	A	В	С	D	E	F	G	Н	1	J	K
1	Turbine Hall		_								
2	65 Ntemi Piliso Newtown				 	-	-	PAC	GE NO.		
4	1]	
5	P O Box 61542							CLOSING D	ATE AND TIME	4 1	
1	Turbine Hall 65 Ntemi Piliso Newtown P O Box 61542 Marshalltown 2107 Tel: (011) 688-1400 Fax:				l	1		24-Oct-24	16:00:00 PM		
7	(011) 688-1556			Johannesburg Water		-	-	Dete	of Issue		
9	1	INITIATING DEPARTMENT	INITIATOR		l	1		17-	Oct-24	1	
Г	1					٠	1			1	
1						QUOTATIO	N DATE				
10		Internal Audit Mat	tabogela Monyepao						LIDITY		
11		QUOTATION REFERENCE	COLLECTIVE NO.			60 DA	YS	7 [DAYS		
12	RFQJW0216KM24-audit of t	ne Environment, Social, and Governance (ESG) QUOTATION REQUESTED FROM									
14		QUOTATION REQUESTED FROM		QUOTATIONS WILL BE EVALUATED ON THE 80/20	POINT SCORIN	G SYSTEM.	80 POINTS WILL BE ALL	OCATED TO PRICE	AND THE REMAININ	IG 20 POINTS	
15				QUOTATIONS WILL BE EVALUATED ON THE 80/20 ALL SUPPLIERS RESPONDING TO QUOTATIONS	SHOULD BE REG	SISTERED O	N CENTRAL SUPPLIER D	ATABASE (CSD)			
16				JW SCM Contact Person : Khutso Mookamedi							
17											
12 13 14 15 16 17 18	4			Telephone Number : 011 688 1927							
19											
1					UOM		QTY REQUIRED	PRICE QUOTED	DISCOUNT	PRICE QUOTED	
20								EXCL. OF V.A.T.		INCL. OF V.A.T.	
	ITEM NO.	DESCRIPTION OF	TEM OFFERED								
21	HEWING.	DESCRIPTION OF	TIEM OFFERED								
г											
22							1				
23	1 1	Specialist companies conduct audit of the Environment, Social, and Go	vernance (ESG) programmes wi	thin Johanneshurg Water			1				
-		oposiumot companios contact adam of the Entri chimera, costal, and co	romanos (200) programmos m	umi vonamiossaig viatori							
24											
25											
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20											
27											
Н							t				
28							1				
29											
-23							1				
30		For more information contact Matabogela Monyepao @ 0116881440									
Г											
31											
32		QSEs- Businesses owned by people who are black- 51% or more		10							
32	1	AOLS- Dusinesses Owned by People wito are black- 31% or more		10		l	l				
33		Youth - Businesses owned by Black People - 51% or more		10							
34 35 36											
35											
		NB: All suppliers responding to RFQs should use their own company letter head not JW RFQ T	emplate AND MAKE SURE THEIR FMAIL						1		
37		ADDRESS IS VISIBLE ON THEIR QUOTATION.	- THE WAR COME THEN EMAIL						<u> </u>	<u> </u>	
Г											
38	-	NB: A copy of valid lease agreement or municipal account(not older than 3 months) should be s	submitted with a quote		 				ļ		
39		NB: MBD forms attached should be completed and submitted with the quote									
40		NB: All Quotes should be on PDF (MS WORD, MS EXCEL, PICTURES ARE NOT ALLOWED)			l				ĺ		
41		NB: Copy of valid BBBEE CERTIFCATE or SWORN AFFIDAVIT to be submitted with the quote	u standara sa ma		 	1		 			
42		PLEASE NOTE THAT SUBMISSIONS MUST BE MADE ON THE E-TENDER PORTAL (https://www NO EMAIL SUBMISSIONS WILL BE ACCEPTED.	w.etenuers.co.za/).						ĺ		
43	OFFICIAL STAMP	SUPPLIER DETAILS		1. QUOTATIONS RECEIVED AFTER CLOSE OF BU	SINESS ON THE	CLOSING D	ATE WILL NOT BE ACCE	PTED.	•	•	
44	OFFICIAL STAMP			2. QUOTATIONS WITHOUT BRAND NAMES WHER							
45		AUTHORISED BY:		3. PRICES QUOTED MUST BE AS PER THE UNIT IN							
46		SIGNATURE:		4. ACCEPTANCE OF A QUOTATION WILL BE SUB.	JECT TO JOHAN	NESBURG W		POLICY			
47		DATE:		5. TOTAL QUOTATION VALUE TO INCLUDE VAT W							
48											

REQUEST FOR QUOTATION

This Request for Quotation (RFQ) is to invite specialist companies to conduct Gap Analysis/ Gap Audit of the Environment, Social, and Governance (ESG) programmes within Johannesburg Water.

1. The scope of the audit will include the following:

- a) Review of current environmental policies, practices, and any other relevant policies.
- b) Development of the Comprehensive ESG Strategy.
- c) Assess compliance with local and international environmental regulations.
- d) Evaluate the effectiveness of sustainability initiatives (e.g., energy conservation, water conservation, waste management etc).
- e) Assess community engagement initiatives and their effectiveness.
- f) Review health and safety standards and practices for employees and the community.
- g) Evaluate diversity, equity, and inclusion policies and practices.
- h) Review corporate governance structures and processes.
- i) Assess the effectiveness of risk management related to ESG.
- j) Evaluate adherence to ethical standards and codes of conduct.
- k) Recommend and outline the organisation's implementation strategy/program.
- I) Prepare audit report, obtain management comments, and discuss the report with relevant stakeholders.

2. TIMEFRAME SCHEDULE AND PRICING TO AUDIT

				Unit	Total
Item	Description	Unit	Quantity	Rate	R
1.	Planning	Hrs	24		
2.	Review current environmental policies, practices, and any other relevant policies.	Hrs	32		
3	Development of Comprehensive ESG Strategy		32		
4.	Assess compliance with local and international environmental regulations.	Hrs	16		
5.	Evaluate the effectiveness of sustainability initiatives (e.g., energy conservation, water conservation, waste management etc).	Hrs	16		
6.	Assess community engagement initiatives and their effectiveness.	Hrs	16		
7.	Review health and safety standards and practices for employees and the community.	Hrs	16		
8.	Evaluate diversity, equity, and inclusion policies and practices.	Hrs	16		
9.	Review corporate governance structures and processes.	Hrs	16		
10.	Assess the effectiveness of risk management related to ESG.	Hrs	16		
11.	Evaluate adherence to ethical standards and codes of conduct.	Hrs	16		
12.	Recommend and outline the organisation's implementation strategy/program.	Hrs	16		
13	Prepare audit report, obtain management comments, and discuss the report with relevant stakeholders.	Hrs	32		
	Disbursements	Each			
14.	TOTAL EXCLUDING VAT		272		
15.	VAT @ 15%				
16.	TOTAL INCLUDING VAT				

3. MINIMUM REQUIREMENTS TO BE ACHIEVED BY THE SERVICE PROVIDER

- 3.1 The company must have at least 2 years' experience in ESG audits. A company profile must be submitted.
- 3.2 The service provider must submit at least 2 reference letters where a similar project of ESG review/audit was successfully conducted.
- 3.3 The service provider must have at least one key staff (Lead Auditor) with a minimum of 2 year experience in performing ESG reviews/audits. The detailed CV of the key staff must be submitted.
- 3.4 The key staff must have NQF 6 qualifications as a minimum in areas of Finance or Environmental Sciences/ Natural Sciences, and Auditing. Proof of staff qualification must be submitted.

3.5 The service provider must submit the detailed plan to execute the scope of the work as per the schedule in section 2 and must include the timeframe.

4. EVALUATION CRITERIA

- 4.1 The points will be allocated to the bidders based on 80/20 Preferential Procurement points-scoring system.
- 4.2 Technical Mandatory Requirement Evaluation

The bidders will be evaluated as per the following technical evaluation criteria:

Criteria	Documentary Evidence	Weight	Minimum Number of Points	Maximum Number of Points
A. Bidder's Experience	Company profile	10	5	10
B. Bidder's Track Record	Clients issued reference letters.	30	20	30
C. Key Staff Experience	Detailed CV of key staff	20	10	20
D. Key Staff Professional Qualifications	Proof of qualifications	30	20	30
E. Project Plan	Detailed and time framed project plan	10	5	10
Totals		100	60	100

Bidders are required to achieve the minimum points on each evaluation criteria in order to be considered further for evaluation on Price and Preference

The scoring of the Criteria (A) – Bidder's Experience will be as follows:

Score	Bidder's Experience
No Response = 0 score	No company profile submitted, or company experience is less than 2 years
Acceptable = 5 score	Company experience is 2 years
Good = 10 score	Company experience is more than 2 years

The scoring of the Criteria **(B)** – Bidder's Track Record will be as follows:

Score	Bidder's Track Record				
Note 1:					
The reference letters must be on client company letter head or officially stamped by the client. The reference letters must indicate the period when the project was done (Start and end date) and indicate if the project was successfully completed. The reference letters must be dated and signed by the client and must also contain the contact details of the client.					
No Response = 0 score	 No client reference letters submitted. No relevant experience in ESG review on the client reference letters submitted. Reference letters do not meet all the required criteria highlighted in Note 1 above 				
Acceptable = 20 score	2 relevant reference letters submitted for ESG projects done.				
Good = 30 score	More than 2 relevant reference letters submitted for ESG projects done.				

The scoring of the Criteria (C) – Key Staff Experience will be as follows:

Score	Key Staff Experience
No Response = 0 score	No CV of key staff submitted.
	CV submitted but no relevant experience in ESG review.
Acceptable = 10 score	Key staff CV submitted with 2 years' relevant experience in ESG review.
Good = 20 score	Key staff CV submitted with more than 2 years' relevant experience in ESG review.

The scoring of the Criteria (D) – Key Staff Certifications will be as follows:

Score	Key Staff Certifications			
No Response = 0 score	No key staff qualifications submitted.			
	 Irrelevant key staff professional certificates submitted 			
Acceptable = 20 score	Relevant Key staff qualifications (NQF 6) submitted.			
Good = 30 score	Relevant and higher than NQF 6 qualifications submitted			

The scoring of the Criteria (E) – Project Plan will be as follows:

Score	Project Plan – Weight 20
No Response = 0 score	No detailed project plan submitted
Acceptable = 5 score	The project plan submitted does not contain all the required elements as defined in the Minimum Requirements, Section 3.5 above
Good = 10 score	Detailed and time framed project plan submitted as per the Minimum Requirements, Section 3.5 above.

5 Price and Preference

Only bidders who meet the minimum of 60 points will be considered for further evaluation on Price and Preference.

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.

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable 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

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 of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to 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) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) "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 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin}\right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

3.1.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80\left(1 + \frac{Pt - Pmax}{Pmax}\right)$$
 o

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest 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 the purposes of 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:

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

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)	Number of points claimed (80/20 system)	Proof of documents per specific goals
QSEs- Businesses owned by people who are black- 51% or more	10		Valid BBBEE Certificate issued by SANAS accredited verification agency or DTI/CIPC BBBEE Certificate for Exempted Micro Enterprises or Affidavit sworn under oath
Youth - Businesses owned by Black People - 51% or more	10		Valid BBBEE Certificate issued by SANAS accredited verification agency or Affidavit sworn under oath.

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2.	Name of company/firm			
4.3.	Company registration number:			
4.4.	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 □ ITICK APPLICABLE BOX			

- 4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies 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 as a result 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 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 as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the 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 audi 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:	

MBD 4

DECLARATION OF INTEREST

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

	au	thority.	
3	ln su	order to give effect to the above, the following questionnaire must be committed with the bid.	mpleted and
	3.1	Full Name of bidder or his or her representative:	
	3.2	Identity Number:	
	3.3	Position occupied in the Company (director, trustee, hareholder²):	•••••
	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 in numbers and state employee numbers must be indicated in paragraph 4 below	dentity v.
	3.8	Are you presently in the service of the state?	YES / NO
		3.8.1 If yes, furnish particulars.	
		retur erene un mercentet progre angen napen eren eren eren eren bestellt genäge fil an ein en afbanga	**************************************
		Regulations: "in the service of the state" means to be – ember of – any municipal council; any provincial legislature; or the national Assembly or the national Council of provinces;	
(c) (d) (e)	an cons cons No.1	ember of the board of directors of any municipal entity; official of any municipality or municipal entity; employee of any national or provincial department, national or provincial public estitutional institution within the meaning of the Public Finance Management Act, 1 of 1999); ember of the accounting authority of any national or provincial public entity; or employee of Parliament or a provincial legislature.	entity or 1999 (Act
		holder" means a person who owns shares in the company and is actively involvement of the company or business and exercises control over the company.	ed in the

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

3.9

F - 100 mm	***************************************	Full Name	Identity Number	State Employee	in the second se
Full	details d	of directors / trustees / me	mbers / shareholders.		
		કે કે કે કહે કે ફિટ્ટ ક્લુજન જ ના અન્કે ફેડ્ડ ફાયક ફેંડને હોડ ના કોંગ્રેસ્ટ 			
	3.14.1	If yes, furnish particulars:	Valuerata en manta de la completa d	No est de la	
3.14	principl have a	or any of the directors, tru le shareholders, or stakeh ny interest in any other rel ss whether or not they are	olders of this company ated companies or		YES / NO
	3.13.1	If yes, furnish particulars.	********		
3.13	trustee	y spouse, child or parent or es, managers, principle sha ice of the state?	of the company's director areholders or stakeholde	s rs	YES / NO
	0.12.1		e A Ningan e Nila og en e på e nave paramagaga erre e en Stanta e e traditioner e en en egylene en egylene e		
3.12	princip	y of the company's directoralle shareholders or stakeholders or stakeholders, furnish particulars	olders in service of the st	ate?	YES / NO
2 12	Aro on	माने मान कारण को कारण है। कार बेच हैं को मान बच्चे के के लेके लेकिये के बोक हैं के बोक है	้างเลาสำนักของสามารถใหม่เป็นเหลือเหลือเหลือเล่น เล่น เล่น เล่น เล่น เล่น เล่น เล่น		
	3.11.1	If yes, furnish particulars	Teoriselli seri kiselli sa agi sa asis a misa misa kala a		
3.11	any of	ou, aware of any relations her bidder and any persor e involved with the evalua	ns in the service of the sta	ate who	YES / NO
	3.10.1	If yes, furnish particulars	. 		
3	in the	o you have any relationshi service of the state and w valuation and or adjudication	ho may be involved with		YES / NO
	3.9.1	If yes, furnish particulars.		*************	***********

4.

Full Name	Identity Number	State Employee Number
		- VV

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- It serves as a declaration to be used by municipalities and municipal entities 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.
- The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 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 as a company or person 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 National Treasury after the audi alteram partem rule was applied).	Yes	No 🗆
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? (To 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) 3265445).	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 of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No

4.3.1	If so, furnish particulars:			
7.0.1	n 30, farmon particulars.			
Item	Question	WES WHICH IS THE	Yes	No
4.4	Does the bidder or any of its directors owe any m	unicipal rates and	Yes	No
	taxes or municipal charges to the municipality / m	nunicipal entity, or to	20.0	
	any other municipality / municipal entity, that is in than three months?	arrears for more		
4.4.1	If so, furnish particulars:			
4.5	Was any contract between the Little Little			
4.5	Was any contract between the bidder and the murentity or any other organ of state terminated during	nicipality / municipal	Yes	No
	on account of failure to perform on or comply with	the contract?		Ш
4.7.1				
4.7.1	If so, furnish particulars:			
	CERTIFICATION			
I. TH	E UNDERSIGNED (FULL NAME)			
CER	TIFY THAT THE INFORMATION FURNISHED ON	THIS		
DEC	LARATION FORM TRUE AND CORRECT.			
I AC	CEPT THAT, IN ADDITION TO CANCELLATION	OF A CONTRACT ACT	FION I	MAV
BE T	AKEN AGAINST ME SHOULD THIS DECLARATI	ON PROVE TO BE FAL	.SE.	WAY
	*			
•••••	•••••	•••••	• • • •	
Sign	Signature Date			
		•••••	• • • •	
Posi	tion	Name of Bidder	1-0	675147
			Js3	67bW

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 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.
 - 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.
 - In order to give effect to the above, the attached Certificate of Bid Determination (MBD 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 Descrip	tion)
in response to the invitation for the bid made by:	
(Name of Municipality / Municipality	pal Entity)
do hereby make the following statements that I certify to be	true and complete in every respect
l certify, on behalf of:	that:
(Name of Ridder)	

- 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;
 - could potentially submit a bid in response to this bid invitation, based on (b) their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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

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

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

Signature	Date
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Position	Name of Bidder