



REQUEST FOR QUOTATION

(Over R30 000 up to a transaction value of R500 000 VAT included)

LTA Q141-18/19: APPOINTMENT OF A SERVICE PROVIDER FOR BRAND TRACKING

Kindly furnish us with a written quotation as detailed in the enclosed schedule.

The quotation must be submitted on the letterhead of your business and submitted into the quotation box not later than **22 MARCH 2019 @ 13H00 AT THE LTA'S QUOTATION BOX.**

The following conditions will apply:

- 1) Price(s) quoted must be valid for at least sixty (60) days from date of your offer.
- 2) Price(s) quoted must be firm and inclusive of VAT.
- 3) A firm delivery period must be indicated.
- 4) These quotations will be evaluated in terms of the 80/20 preference point system as prescribed in the Preferential Procurement Regulations (2017) and for this purpose the enclosed forms SBD 4, SBD 6.1, SBD 8 & SBD 9 must be scrutinized, completed and submitted together with your quotation.
- 5) The successful provider will be the one scoring the highest points in terms of the Preferential Procurement Regulations (2017)
- 6) Limpopo Tourism Agency Reserves the right to appoint more than one (01) Service Provider

LTA Q141-18/19: APPOINTMENT OF A SERVICE PROVIDER FOR BRAND TRACKING

SPECIFICATIONS:

BID SPECIFICATIONS

Limpopo Tourism Agency, a statutory organisation established in terms of the Limpopo Tourism Agency Act of No 4 of 2019.

The Scope of the Service

The entity seeks to engage the services of a professional and seasoned brand tracking organisation, for a period of three (3) years, as per the assignment here under.

The Limpopo Tourism Agency invites proposals from suitably qualified service providers for the provision of the following services;

- Ongoing brand perception surveys
- Brand media tracking activities
- Provide brand perception tools
- Ensure feedback into the marketing strategy planning

Brand tracking concept

The role of this concept is to provide LTA with a tool to achieve among other things, a feedback mechanism for the brand perception. This tool should test the basket of attributes that constitute what destination Limpopo represents and how it measures in the eyes of the consumer. Furthermore, LTA should be able to get feedback from both trade and public consumers regarding how it is perceived. The feedback will then be used to correct and mitigate the differences in what should be improved.

It is through this process that the entity will also be able to track where the marketing spend in terms of advertising, promotions and related public relations activities. With a tracking tool in place, the entity will be able to validate the marketing investment spend as an extrapolation of spend versus return [growth].

Requirements

The key requirements for the brand tracking tool will include, but not limited to:

- Ongoing brand perception surveys
 - This will entail ongoing survey of the LTA brand perception but not limited to direct contact surveys as may be necessary from time to time.
 - Track all interactions with the brand locally, nationally and internationally.
- Brand media tracking activities
 - Track and report on all media mentions of LTA locally, nationally and internationally.
- Provide brand perception tools

- Provide LTA with tools to introspect on its brand attributes and ways to entrench and communicate these.
- Conduct any activity that will assist the entity with aspects of brand tracking.
- Ensure feedback into the marketing strategy planning
 - Provide information that could be used to build and input into the marketing and promotions strategy of the institution [LTA].
- Offer technical support when required or requested.

General Requirements

1. Provide technical expertise to conduct brand tracking activities.
2. Ensure implementation, troubleshooting, and maintenance support for the established system[s].
3. Provide more effective development and design for the functionality of the LTA's websites.
4. Provide three (3) references of similar work done in the past [no more than three years ago].

Qualifications

The contractor is required to have:

1. Extensive knowledge and experience of brand tracking activities by making use of innovative technologies and applications.
2. Excellent communication skills and the capacity to be responsive to changing needs and requirements as communicated by the LTA office.
3. Proven and solid knowledge and experience in providing similar service.
4. Full understanding of the requirements.

a) Key Personnel

The bidder should provide a project team responsible for the execution of the project with adequate skills, qualifications and experience in delivery of similar projects or functions.

b) Resources (Infrastructure) Capability

The bidder should demonstrate capacity to meet requirements in terms of the specified infrastructure requirements to be utilized in execution of the project.

c) Experience

The bidder must illustrate three projects undertaken in satisfying requirements of similar nature. Bidder must have a proven track record of at least five years minimum experience.

Provide list of current projects and completed projects with company name, contact names, telephones, project amount, duration of the project.

d) **Mandatory and technical pre-qualifiers**

- Valid BEE certificate.
- Original Tax clearance certificate.
- Signed SBD forms.
- A compulsory briefing session will be held at Limpopo Tourism Agency's offices.

e) **Technical evaluation criteria**

Bidders will be evaluated in terms of the prevailing supply chain policy applicable to Limpopo Tourism Agency and it should be noted that:

- The benchmark of *minimum 60 points out of 100 points on technical capability* will be the cut off to qualify for further evaluation
- Those that qualify will be assessed using the 80:20 formula for Price and B-BBEE as per the PPPFA. All proposals will be evaluated separately against the evaluation criteria (technical / functional criteria, as well as for price and preference scoring where bidders meet the technical / functional threshold and thus qualify for evaluation of the latter). The quality and extent of the service offering and confidence in the bidders' ability to deliver against the specifications stipulated in this document for each individual service component will be evaluated. Where consortia and subcontracting will be used, the ability of the contracting partners to render the services required will also be taken in to account.

LTA will analyse and assess technical capability and therefore the bidder should demonstrate the following:

Table 1: Functionality and Criteria

FUNCTIONALITY CRITERIA			
	COMPONENT	Points Awarded	
A	FINANCIAL STANDING		20
	Submission of letter from the Bank (we reserve the right to verify)		
	Bank rating A	20	
	Bank rating B	15	
	Bank rating C	10	
	Bank rating D	08	
	Bank rating E	04	
		0	
B	COMPANY EXPERIENCE (detailed company's profile must be submitted)		20
	Number of years of experience in business		
	• 3-4 Years	5	
	• 5-6 Years	10	
	• 7-9 Years	15	
	• 10 years & above	20	
C	PREVIOUS PROJECTS EXECUTED		20
	• R2 000 000 or more	20	
	• Less than R1 000 000	10	
	• Between R500 001 and R800 000.	5	
	• Below R500 000	0	
	Attach portfolio of evidence of work done		
D	REFERENCES		20
	Five and more client's reference letter.	20	
	Four to Five clients' reference letter.	10	
	Three client's reference letter.	5	
E	LOCALITY		10
	Company located within the Province.	10	
	Outside the Province.	0	
F	AFFILIATION TO RELEVANT PROFESSIONAL BODIES		10
	Affiliation to professional bodies.	10	
	None	0	

The minimum qualifying score for functionality is **60%**.

Table 2: Price & B-BBEE

CRITERIA	SUB-CRITERIA	WEIGHTINGS/POINTS
Price	Detailed budget breakdown	80
B-BBEE Status Level Verification Certificate from accredited verification agencies	B-BBEE Level Contributor	20
TOTAL POINTS		100

DURATION

The contract period will be for four Months.

PAYMENT STRUCTURE

- LTA undertakes to pay in full within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- Payments will only be made on the basis of the work completed (milestones).
- Deliverables) as per the project implementation plan to be agreed at the inception of the project.

GENERAL

Below are compulsory requirements for this service:

- It is important to note that the successful service provider will work under the supervision of a LTA representative, abide by LTA's Code of Conduct, and other organizational guidelines.
- Kindly submit the following documents:
 - Valid and Original or Certified B-BBEE Status Level Verification Certificates issued by the following agencies SANAS, IRBA or CCA.
 - Original Valid Tax Clearance Certificate. (Only if these documents have not been submitted with the database forms).
- For further information regarding technical matters can be sent via email: to: jerrym@golimpopo.com or tel: 015 293 3600 or mavhungum@golimpopo.com or 015 293 3687
- For further information regarding supply chain matters can be sent via email to: mokutloun@golimpopo.com or at tel: 015 293 3600

- The selection of the qualifying proposal will be at the LTA's sole discretion. LTA does not bind itself to accept any particular bid, and LTA reserves the right not to appoint the service provider.

1. EVALUATION METHODOLOGY

1.1 Administrative Compliance (Phase1)

The Limpopo Tourism Agency will consider no quotation unless it meets the following responsiveness criteria:

- Submission of a Joint Venture Agreement, where applicable, which has been properly signed by all parties.
- Submission of all completed Standard Quotation Documents (SBD) - SBD 1; 4; 6.1; 8; 9).
- SBD 6.2 FORM (Must be completed when procuring Textile materials, clothing and Office Furniture).
- Certified copy of B-BBEE certificate (Still within the validity period of 3 months)
 - **NB: B-BBEE Status Level Verification Certificates to be submitted must be issued by the following agencies:**
 1. Bidders/Tenderers other than EMEs (Exempted Micro Enterprises)
 - Verification agencies accredited by SANAS (South African National Accreditation System); or

NB: CERTIFICATES ISSUED BY IRBA AND ACCOUNTING OFFICERS HAVE BEEN DISCONTINUED IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017.

 2. Tenderers who Qualify as EMEs
 - Sworn Affidavit signed by EME representative and attested by a Commissioner of Oaths.
- Copy of Central Supplier Database (CSD)Registration

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

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

2.2 Identity Number:

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

2.4 Company Registration Number:
.....

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹“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.

²“Shareholder” means a person who owns shares in the company and is actively involved

in the management of the enterprise or business and exercises control over the enterprise.

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

2.7.1 If so, furnish the following particulars:

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

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

Position occupied in the state institution: _____

Any other particulars:

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

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

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

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

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

2.8.1 If so, furnish particulars:

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars. _____

2.10 Are you, or any person connected with the bidder, **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 Tax Reference Number	State Number / Persal Number	Employee

4 DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS
 CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF
 PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS
 DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

**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

- a) 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
- b) Either the 80/20 or 90/10 preference point system will be applicable to this tender (*delete whichever 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

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 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 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
- 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
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 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	<input type="checkbox"/>	NO	<input type="checkbox"/>
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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	<input type="checkbox"/>	NO	<input type="checkbox"/>
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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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>
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<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p>

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? (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>	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)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</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:		

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of:

_____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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

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

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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Signature

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Date

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Position

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Name of Bidder

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