



P.O. Box 561

HIBBERDENE

4220

Tel: 039 972 0005

Fax: 086 270 7508 / 039 972 0099

E-mail: [scm@umzumbe.gov.za](mailto:scm@umzumbe.gov.za)

## BUDGET AND TREASURY OFFICE

Supplier Name: .....

### REQUEST FOR QUOTATION FOR GOODS AND SERVICES FOR UMZUMBE LOCAL MUNICIPALITY

Procurement Less than R200 000 (including vat)

(For publication in Umzumbe Municipal Notice Boards and website)

Umzumbe Local Municipality request your quotation on the goods and/or services listed hereunder and/or on the available RFQ forms. Please furnish all information as requested and return your quotation on the date stipulated. Late and incomplete submissions will invalidate the quotation submitted.

DESCRIPTION OF GOODS AND SERVICES	SUPPLY AND DELIVERY OF PROTECTIVE CLOTHING FOR CORPORATE DRIVERS
ISSUED BY	NONTOKOZO NDLOVU
APPROVED BY	T.H NGILANDE
ADVERTISEMENT DATE	06/04/2021
SUBMISSION DATE	
CLOSING DATE	12/04/2021
CLOSING TIME	12:00
RFQ NO.	RFQ11120
CSD NO.	MAAA
COMPULSORY SITE MEETING	N/A
SITE MEETING DATE AND TIME	N/A : N/A
SITE MEETING VENUE	N/A
ENQUIRIES FOR ADDITIONAL INFORMATION	SIYABONGA GUMEDE 0399405476

Quotation above R30 000 will be evaluated on the basis of the 80:20-point system as stipulated in the Preferential Procurement Policy Framework (Act number 5 of 2000) and Umzumbe's Supply Chain Management Policy and Procurement



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## BUDGET AND TREASURY OFFICE

### COMPANY STAMP

SIGNATURE OF BIDDER

CAPACITY

PLEASE NOTE THAT NO PRICE INCREASES WILL BE APPROVED AFTER SUBMISSION OF QUOTATION.

REQUEST FOR QUOTATION (RFQ) NUMBER: .....

**Delivery Address: Municipal Offices**

**Delivery Date After receipt of an order: .....Days**

ITEM NO.	DESCRIPTION	QUANTITY REQUIRED	DELIVERY PERIOD/L EAD TIME	UNIT PRICE (VAT EXCL)	TOTAL (VAT EXCL)
1.	please procure the following Uniform for Corporate Drivers Shirts- 14 Golf T Shirts -14 Chino Trousers-7 Jean Trousers-7 Jackets-9 Packable Bodywarmers-7 Rainsuits-7 Caps-7 Hats-7 Safetyboots-9 For more clarity before submitting please contact Siyabonga Gumede	1			



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				SUB TOTAL	
NB: ALL ALTERATIONS MUST BE SIGNED FOR BY THE BIDDER CONFIRMING THAT ALTERATION WAS MADE BY THE BIDDER. PLEASE NOTE THAT PRICE CHANGES WITHOUT A SIGNATURE WILL BE DISQUALIFIED				VAT	
				GRAND TOTAL	

*Umzumbe Municipality does not bind itself to accepting the lowest bid and reserves the right to accept the whole or part of the bid.*



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### **Conditions**

- 1) All prices quoted must be inclusive of Value Added Tax (VAT) where the services provider is a registered vat vendor.
- 2) Prices quoted must include delivery and offloading charges and good must be delivered to the address indicated.
- 3) All prices submitted must be firm. "Firm prices are deemed to be fixed prices, which are only subject to the following statutory changes, namely VAT and any levy related to customs and excise.
- 4) Quantities are given in good faith and without commitment to Umzumbe Local Municipality.
- 5) Vendors not registered for Value Added Tax with SARS will be treated as Non-VAT vendors
- 6) Certified copy BBBEE affidavit must be supplied together with quote.
- 7) Suppliers submitting quotation should be registered with Central Suppliers Database, CSD number must be supplied. If supplier is not registered, they cannot be considered for evaluation. If supplier wants to be registered with CSD they must go to [www.csd.gov.za](http://www.csd.gov.za) and get themselves registered. Service providers to ensure that CSD Registration is compliant with SARS. Service providers to ensure that CSD Registration is compliant with SARS.
- 8) The above stated delivery date is binding & the Municipality reserves the right to cancel an order.
- 9) **QUOTATIONS CAN BE DROPPED IN THE RFQ BOX OR EMAILED BACK TO [scm@umzumbe.gov.za](mailto:scm@umzumbe.gov.za).**



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## BUDGET AND TREASURY OFFICE

SUPPLY CHAIN MANAGEMENT UNIT  
SIPOFU ROAD  
MATHULINI TRIBAL COUNCIL  
UMTWALUME  
4183

**VAT NO: 4310194404**

BIDDER:	REQUEST FOR QUOTATION	
E-MAIL:		
CELL NO:	CONTACT PERSON	
TEL NO 1:	NAME:	
FAX:	TEL NO: 2	

CSD NO. MAAA.....

OFFICE USE ONLY	
<b>Please submit all Quotations to the email stated above</b>	
RFQ'S above R30 000.00 to a maximum of R200 000.00 will be evaluated on the 80/20-point system as stipulated in the Preferential Procurement Policy Framework Act (Act no. 5 of 2000)	
<b>Point will be allocated as follows:</b>	
Points for price	80
Points for B-BBEE (Max of 20):	
B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-Compliant contributor	0



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## **BUDGET AND TREASURY OFFICE**

### **CHECKLIST**

PLEASE USE THE CHECKLIST TO CONFIRM THAT ALL COMPULSARY DOCUMENTS HAVE BEEN ATTACHED TO YOUR QUOTATION

No.	Details	YES	YES
1.	CSD Number		
2.	Certified Copy of B-BBEE Certificate/Certified Sworn Affidavit Form		
3.	MBD4: Declaration of Interest		
4.	MBD9: Certificate of Independent Bid Determination		
5.	All alterations have been signed		
6.	Quotation is signed & stamped		
7.	Tax Pin/Tax Pin Certificate		
8.	Declaration of local production content		

Signature: .....

Name: .....

PLEASE NOTE THAT NOT SUBMITTING THE COMPLULSORY DOCUMENTSMAY LEAD TO DISQUALIFICATION



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### **COMPULSORY REQUIREMENTS**

1. Tax Clearance/ PIN.
2. The quotation page must be signed. If you are using your own format on your Company's letterhead to quote, please ensure the quotation is signed.
3. The attached MBD 9 form (Certificate of independent Bid Determination) must be completed and submitted with the quotation. If the MBD 9 is incomplete or not attached the quotation will be disqualified.
4. The attached MBD 4 form (Declaration of interest) must be completed in full and submitted with the quotation. If the MBD if incomplete or not attached the quotation will be disqualified.
5. Both the MBD 4 & 9 must be dated within the quotation period.
6. A certified copy of B-BBEE Status Level Verification certificate must be attached. If not attached no point for BBBEE will be awarded.
7. All price alterations must be signed for by the Bidder confirming that such changes were made by the Bidder.

#### **PLEASE NOTE!!!!**

1. THAT PRICE CHANGES WITHOUT A SIGNATURE WILL LEAD TO THE DISQUALIFICATION OF THE QUOTATION SUBMITTED.
2. QUOTATION RESPONSES CAN BE EMAILED BACK TO [scm@umzumbe.gov.za](mailto:scm@umzumbe.gov.za) BEFORE THE STIPULATED DEADLINE.

**I HEREWITH CONFIRM THAT HAVE READ AND UNDERSTOOD THE ABOVEMENTIONED REQUIREMENTS.**

**Signature:** .....

**NAME:** .....



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## BUDGET AND TREASURY OFFICE

### MBD 4

#### DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name: .....

3.2 Identity Number: .....

3.3 Company Registration Number: .....

3.4 Tax Reference Number: .....

3.5 VAT Registration Number: .....

3.6 Are you presently in the service of the state?

**Yes / No**

*(Mark appropriate block with "X")*

3.6.1 If so, furnish particulars.

.....  
.....

3.7 Have you been in the service of the state for the past twelve months?

**Yes / No**

*(Mark appropriate block with "X")*

3.7.1 If so, furnish particulars.

.....  
.....





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## BUDGET AND TREASURY OFFICE

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

(a) a member of –

(i) any municipal council;

(ii) any provincial legislature; or

(iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of 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);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **Yes / No**

(Mark appropriate block with "X")

3.8.1 If so, furnish particulars.

.....  
.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

**Yes / No**

(Mark appropriate block with "X")

3.9.1 If so, furnish particulars

.....  
.....

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

**Yes / No**

(Mark appropriate block with "X")

3.10.1 If so, furnish particulars.

.....  
.....



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## **BUDGET AND TREASURY OFFICE**

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3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the state?

**Yes / No**

*(Mark appropriate block with "X")*

3.11.1 If so, furnish particulars.

.....  
.....

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

**Yes / No**

*(Mark appropriate block with "X")*

3.12.1 If yes, furnish particulars

.....  
.....

3.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?

**Yes / No**

*(Mark appropriate block with "X")*

3.13.1 If yes, furnish particulars.

.....  
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract?

**Yes / No**

*(Mark appropriate block with "X")*

3.14.1 If yes, furnish particulars.

.....  
.....



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## BUDGET AND TREASURY OFFICE

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

Full Name(s)	Identity Number	State Employee Number

### CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN THIS DOCUMENT

I/ WE, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE TENDERER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- 1) The tenderer will furnish documentary proof regarding any tendering issue to the satisfaction of uMzumbe Municipality, if requested to do so.
- 2) If the information supplied is found to be incorrect and/or false then uMzumbe Municipality, in addition to any remedies it may have, may:
  - a) Recover from the contractor all costs, losses or damages incurred or sustained by uMzumbe Municipality as a result of the award of the contract, and/or
  - b) Cancel the contract and claim any damages which uMzumbe Municipality may suffer by having to make less favourable arrangements after such cancellation.

DATE : ..... SIGNATURE : .....

CAPACITY : ..... NAME OF BIDDER: .....



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## **BUDGET AND TREASURY OFFICE**

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### **MBD 6.2**

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

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

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

#### **1. General Conditions**

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.



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## **BUDGET AND TREASURY OFFICE**

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- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by the South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as required in paragraph 4.1 below.

**The SABS approved technical specification number SATS 1286:2011 is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp> at no cost.**

- 1.6. A bid may be disqualified if –

- (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and



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## BUDGET AND TREASURY OFFICE

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- (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

### 2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;
- 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
- 2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;
- 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility (close corporation, partnership or individual).
- 2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour and intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;



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## BUDGET AND TREASURY OFFICE

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- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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## BUDGET AND TREASURY OFFICE

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

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

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?

(Tick applicable box)

YES		NO	
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## **BUDGET AND TREASURY OFFICE**

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5.1. If yes, provide the following particulars:

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

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

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



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## **BUDGET AND TREASURY OFFICE**

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### **LOCAL CONTENT DECLARATION**

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

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

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

**ISSUED BY:** (Procurement Authority / Name of Municipality / Municipal Entity):  
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thedti.gov.za/industrial development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.



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

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentages (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C;

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



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If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above. The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Municipality /Municipal Entity has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Municipal / Municipal Entity imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

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

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

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

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

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

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



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### **MBD 9**

#### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

1. This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD 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 (MBD 9) must be completed and submitted with the bid:

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

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



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## **BUDGET AND TREASURY OFFICE**

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**MBD 9**

### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

\_\_\_\_\_

(Bid Number and Description)

in response to the invitation for the bid made by: **Umzumbe Municipality** 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

\_\_\_\_\_



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## **BUDGET AND TREASURY OFFICE**

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### **MBD 9**

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

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



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## **BUDGET AND TREASURY OFFICE**

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### **MBD 9**

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

.....  
**Signature**

.....  
**Date**

.....  
**Position**

.....  
**Name of Bidder**