



2.11.1 If so, furnish particulars:

.....  
.....  
.....

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

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



## **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.**

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#### **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

The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

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
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 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.

1.6 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 BroadBased 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;



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 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 10 or 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	
-----	--	----	--

7.1.1 If yes, indicate:

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

YES		NO	
-----	--	----	--

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		
<b>OR</b>		
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: .....

SBD 6.2

**DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS**

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement

Regulations, 2017, 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 together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported 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, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may 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, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below 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 as follows:

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

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

Prices referred to in the determination of  $x$  must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

**Description of services, works or goods**                      **Stipulated minimum threshold**

<b>Electrical Cables</b>	<b>Low Voltage</b>	<b>90%</b>
	<b>Low Cost Reticulation</b>	<b>90%</b>
	<b>Medium &amp; High Voltage</b>	<b>90%</b>
	<b>ACR</b>	<b>90%</b>

<b>Joining/ Connecting Components</b>	<b>Gusset, cleats, stiffeners, splices, cranks, kinks, doglegs, spacers, tabs, brackets</b>	<b>100%</b>
<b>Fasteners</b>	<b>Bolts, nuts, rivets and nails</b>	<b>100%</b>
<b>Wire Products</b>	<b>All fencing products: all barbed wire and mesh fencing, fabric/mesh reinforcing, gabions, wire rope/strand and chains, welding electrodes, nails/ tacks, springs and screws</b>	<b>100%</b>

<b>Ducting and structural pipework</b>	<b>Non-conveyance tubing fabricated from steel sheeting and plate with structural supports</b>	<b>100%</b>
<b>Plates (&gt;4.5mm thick and supplied in flat pieces)</b>		<b>100%</b>
<b>Sections (Channels, Angles, I-Beams and H-Beams)</b>		<b>100%</b>
<b>Reinforcing bars</b>		<b>100%</b>

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

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

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on [www.resbank.co.za](http://www.resbank.co.za)

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

<b>Currency</b>	<b>Rates of exchange</b>
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

**LOCAL CONTENT DECLARATION (REFER TO ANNEX B OF SATS 1286:2011)**

**LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)**

**IN RESPECT OF BID NO.** .....

**ISSUED BY:** (Procurement Authority / Name of Institution):  
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on [http://www.thedti.gov.za/industrial\\_development/ip.jsp](http://www.thedti.gov.za/industrial_development/ip.jsp). Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be**

**submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, ..... (full names),  
do hereby declare, in my capacity as .....  
of .....(name of bidder entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
  - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

**If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.**

**The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.**

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may

result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017

promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

**SIGNATURE:** \_\_\_\_\_

**WITNESS No. 1** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**WITNESS No. 2** \_\_\_\_\_

**DATE:** \_\_\_\_\_



## CONTRACT FORM - RENDERING OF SERVICES

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

### PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
  
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, *viz*
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2011;
    - 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 validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....

**CONTRACT FORM - RENDERING OF SERVICES**

**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I..... in my capacity as.....  
accept your bid under reference number .....dated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
  
2. An official order indicating service delivery instructions is forthcoming.
  
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

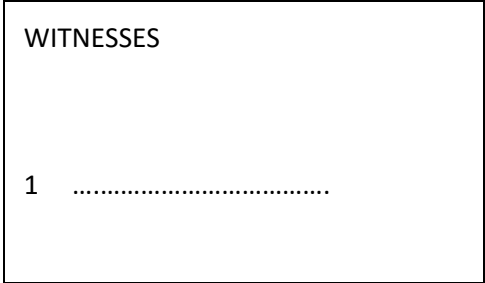
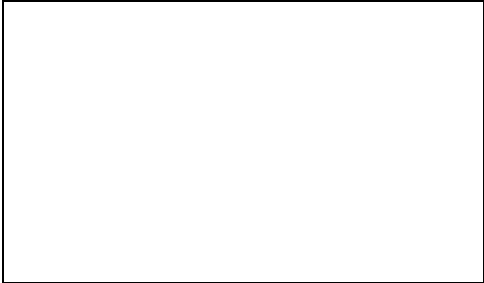
4. I confirm that I am duly authorised to sign this contract.

SIGNED AT .....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP



**DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

Item	Question	Yes	No
------	----------	-----	----

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

4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

SBD 8

**CERTIFICATION**

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

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

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....

**Signature**

.....

**Date**

.....

.....

**Position**

**Name of Bidder**

**SBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.



<sup>2</sup> 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.

**SBD 9**

## **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(FREE STATE DEVELOPMENT CORPORATION)

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

**SBD 9**

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium<sup>3</sup> will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
  - (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

<sup>3</sup> 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.

**SBD 9**

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**

.....

**Position**

.....

**Name of Bidder**

Js914w 2

**Price Declaration Form**

Dear Sir, madam

Having read through and examined the Request for Tender Document, The Requirement and all other Annexures, we offer to provide the services supplying, delivery and erecting of high density panel fencing and gates at Parys SMME for the Free State Development Corporation for an amount of:

**R.....(including VAT) In words .....(including VAT)**

We confirm that this price covers all the expenses related to the project, as called for in the Terms of reference document. We confirm that FDC will incur no additional costs whatsoever over and above this amount in connection with the provision of this service.

We undertake to hold this offer open for acceptance for a period of 90 days from the date of submission of offers. We further undertake that upon final acceptance of our offer, we will commence with the provision of service when required to do so by the FDC.

We understand that you are not bound to accept the lowest or any offer and that we must bear all costs which we have incurred in connection with preparing and submitting this document.

We hereby undertake for the period during which this proposal remains open for acceptance not to divulge to any persons, other than the persons to whom the proposal is submitted, any information relating to the submission of this tender or the details therein except where such is necessary for the submission of this proposal.

**SIGNED**

**DATE**

\_\_\_\_\_

(Print name of signatory)

\_\_\_\_\_

Designation

\_\_\_\_\_

**FOR AND ON BEHALF**

**COMPANY**

**OF:**

**NAME**

Tel No

Fax No

Cell No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

