



ORBIT TVET COLLEGE

REQUEST FOR QUOTATION NO REQ 36822: APPOINTMENT OF A POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE – MANKWE CAMPUS.

1. INVITATION

ORBIT TVET College – Mankwe Campus invites service providers to submit a written price quotation/proposal for the drilling of borehole and installation of steel tanks at Mankwe Campus.

- 1.1 The quotation must be valid for 30 calendar days.
- 1.2 All prices should be VAT inclusive.
- 1.3 **Compulsory briefing session will be held on Thursday, 13 August 2026 at 11H00am at ORBIT TVET College – Mankwe Campus, Mogwase, 0314.**
- 1.4 Closing date of proposal is on **Friday, 21 August 2026 at 11H00am.**

Quotations must be emailed to: scm@orbitcollege.co.za, Marked **REQ 36822: APPOINTMENT OF A POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE – MANKWE CAMPUS.**

Failure to submit to the above stated e-mail address will automatically disqualify your proposal/quotation.

1.5 **All enquiries must be directed to:**

Mr Clifford Sebopelo
Tel 014 597 5500
Email csebopelo@orbitcollege.co.za

2. STATUTORY NON-TECHNICAL MANDATORY REQUIREMENT

- 2.1 Valid Tax Compliance Status Certificate – Pin Issued
- 2.2 BBBEE Certificate (Sworn Affidavit of BBBEE Status Level or SANAS BBBEE Certificate)
- 2.3 Valid CIDB Grading of 2CE or higher.
- 2.4 Completed and signed SBD4 form (Declaration of Interest)
- 2.5 Proof of previous experience on similar project (Two Valid contactable and signed reference letters)
- 2.6 Valid Proof of business address (Lease Agreement or Utility Bill in the Company Name).

2.2.1 TO QUALIFY FOR PREFERENTIAL POINTS

Should you be recommended, you will be expected to submit an Original Sworn Affidavit of BBBEE Status Level or Original Certified Copy of a BBBEE certificate issued.

3. TERMS AND CONDITIONS

3.1 No late submissions will be accepted.

3.2 Quotations should only be submitted to: scm@orbitcollege.co.za.

(Failure to submit to the above stated e-mail address will automatically disqualify your proposal/quotation)

3.3 Service Provider should note that should they be recommended to render the service needed they will be required to complete the College database form obtainable from the College website (www.orbitcollege.co.za) in order for the College to issue official Purchase Order from the College system.

3.4 **Enquiries received after the 18th of August 2026 at 16H00 will not be attended to.**

4. EVALUATION CRITERIA

4.1 Price and Preferential Procurement

The quotations will be evaluated on the 80/20 basis, where 80 points will be assigned for the lowest price and the 20 points based on the Preferential Procurement Status level Certificates

Draft Tender Notice and Invitation to Tender

APPOINTMENT OF A POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE - MANKWE CAMPUS.

Employer Tender Number: RFQ 36822

cidb Reference Number: 100120036

ORBIT TVET COLLEGE INVITES TENDERS FOR APPOINTMENT OF A POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE - MANKWE CAMPUS.

It is estimated that tenderers should have a cidb contractor grading of 2CE or higher.

Preferences are offered to tenderers who With a CIDB Grading of 2CE or higher.

Only tenderers who With a CIDB Grading of 2CE or higher. are eligible to submit tenders.

The document for RFQ 36822 (APPOINTMENT OF A POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE - MANKWE CAMPUS) are available and downloadable on our College website (www.orbitcollege.co.za) under Tenders.

Queries relating to the issues of these documents may be addressed to:

Clifford Sebopelo

Tel No. 0145975500

E-mail. csebopelo@orbitcollege.co.za

or

Albert Merementsi

Tel No. 0145975500

E-mail. amerementsi@orbitcollege.co.za

A compulsory clarification meeting with representatives of the Employer will take place at ORBIT TVET College, Mankwe Campus - Mogwase, 0314 on 13 August 2026 starting at 11h00.

The closing time for receipt of Tenders is 11h00 on Friday, August 21, 2026.

Late Tenders will not be accepted.

Tenders may only be submitted on the tender documentation that is issued.

Requirements for sealing, addressing, delivering, opening and assessment of Tenders are stated in the Tender Data.



ORBIT TVET COLLEGE

Request for Quotations: RFQ 36822

**APPOINTMENT OF A POTENTIAL SERVICE
PROVIDER FOR THE DRILLING OF BOREHOLE AND
INSTALLATION OF STEEL TANKS AT ORBIT TVET
COLLEGE – MANKWE CAMPUS.**

1. INVITATION

RFQ Number:	36822
Description of Service:	Appointment of the potential service provider for the drilling of Borehole and installation of steel tanks at ORBIT TVET College – Mankwe Campus.
Issue Date:	07 August 2026
Date and time for Compulsory Briefing session:	Thursday, 13 August 2026 at 11h00am.
Venue for Compulsory Briefing Session:	ORBIT TVET COLLEGE – Mankwe Campus, Mogwase, 0314
Closing Date for Submissions of RFQ 36822	Friday, 21 August 2026 at 11h00am.
SCM Contact Person:	Mr MC Sebopelo csebopelo@orbitcollege.co.za 014 597 5500
Enquiries directed to this Person:	Mr Albert Merementsi amerementsi@orbitcollege.co.za 014 597 5500

A quotation(s) must be emailed to scm@orbitcollege.co.za by 11:00am on the 21st August 2026. Late applications will automatically be disqualified.

All queries must be directed to the SCM contact person indicated above.

2. STATUTORY NON-TECHNICAL MANDATORY REQUIREMENT

- 2.1 Valid Tax Compliance Status Certificate - Pin Issued.
- 2.2 BBBEE Certificate- This is a sworn Affidavit of the BBBEE Status Level or the Original Certified Copy of the BBBEE certificate issued.
- 2.3 Valid CIDB Grading of 2CE or higher.
- 2.4 Completed and signed SBD 4 form (Declaration of Interest).
- 2.5 Proof of previous experience on similar project (Two Valid contactable and signed reference letters).
- 2.6 Valid proof of business address (Lease Agreement or Utility Bill in the Company Name).

3. TERMS AND CONDITIONS

1. Bidders must submit all necessary documents and complete all forms and questionnaires contained in the RFQ. Each bidder's proposal shall be evaluated against timelines and price.
2. Bidders responding to this quotation are deemed to do so, on the basis that they acknowledge and accept all Terms and Conditions of this quotation.
3. RFQ validity period 90 days.
4. Validity period may not be extended unless otherwise stated by the College.
5. Incomplete or late submissions will not be evaluated.
6. Submit quotations to the email address provided before closing date and time.
7. Enquiries will only be allowed from the date of issue 07 August 2026 until the 18th of August 2026 at 16h00, late enquiries will not be attended to.
8. **Quotations must be emailed to scm@orbitcollege.co.za by 11:00am on the 21st August 2026. Late applications will automatically be disqualified.**

Note:

The Service Provider should note that should they be recommended to render College with the services needed, they will be required to complete the College database form obtainable from the College website (www.orbitcollege.co.za/tenders) in order for the College to issue official Purchase Order from the College System.

4. SPECIFICATIONS

See detailed in the attached tabled pricing schedule. Please note the following below.

5. EVALUATION CRITERIA

1. Functionality
2. Price and Preferential Procurement Point System

5.1. FUNCTIONALITY

Functionality as pre-qualification

The following prequalification values will be used:

Table 2. Functionality Criteria Note: No bid will be considered unless 70 points has been achieved for functionality			
Item	Functionality		Points
1	Company Experience and Track Record: Provide project experience demonstrating capability and technical know-how in carrying out works of similar nature and size in water reticulation.		30
	2x Proof of signed appointment letter	15	
	2x Proof of completion certificate of the same project	15	
2	Key staff experience and capabilities in the Construction Industry (not less than 5 years' experience):		30
	Projects Manager (NQF Level 7 and above)		
	- CV and Qualifications in any Built Environment. - Relevant Experience (Not less than 5 years)	15 15	
3	Locality		20
	Moses Kotane Local District	20 points	
	Within Northwest	10 points	
	Other provinces	0 points	
4	The Contractor to provide detailed Gantt Chart/Programme of works.	20	20
Total Points			100

PRICING SCHEDULE – FIRM PRICES

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY OFFER TO BE VALID FOR DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	DESCRIPTION	TOTAL BID PRICE IN RSA CURRENCY INCLUSIVE OF VALUE ADDED TAX
1	APPOINTMENT OF THE POTENTIAL SERVICE PROVIDER FOR THE DRILLING OF BOREHOLE AND INSTALLATION OF STEEL TANKS AT ORBIT TVET COLLEGE – MANKWE CAMPUS.	
1.1	TOTAL (Excluding VAT)	R
1.2	VAT (@ 15%)	R
1.3	GRAND TOTAL (Including VAT *)	R

NB * Price quoted must include delivery costs and etc.

Bidder's Name:

Position: Date:

Bidder's Signature:

Price Schedule

All items must be priced

DESCRIPTION	Unit	Quantity	RATE	AMOUNT
1. Borehole Drilling (New Source Development)				
Establishment	Sum	1		
Drilling supervision	Sum	1		
Drilling Condition1:				
(Unconsolidated and Consolidated Sediment & Igneous, Metamorphic and Fractured Carbonate Rocks)	sum	1		
Drilling of borehole	m	200		
Installation of Casing 165mm(steel)	m	144		
Water divining	No	2		
Wet end Pump multi impellor 2.2kw	No	2		
2.2kw Motor	No	2		
Intelligent Control Box with all protection	No	2		
Submersible cable 4 core	m	220		
32mm Class 32 pipe	m	220		
Rope and fittings	m	220		
Waterpack with baseplate	No	22		
Submersible cover Box	No	2		
Water Quality Testing				
Water Sampling	No	1		
Installation of 26kl steel tank complete with pressure pump and fittings	No	4		
Installation of standpipe on concrete plinth connected from the tank with lockable cap	No	4		
De-establishment	Sum	1		
Borehole registration with the local Municipality	Sum	1	R 60 000.00	R 60 000.00
Profit and attendance on the above	%			
Sub Total				
<u>Vat @ 15%</u>				
Grand Total				

DECLARATION OF INTEREST

No bid will be accepted from persons in the service of the state¹.

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.

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

3.1 Full Name of bidder or his or her representative:

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? YES / NO

3.8.1 If yes, furnish particulars.

¹MSCM 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.

² Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? YES / NO

3.9.1 If yes, furnish particulars.....
.....

3.10 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

3.10.1 If yes, furnish particulars.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other 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

3.11.1 If yes, furnish particulars.....
.....

3.12 Are any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

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

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

3.14.1 If yes, furnish particulars.....
.....

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

Full Names	Identity Number	Personal Reference Tax Number	State Employee Number

1.DECLARATIONS

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT, SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS, AND DIRECTIVES APPLICABLE IN RESPECT TO THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

- 1.1** The following preference point systems apply to invitations to tender the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

- 1.2** To be completed by the organ of state

a) The applicable preference point system for this tender is the 80/20 preference point system.

- 1.3** Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a)** Price; and
- (b)** Specific Goals.

- 1.4** To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

- 1.5** Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals, with the tender will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6** The organ of state reserves the right to require either of a tenderer, before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.

2. DEFINITIONS

(a) "Tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process, or any other method envisaged in legislation.

(b) "price" means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

(c) "Rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

(d) "The Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 80/20

A maximum of 80 points is allocated for price on the following basis:

80/20

$$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{min} = Price of the lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2), 5(2), 6(2), and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For this tender, the tenderer will be allocated points based on the goals stated in Table 1 below, as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply, and that the highest acceptable tender will be used to determine the applicable preference point system: or

(b) If any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply, and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point systems.

Table 1: Specific goals for the tender and points claimed are indicated in the table below.

(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Category A- Evaluation on B-BBEE points: Highest points to be scored		Claim points below
B-BBEE status 1	= 5 points	
B-BBEE status 2	=2 points	
B-BBEE status 3 to 8	= 1 point	
Category B - Enterprise located within Northwest Province (Locality), Highest points to be scored		Claim points below
Companies in the townships/ remote areas of the Northwest Province, within the local municipality, where goods and services are required. Where goods and services are delivered within the Orbit TVET College, some points are allocated within the District Municipal area. Companies located in the Northwest Province, where multiple delivery points are required.	5	
The company is located within the borders of the Northwest Province, but not within the local municipal area where goods and services are required.	3	
Companies located outside the borders of Northwest Province	0	
Category C, Historically Disadvantaged Individuals, Youth, People living with disabilities, women, Highest points to be scored =10 (Points will be according to the number of shares held by Directors)		
Historically Disadvantaged (HDI)	3	
Youth	3	
People living with disabilities (attach medical report)	2	
Women	2	
Total points	20	

DECLARATION ABOUT COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company

- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State-Owned Company

[Tick applicable box]

4.6. I, the undersigned, who is duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualify the company/ firm for the preference(s) shown, and I acknowledge that:

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- iii) In the event of a contract being awarded because of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of the contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process.

(b) recover costs, losses, or damages it has incurred or suffered because of that person's conduct.

(c) Cancel the contract and claim any damages that it has suffered because of having to make less favourable arrangements due to such cancellation.

(d) recommend that the tenderer or contractor, its shareholders, and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years after the *audit alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

..... SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	
DATE:	
ADDRESS:	
	
	

4. BID DECLARATION

4.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

5. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

5.1 B-BBEE Status Level of Contributor:....=(maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be reflected in the table reflected in paragraph 4.1 and must be substantiated by the relevant proof of B-BBEE status level of the contributor.

6. SUB-CONTRACTING

6.1 Will any portion of the contract be subcontracted?

(Tick applicable box)

☐	☐	☐	☐
--------------------------	--------------------------	--------------------------	--------------------------

6.1.1 If yes, indicate:

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

(Tick applicable box)

☐	☐	☐	☐
--------------------------	--------------------------	--------------------------	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

Designated Group: An EME or QSE which is at last 51% owned by:

	EME	QSE
	√	√

Black people

Black people who are youth

Black people who are women

Black people with disabilities

Black people living in rural or underdeveloped areas or townships

Cooperative owned by black people

Black people who are military veterans

OR

Any EME

Any QSE

7. DECLARATION WITH REGARD TO COMPANY/FIRM

7.1 Name of company/firm:.....

7.2 VAT registration number:.....

7.3 Company registration number:.....

7.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

[TICK APPLICABLE BOX]

7.5 DESCRIBE PRINCIPAL BUSINESS
 ACTIVITIES.....

7.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g., a transporter, etc.

[TICK APPLICABLE BOX]

7.7 Total number of years the company/firm has been in business:.....

7.8 I/we, the undersigned, who are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualify the company/ firm for the preference(s) shown, and I/we acknowledge that:

- v) The information furnished is true and correct.
 - vi) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
 - vii) In the event of a contract being awarded because of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
 - viii) If the B-BBEE status level of the contributor has been claimed or obtained on a fraudulent basis or any of the conditions of the contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have
- (f) disqualify the person from the bidding process.
- (g) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
- (h) cancel the contract and claim any damages which it has suffered because of having to make less favourable arrangements due to such cancellation.
- (i) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(j) forward the matter for criminal prosecution.

WITNESSES 1. 2.	 SIGNATURE(S) OF BIDDERS(S) DATE: ADDRESS
---	---

- 1 This Standard Bidding Document must for
- 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). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	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 Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	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 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.

.....
Name/s and surname of Bidder

.....
Signature

.....
Position In the Firm/Company

.....
Date

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal 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 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 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 Municipality / Municipal Entity)

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

I certify, on behalf of

_____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

(a) has been requested to submit a bid in response to this bid invitation;

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

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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder