

## sport and recreation

# Department: Sport and Recreation PROVINCE OF KWAZULU-NATAL

## **REQUEST FOR QUOTATION (RFQ)**

The Department of Sport and Recreation in the Province of KwaZulu Natal hereby invites suitably qualified suppliers/and or services providers to submit quotations for the following bid(s)

| Description of Goods /Services: | PROVISIONING of FACILITATION   |                                 |    |                   |
|---------------------------------|--------------------------------|---------------------------------|----|-------------------|
| Quotation Number:               | DSR:327/2122                   |                                 |    |                   |
| Project Number:                 | ACAD/HO/2122/04/001            | L                               |    |                   |
| Evaluation Criteria             | Price Points: 80               | :: 80 BEE Points: 20 Functional |    | Functionality: NA |
| Closing Date & Time:            | 21 JUNE 2021 @ 11H00 AM        |                                 |    |                   |
| Requires at/Delivery Address:   | DSR OFFICES, ETHEKWII          | NI                              |    |                   |
| Technical enquiries:            | NKOSINATHI MBHELE 033 897 9446 |                                 | 46 |                   |
| General/SCM enquiries:          | MBALI MADLALA 033 897 9485     |                                 |    | 85                |

The Manager

**TERMS AND CONDITION** 

1. The Department of Sport and Recreation requires the item(s)/service described per attached price quotation invitation, and you are requested to complete the documents and to submit it in

accordance with the under-mentioned stipulations:

1.1. The conditions contained in the attached annexures apply.

1.2. The price quotation must be submitted in a sealed envelope with the name and address of the bidder

with the price quotation number and closing date indicated on the envelope. The cover or envelope must not contain documents relating to any bid other than that shown on the cover or envelope.

1.3. The price quotation must be faxed to 086 4588 033 or e-mailed to minibids@kzndsr.gov.za or

hand delivered to: Sport and Recreation House, 135 Pietermaritz Street, Pietermaritzburg 3201.

1.4. Price quotations submitted per mail must be sent per registered mail. The price quotation must still

reach this office before the closing time. Failure to do so will invalidate the price quotation.

1.4.1. The closing date of the bid will be on 21 JUNE 2021 at 11H00 and will be valid for a period of 30

days after the closing date.

1.4.2. The attached forms/annexures must be completed in full and returned with your price quotation.

2. All communication regarding this bid before the closing date and time must be done in writing.

3. You are advised to acquaint yourself with the contents of the attached General Conditions of Contract.

With regards the following goods and services: Transport, Medical, Insurance and Security, the

following documentation must be submitted with your price quotation where:

- Roadworthy Certificates, PDPs and Proof of Liability Cover;

- Registration Certificate and Practice Number in respect of Medical Service;

Certificate issued by the Financial Services Board with FSP number in respect of Insurance; and

PSIRA Registration Certificate in respect of Security Services.

Yours faithfully

Mrs. S. Dlamini

**Senior SCM Resource: DSR** 



| The Manager |  |  |
|-------------|--|--|
|             |  |  |
|             |  |  |

| Central Suppliers Database No.: | MAAA0  |
|---------------------------------|--|
| QUOTATION NUMBER:               | DSR327/2021  |
| PROJECT NUMBER:                 | ACAD/HO/2122/04/001  |
| REQUEST FOR QUOTATION:          | PROVISIONING OF FACILITATION from SETA and CATHSSETA ACREEDITED TRAINING SERVICE PROVIDERS REQUIRED at ETHEKWINI METRO: ETHEKWINI DISTRICT ON THE 25-27 JUNE 2021. |

- 1. The Department of Sport and Recreation requires the item(s)/service described per attached price quotation invitation, and you are requested to complete the documents and to submit it in accordance with the under-mentioned stipulations:
- 1.1. The conditions contained in the attached annexures apply.
- 1.2. The price quotation must be submitted in a sealed envelope with the name and address of the bidder with the price quotation number and closing date indicated on the envelope. The cover or envelope must not contain documents relating to any bid other than that shown on the cover or envelope.
- 1.3. The price quotation must be faxed to 086 598 1869 or e-mailed to <a href="mailedtominibids@kzndsr.gov.za">minibids@kzndsr.gov.za</a> or hand delivered to: Sport and Recreation House, 135 Pietermaritz Street, Pietermaritzburg 3201.
- 1.4. Price quotations submitted per mail must be sent per registered mail. The price quotation must still reach this office before the closing time. Failure to do so will invalidate the price quotation.
- 1.4.1. The closing date of the bid will be on 21 JUNE 2021AT 11H00am and will be valid for a period of 30 days after the closing date.
- 1.4.2. The attached forms/annexures must be completed in full and returned with your price quotation.
- 2. All communication regarding this bid before the closing date and time must be done in writing.

[Type here]

#### **BACKGROUND**

The department requires a suitably qualified and experienced SETA and CATHSSETA Accredited Service Providers to facilitate a 3-day SAQA rated Training Course for 60 Sport Academies and Sport Focus Schools officials on Athletes Development. Topics should include Long term Athletes development programmes, Talent identification, Women in Sport (obstacles facing female athletes), Effect of Covid on athlete's performance and Sport nutrition.

#### SCOPE OF WORK

The workshop should cover the following topics:

#### **General Coaching:**

- Long term Athletes development programme
- Talent identification
- Women in Sport (obstacles facing female athletes)
- Drugs in Sport
- Effect of Covid on athlete's performance.
- Sport nutrition

#### **Policies, Laws and Procedures:**

- All coaches must have relevant qualification or experience to deal with athletes
- All coaches must have police clearance on dealing with athletes
- Registration od athletes and affiliation procedures
- Covid-19 regulations on sports
- · Dealing with female athletes
- Managing and disciplining athletes

#### **Facilities and equipment:**

- Preparing of training venues
- · Usage of correct training equipment
- Athletes safety during training
- Accommodation facilities for athlete
- · Reconfiguration of facilities to comply with regulations

#### Communication

- Coaches open door policy with athletes
- Establishment of communication platform/groups through social media
- Use of virtual communication platforms to host training sessions
- Dissemination of training schedule to all athletes.

#### **Education and Training:**

- Duties of each individual in the sport academy or sport focus school
- Attendees to be able share attained information, knowledge and skills with their colleagues and athletes. Most importantly they must be able to implement programmes in line with the obtained information.

Create a standardized checklist/pack which will act as a guidelines document for all trained officials
that will assist in implementing acquired skills and knowledge. This document will be given as packs
to delegates.

#### At the end of the course, trained officials must:

- Be able deal with different athletes and implement all coaching methods
- Have the ability to scout talented athletes
- Be able to advice athletes on banned performance enhancing substances in sports
- Be able to advice on proper eating habits and health foods for athletes
- Able to understand athletes recovering from Covid-19

#### Service Provider must:

- Provide all learning materials, manuals or textbooks
- Must have facilitated sport specific workshops on coaching and athlete's development. Proof must also be provided by the respective service provider.
- Be CATHSSETA and HWSETA (optional) Certified
- Provide Certification for all trained attendees
- · Provide a written report after the completion of the training

#### Quotes must be for the following:

- Proposed programme and plan for the workshop
- Learning material for the workshop
- Incentives of facilitators (Incl. SnT, Accommodation etc.)
- All required supporting documentation (as per Terms of Refence and Scope of Work)
- Contract price inclusive of all related facilitation and logistical costs and VAT

#### **SELECTION CRITERIA**

| CRITERION   | MAX. POINTS TO BE AWARDED | SCORING                            | MEANS OF VERIFICATION   |
|-------------|---------------------------|------------------------------------|---|
| Methodology | 10                        | 10 Points for Detailed methodology | A written proposal outlining: Understanding of scope of work Approach to the assignment Incl. group and individual teaching Type of Assignments and Testing Methods to examine trainees |

| Company Experience<br>(Facilitating Sport<br>Specific workshops,<br>Focusing on the above<br>topics) | 10 | 2 Points for each successfully completed project                                  | Completion of Annexure Listing:  Client Name Date of appointment and completion Value of assignments  Time taken to complete assignment Client Contact details Letter of recommendation from previous client/s |
|--|----|---|--|
| Project Officer/<br>Facilitators   | 5  | 2 Points for appropriate qualification 1 point per successfully completed project | CV of Project Facilitator (Degree/Diploma in Sport Science, Sport Administration) Facilitator and/or Moderation Certificate Completion of experience annexure as per listing above                             |
| Time of Completion   | 5  | 5   | Detailed workplan (Project Plan and Programme) outlining the programme of the project for Day 1, 2 and 3.  |





QUOTATION FOR SUPPLY OF GOODS/SERVICES ABOVE R30 000.00 DIRECTORATE/OFFICE:

| QUOTATIO  | N/REQUISITION NO: DSR327/2122                                     | TION NO: <u>DSR327/2122</u> PROJECT NO: <u>ACAD/HO/2122/04/001</u> |               |            |             |
|-----------|---|--|---------------|------------|-------------|
| CLOSING D | ATE: 21 JUNE 2021 @ 11H00 PRACTICE                                | NO. (Medical/Insur   | ance):        |            | <u> </u>    |
| COMPANY   | NAME:   | CSD NO   |               | PSIRA NO.: |             |
| CONTACT F | PERSON:   | CONTACT NUMBER:  |               |            |             |
| NO        | DESCRIPTION OF SPECIFICATION<br>(refer to attached specification) | QTY  | UNIT<br>PRICE | VAT        | TOTAL PRICE |
|           |   |  |               |            |             |
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Make a duplicate copy where items are more than the space provide

| SECTION A: THE FOLLOWING MUST ALSO CENTRAL SUPPLIERS DATABASE (CSD) REGISTRAT DELIVERY DATE: VALIDITY PERIOD OF QUOTATION:  VALIDITY PERIOD OF QUOTATION:   |                        |   |
|---|------------------------|---|
| PLEASE TICK $$ THE RELEVANT FIELD   |                        |   |
| ARE PRICES QUOTED FIRM:   | YES                    |   |
| SUBMISSION OF B-<br>BBEE STATUS LEVEL CERTIFICATE OR SWORN AFFI   | YES                    |   |
| VALID TAX CLEARANCE CERTIFICATE:  | YES YES                | _ |
| ENTITY BAS REGISTRATION:  | YES                    |   |
| VAT REGISTRATION: IF YOU ARE A VAT VENDOR  IS THIS OFFER STRICLTY TO SPECIFICATION? IF NOT  | Γ, GIVE VARIATION YES  |   |
| IF SPACE IS INSUFFICIENT, ATTACH DETAILS (1 PAGER) SECTION C: QUOTATIONS FOR SERVICES (courses/wo The following information must be submitted on a separate s (a) Operational plan/methodology/approach; (b) Breakdown of costing; (c) Curriculum Vitae of course/workshop facilits (d) References - work experience  SECTION D: KINDLY USE COMPANY STAMP AND SIGN STAMP AND SIGN | schedule<br>ators; and |   |
| Name and Surname (Please print):  | COMPANY STAMP          |   |
| Delivery address:   |                        |   |
| Signature:  | Capacity:              |   |

NO NO

NO NO

NO

#### SECTION E: DELIVERY QUOTE USING THE METHOD LISTED BELOW:

Email or Fax documents strictly and specifically to: <a href="mailto:quotations@kzndsr.gov.za">quotations@kzndsr.gov.za</a> or 086 598 1869

#### 2.2 (SBD 2)

#### TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1. In order to meet this requirement, bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3. The valid original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5. Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available 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 eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website <a href="www.sars.gov.za">www.sars.gov.za</a>.

| I HAVE READ AND COMPLIED WITH THE SPECIAL INSTRUCTIONS ABOVE: |                        |  |  |
|---|------------------------|--|--|
| SURNAME AND INITIALS OF REPRESENTATIVE                        | DATE                   |  |  |
| SIGNATURE   | OFFICIAL COMPANY STAMP |  |  |

#### **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 and/or take an oath declaring his/her interest, 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.

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, member):

  2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

  2.5 Tax Reference Number:

  2.6 VAT Registration Number:
- 2.6.1 The names of all directors / trustees / shareholders² / members, their individual identity numbers, tax reference numbers and, if applicable, employee / Persal numbers must be indicated in paragraph 3 below.

2.

- (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>1&</sup>quot; State" means -

| <sup>2</sup> "Shareholde<br>the enterpris | er" means a person who owns share<br>e or business and exercises control | es in the company and is actively invover the enterprise.                        | olved in the ma                                       | anagement of |
|---|--|--|---|--------------|
| 2.7                                       | Are you or any person conne employed by the state?                       | ected with the bidder, presently   | Yes   | No           |
| 2.7.1                                     | If so, furnish the following part  | iculars:   |   |              |
|   | Name of person/ director/<br>shareholder/ member                         | Name of state institution to which the person is connected                       | Position occ<br>state institut                        |              |
|   |  |  |   |              |
|   |  |  |   |              |
|   | Any other particulars:   |  | AT-261  |              |
|   |  |  |   |              |
|   | 222  |  |   |              |
| 2.7.2                                     |  | by the state, did you obtain the take remunerative work outside or?              | Yes   | No           |
| 2.7.2.1                                   | If yes, did you attach proof document?                                   | of such authority to the bid   | Yes   | No           |
|   | (Note: Failure to submit prod<br>disqualification of the bid.)           | of of such authority, where appl   | icable, may r   | esult in the |
| 2.7.2.2                                   | If no, furnish reasons for non-s   | ubmission of such proof:   |   |              |
|   | *)   |  | ***************************************               | •••••        |
|   |  |  |   |              |
|   |  |  | (* * * * * * )606 * * * * * * * * * * * * * * * * * * |              |
| 2.8                                       |  | or any of the company's rs or their spouses conduct previous twelve (12) months? | Yes   | No           |
| 2.8.1                                     | If so, furnish particulars:  |  |   |              |
|   |  |  |   | y            |
|   |  |  |   |              |

|        |   |  |  |             | (i)                    |
|--------|---|--|--|-------------|------------------------|
| 2.9    | relationship (family, frie  | connected with the bide<br>end, other) with a person<br>be involved with the eva | employed by                                | Yes         | No                     |
| 2.9.1  | If so, furnish particulars:   |  |  |             |                        |
|        | Name of person/ director/<br>shareholder/ member  | Name of state institution to which the person connected                          |  |             | Nature of relationship |
|        |   |  |  |             |                        |
| 2.10   | Are you, or any person conne (family, friend, other) between state who may be involved wid? | n the bidder and any pers  | son employed by t                          | he Yes      | No                     |
| 2.10.1 | If so, furnish particulars:   |  |  |             |                        |
|        | Name of person/ director/<br>shareholder/ member  | institution to which the   | Position occupied in the state institution | Nature of r | elationship            |
|        |   |  | _  |             |                        |
|        |   |  |  |             |                        |
| 2.11   | Do you or any of the directors any interest in any other relate for this contract?          |  |  |             | No                     |
| 2.11.1 | If so, furnish particulars:   |  |  |             |                        |
|        |   |  | ······································     |             |                        |
|        | 2.552   |  |  |             |                        |
|        |   |  |  |             |                        |
|        |   |  |  |             |                        |

| Full name | Identity number* | Personal Tax<br>Reference<br>Number | State Employee<br>Number / Persal<br>Number |
|-----------|------------------|-------------------------------------|---|
|           |                  |                                     |   |
|           |                  |                                     |   |
|           |                  |                                     |   |

<sup>\*</sup>Copies of Identity Document must be attached.

| DECLARATION   |   |  |  |  |
|---|---|--|--|--|
| I, THE UNDERSIGNED (NAME)<br>CERTIFY THAT THE INFORMATION F<br>CORRECT. | FURNISHED IN PARAGRAPH 2 TO 3 ABOVE IS                                      |  |  |  |
|   | ECT THE BID OR ACT AGAINST ME IN TERMS OF CONDITIONS OF CONTRACT SHOULD THE |  |  |  |
| SIGNATURE   | DATE  |  |  |  |
| POSITION  | NAME OF BIDDER  |  |  |  |

Note:

Should the bidder or any of its directors/members or shareholders be employees of any organ of state as contemplated in the Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), such member/director or shareholder must submit a certified copy of the permission granted by the Executive Authority of his/her Department to conduct remunerative work in the Public Service as contemplated in the Public Service Act, 1994 (Act 103 of 1994) Chapter VII, Sections 30 and 31. Failure to submit the proof will automatically invalidate the bid. Knowingly not submitting it will make the person liable for fraud.

#### SBD 8

### DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 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.
- 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   | 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 audi alteram partem rule was applied).                                      | Yes | No |
| 4.1.1 | If so, furnish particulars:   |     |    |
| 4.2   | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?  The access this Register enter the National Treasury's website ( <a href="www.treasury.gov.za">www.treasury.gov.za</a> ), click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326-5445. | Yes | No |
| 4.2.1 | If so, furnish particulars:   | ,   |    |
| 4.3   | Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?  | Yes | No |
| 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 | No |
| 4.4.1 | If so, furnish particulars:   |     |    |

#### **CERTIFICATION**

| I,        | THE | UNDERSIGNE        | D (FULL           | NAME)              |
|-----------|-----|-------------------|-------------------|--------------------|
| CERTIFY T |     | DRMATION FURNISHE | D ON THIS DECLARA | TION FORM IS TRUE  |
|           |     |                   | TION OF A CONTRAC |                    |
| Signature |     |                   | Date              |                    |
| Position  |     | •••••             | Name of Bidde     | <br>er<br>.ls365hW |

SBD9

#### CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.
- 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.
- 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.
  - 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.
- 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.
- 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>&</sup>lt;sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>&</sup>lt;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.

#### 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)  |  |  |

I have read and I understand the contents of this Certificate;

1.

- 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. 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.
- 8. 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.
- 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.
- 10. 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>&</sup>lt;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.

<sup>&</sup>lt;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

11. 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   |
|           | .ls91 <i>4</i> v |

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