



sport and recreation

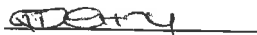
Department:
Sport and Recreation
PROVINCE OF KWAZULU-NATAL

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:	GRANT EVALUATION STUDY		
Quotation Number:	DSR 1108/2122		
Project Number:	SPD/GM/HO/2122/02/10		
Evaluation Criteria	Price Points: 80	BEE Points: 20	Functionality: NA
Closing Date & Time:	02 MARCH 2022 @ 11:00		
Requires at/Delivery Address:	GRANT EVALUATION STUDY REQUIRED AS PER ATTACHED SPECIFICATION ON THE 7 TH OF MARCH TO THE 31 ST OF MARCH 2022.(SERVICE PROVIDER TO MEET FUNCTIONALITY CRITERIA)		
Technical enquiries:	SIHLE NGUBANE: sihle.ngubane@kzndsr.gov.za 033 897 9405		
General/SCM enquiries:	THANDEKA MCHUNU- thandeka.mchunu@kzndsr.gov.za TEL.:033 897 9436		

- PLEASE NOTE THAT 6.2 AND ANNEX C MUST BE FILLED IN COMPLETELY AND IT IS COMPULSORY. ANY SUPPLIER THAT DOES NOT COMPLY WILL BE DISQUALIFIED.
- The KZN Department of Sports & Recreation reserves the right to award the quotation in whole or in parts to multiple suppliers. Quoted prices may be further negotiated with the lowest suppliers.
 - Quotation documents are attached.
 - Completed quotation document(s) must be faxed to: 086 4588 033, or e-mailed to: minibids@kzndsr.gov.za , or deposited in the quotations box situated at 135 Pietermaritzburg Street, Pietermaritzburg 3201.
 - The validity of the above quotation is thirty (30) days from the closing date.
 - The invitation is opened to suppliers registered on the Central supplier database with KZN Provincial Treasury and the KZN Department of Sports and Recreation.
 - The Department of Sport and Recreation reserves the right not to make any appointment. The department is not compelled to accept the lowest or any quotation.
 - Late quotations will not be considered, faxing time and posting date of quotations will not be considered as valid proof of submitting before the closing date.
 - It is the responsibility of the supplier to ensure that quotations are submitted to the correct address, fax and e-mail before the closing date and time.
 - **With regards the following goods and services:** Furniture and Sport Equipment/Attire, Transport, Medical, Insurance and Security, the following documentation **must** be submitted with your price quotation where applicable:
 - ✓ SBD 6.2 and Annexure C for Local Content Designated Sectors (Furniture and Textile, Clothing and Leather – Sport Equipment/Attire)
 - ✓ An original Valid Tax Clearance Certificate, if the department is in the possession of the suppliers' original valid Tax Clearance Certificate in the Suppliers' Database Profile, the supplier must verify with the department and will need not submit another original certificate.
 - ✓ Original and valid B-BBEE status level verification or a certified copy or a letter issued by the accountants as contemplated in the CCA or a verification agency accredited by SANAS or a registered auditor.
 - ✓ Road worthy, public liability certificates and valid PDP (where applicable).
 - ✓ Roadworthy Certificates, PDPs and Proof of Liability Cover.
 - ✓ Registration Certificate and Practice Number.
 - ✓ Certificate issued by the Financial Services Board with FSP number.
 - ✓ PSIRA Registration Certificate.



Ms Thandeka Mchunu

SCM Clerk

Date: 35/02/2022

ANNEXURE L – TERMS OF REFERENCE

BACKGROUND

The Mass participation Programme is funded from SRSA through a conditional grant. The grant framework dictates three sub-programmes funded through the grant, School Sport, Community Sport (Club development and Siyadlala) and Academies. The grant stipulates through the framework, the conditions under which the grant will be utilized.

The department reports to SRSA monthly on expenditure and performance against pre-determined objectives. The department is also required to conduct an annual evaluation study on the implementation and impact of the grant from **7 March to 31 March 2022**.

OBJECTIVES OF THE CONDITIONAL GRANT EVALUATION STUDY

The objectives of the study are to

1. Evaluate the functionality and performance of the programme to assess progress, the effectiveness of the programme as well as the benefits derived there-from.
2. The evaluation will provide "useful feedback" to a variety of stakeholders - officials, sector departments, communities, educators, sport federations, local government and will aid in decision-making.
3. The report will allow us to better communicate the programme's impact to others, which is critical for public relations, staff morale, and attracting and retaining support from current and potential funders.
4. The major goal of the evaluation is to influence decision-making or policy formulation through the provision of empirically driven feedback.
5. The evaluation will assist us in identifying areas for improvement and ultimately help us realize our goals more efficiently.
6. The evaluation will also allow us to demonstrate the programme's success or progress and record any weaknesses.
7. Identify significant strengths and weaknesses of the programme and provide strategic recommendations on how the Mass Participation Programme can be more effectively implemented.
8. The evaluation will allow us to periodically assess and adapt our activities to ensure they are as effective as they can be.
9. These findings and recommendations will allow for more informed decision making in implementing the programme.

THE SERVICE PROVIDER WILL BE REQUIRED TO

1. Develop a clear understanding of the objectives of the grant programmes
2. Develop an evaluation model for measuring achievement against the programme objectives;
3. Collect data through desk top research and on-site surveys on the status and deliverables of the programme
4. Collect, capture, quality check and analyze all data and responses
5. Identify findings and draw conclusions from the findings
6. Quantify direct and indirect social positive or negative impacts induced from the programmes.
7. Identify areas of success and weakness and make recommendations

1

Project Number	SPD/GM/HO/2122/02/10				
Initial	District Head	Component Head (D/D)	Resp. Manager	Chief Director	HOD

8. Compile a detailed close out report and present the report in narrative and presentation format to all relevant stakeholders identified by the department

MANAGEMENT STRUCTURE

This project will be managed through the following forums and stakeholders:

THE PROJECT STEERING COMMITTEE;	DSR MANAGEMENT Mr. V Balram; Chief Director: Sport Promotion and Development Mr M Bhengu; Director: Community Sport Promotion and Development, Ms T Dladla; Senior Manager Community Recreation, Club Development Mr. J D Pool; Deputy Director: Monitoring and Evaluation; Mr MI Mkhize; Deputy Director: School Sport
ADMINISTRATIVE SUPPORT	S. Ngubane; Community Sport Promotion and Development, S. Mdletshe; Club Development, P. Mazibuko; School Sport N. Majozi; Community Recreation

SCOPE OF WORK

The assignment will cover schools, clubs, academies, and hubs in identified districts, covering urban, peri-urban, and rural communities. These districts are Ethekwini, Zululand, King Cetshwayo and Harry Gwala.

The duration of the project will be 3-months

The assignment will cover the following matters:

Within **School Sport** the evaluation study will need to address the following requirements:

- Gauge the extent of the formation and functioning of the School Sport leagues,
- Gauge the existence and operation of school' sports code structures in districts,
- establish the extent of the delivery of sport equipment to the schools, and the quality of the equipment,
- Gauge the benefits of the Provincial and National Schools championships;
- Gauge the benefits to cost of the programme (Value-for-money and sustainability);
- gauge the social and economic benefit of the programme to the community; and
- Provide any recommendations for improvement

Within **Club Development**, the evaluation study will need to address the following requirements:

- Gauge the extent of the formation and functioning of the Age group leagues,
- gauge the involvement of the local, regional and provincial code structures,
- establish the extent of the delivery of sport equipment to the clubs, and the quality of the equipment,
- gauge the effectiveness of any talent identification programme;

2

Project Number	SPD/GM/HO/2122/02/10				
Initial	District Head	Component Head (D/D)	Resp. Manager	Chief Director	HOD

- Gauge the benefits to cost of the programme (Value-for-money);
- Identify and quantify any social benefits to the community; and
- Provide any recommendations for improvement

Within the **Academies programme**, the evaluation study will need to address the following requirements:

- Gauge the extent of the formation and functioning of the Academies,
- gauge the existence and functionality of the Sports Focused Schools,
- gauge the involvement of the local, regional, and provincial code structures,
- establish the extent of support provided to the academies,
- gauge the level of progress of athletes towards higher levels of competition
- Gauge the benefits to cost of the programme (Value-for-money); and
- Provide any recommendations for improvement

Within the **Siyadlala (Hubs) programme**, the evaluation study will need to address the following requirements:

- Gauge the extent of the formation and functioning of the Hubs,
- Gauge the quality of the site and infrastructure at the hubs
- establish the frequency of utilization and participation level at the hubs,
- gauge the demographic split of participants in the hubs
- Gauge the benefits to cost of the programme (Value-for-money and sustainability); and
- Provide any recommendations for improvement

General Information that the service provider will also be required to undertake:

- Establish the GIS coordinates of all sites visited
- Provide photographic evidence of findings
- Establish the involvement and frequency of contact with DSR officials at the Schools, Clubs, Hubs and Academies
- Establish the involvement and frequency of contact with DSR Contract Workers at the Schools, Clubs, Hubs

Project Number	SPD/GM/HO/2122/02/10				
Initial	District Head	Component Head (D/D)	Resp. Manager	Chief Director	HOD

EVALUATION CRITERIA FOR FUNCTIONALITY:

The bid will also be evaluated on functionality; a bidder who scores less than 70% will be eliminated.

NOTE: To ensure meaningful evaluation, bidders must submit detailed information in substantiation of the evaluation criteria mentioned below:

CRITERION	MAXIMUM TO BE AWARDED	SCORING	MEANS OF VERIFICATION
1 FUNCTIONALITY	25		
1.1 METHODOLOGY	(10)		
1.1.1 Approach and Methodology to demonstrate the understanding of the project	(5)	Document methodology to plan, collect data, verify data and manage project Full understanding of project - 5 points	Detailed Project Proposal with clear steps, methods, and tools to be utilized
1.1.2 Time for project completion	(5)	Completion within stipulated timeframe – 5 points	Provision of Gant Chart / Project timelines per week of work to be undertaken until 31 March 2022
1.2 EXPERIENCE	(15)		
1.2.1 Evidence of bidders previous experience in evaluation and impact study projects	(10)	2 points per successfully completed evaluation project	<ul style="list-style-type: none"> • Completion of Annexure "A". with Project Title, value, Duration, Completion date, reference contact details. • Proof to be provided by copy of order/appointment letter and close out report

Project Number	SPD/GM/HO/2122/02/10				
Initial	District Head	Component Head (D/D)	Resp. Manager	Chief Director	HOD

1.2.3 Competence (Project Leader)	(5)	<p>3 points for relevant degree or diploma that has project management and or research as a module.</p> <p>2 points per successfully managed and completed project (Maximum Points: 5)</p>	<p>Submission of a CV of project leader and a certified copy of qualification</p> <p>Submission of a CV of the project leader with Contact details of references</p>
-----------------------------------	-----	--	--

NB. Bidders Who Score Less Than 70% in Functionality Will Be Eliminated

Step 2: Application of the 80/20 preference point system.

Project Number	SPD/GM/HO/2122/02/10				
Initial	District Head	Component Head (D/D)	Resp. Manager	Chief Director	HOD

SECTION A: THE FOLLOWING MUST ALSO BE FURNISHED

CENTRAL SUPPLIERS DATABASE (CSD) REGISTRATION NUMBER: _____

DELIVERY DATE: _____

VALIDITY PERIOD OF QUOTATION: _____

PLEASE TICK THE RELEVANT FIELD

ARE PRICES QUOTED FIRM:	YES	<input type="checkbox"/>	NO
SUBMISSION OF B-BBEE STATUS LEVEL CERTIFICATE OR SWORN AFFIDAVIT:	YES	<input type="checkbox"/>	NO
VALID TAX CLEARANCE CERTIFICATE:	YES	<input type="checkbox"/>	NO
ENTITY BAS REGISTRATION:	YES	<input type="checkbox"/>	NO

VAT REGISTRATION: IF YOU ARE A VAT VENDOR

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

IS THIS OFFER STRICTLY TO SPECIFICATION? IF NOT, GIVE VARIATION	YES	<input type="checkbox"/>	NO
---	-----	--------------------------	----

VARIATION:

IF SPACE IS INSUFFICIENT, ATTACH DETAILS (1 PAGER)

SECTION C: QUOTATIONS FOR SERVICES (courses/workshops etc.)

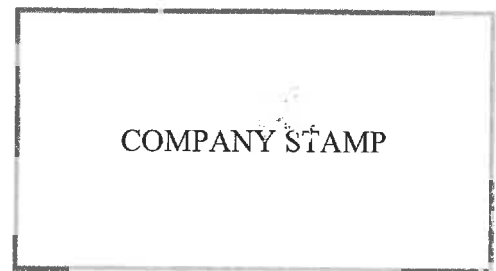
The following information must be submitted on a separate schedule

- (a) Operational plan/methodology/approach;
- (b) Breakdown of costing;
- (c) Curriculum Vitae of course/workshop facilitators; and
- (d) References - work experience

SECTION D: KINDLY USE COMPANY STAMP AND SIGN SECTION D: KINDLY USE COMPANY STAMP AND SIGN

Name and Surname (*Please print*):

Delivery address: _____



Signature: _____

Capacity: _____

SECTION E: DELIVERY QUOTE USING THE METHOD LISTED BELOW:

Email or Fax documents strictly and specifically to: quotations@kzndsr.gov.za 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 www.sars.gov.za.

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 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 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.

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, 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.

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/ shareholder/ member	Name of state institution to which the person is connected	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 attach 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/shareholders/members or their spouses conduct business with the state in the previous twelve (12) 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:

Name of person/ director/ shareholder/ member	Name of state institution to which the person is connected	Position occupied in the state institution	Nature of relationship

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

Yes	No
-----	----

2.10.1 If so, furnish particulars:

Name of person/ director/ shareholder/ member	Name of state institution to which the person is connected	Position occupied in the state institution	Nature of relationship

2.11 Do you or any of the directors/shareholders/members of the company have any interest in any other related companies whether or not they are bidding for this contract?

Yes	No
-----	----

2.11.1 If so, furnish particulars:

.....

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

Full name	Identity number*	Personal Tax Reference Number	State Employee Number / Persal Number

***Copies of Identity Document must be attached.**

DECLARATION

I, THE UNDERSIGNED (NAME) _____
 CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 TO 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 THE DECLARATION PROVE TO BE FALSE.



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,

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	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).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 (www.treasury.gov.za), click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 326-5445.	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

Js365bW

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.

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.

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 consortium³ 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.
9. 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.

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.

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

Js914w 2