Turbine Hall									
65 Ntemi Piliso Newtown			= //1				PA	GE NO.	
P O Box 61542							CLOSING I	DATE AND TIME	1
Marshalltown 210; Tel: (011) 688-1400 Fax							22-Oct-24	16:00:00 PM	1
: (011) 688-1556			labornochurg Water				Date	of Issue	
	INITIATING DEPARTMENT	INITIATOR	Johannesburg Water –					tober 2024	1
	CAPEX /ESU QUOTATION REFERENCE	Themba Mgimeti	11		QUOTATION DATE		VA	LIDITY	i l
		COLLECTIVE NO.			60 DAYS		7	DAYS	1
RFQJW331SC24 -	perform a comprehensive borehole investigation QUOTATION	DECUESTES FROM							
	QUOTATION	REQUESTED FROM	OLIOTATIONS WILL BE EVALUATED ON THE 80/20 POINT	J F SCORING SYSTEM, 80 POINTS WILL BE ALLOCATED T	O PRICE AND THE REM	AINING 20 POINTS WILL BE	ALLOCATED FOR	SPECIFIC GOALS A	S DED DDDEA
			2022						
				D BE REGISTERED ON CENTRAL SUPPLIER DATABASE	(CSD)				
			JW Contact Person : Silas Choeu- Email Address : silas.	choeu@jwater.co.za					
			Telephone Number : 011 688 1815						
							QUOTED		PRICE QUOTED
ITEM NO.		DESCRIPTION	DESCRIPTION OF ITEM OFFERED	Volume	UOM	QTY REQUIRED	EXCL. OF	DISCOUNT	INCL. OF V.A.T.
	quotations from qualified service providers to pe the feasibility and characteristics of potential bo suitable location for drilling. The Service provider is expected to compelete the environmental and safety regulations.	is for the supply of the following services: Johannesburg Water is seeking richrom a comprehensive borhole investigation. The objective is to assess rehole sites for water extraction and ensure the selection of the most the following scope while ensuring that all activities comply with relevant kisting geological maps, aerial photos and field mapping as required. Indicate to move drilling positions to more accessible or favourable places.							
1	Desktop study & potential determination								
	1.Source all historical Information, as well as ge	ographic information relating to the geohydrological setting.			1				
	 Use aerial photographic data and satellite imaginvestigations. 	gery to identify target areas for on-site groundwater potential			1				
	3. Develop a comprehensive project execution of	an and schedule of rates to ensure that maximum benefit is gained from							
	consultation activities is to calculate the ground	g them. This to ensure sustainable groundwater use. The objective of the water resource potential based on all the available information one can water use without long-term effects resulting from aquifer depletion							
	collect. The objective being sustainable grounds	water use without long-term effects resulting from aquiler depletion			1				
2	Site Investigation, mapping & geophysical surveys The purpose of this activity is to identify diffling locations which offer the best possibility of locating a groundwater resource capable of supporting a successful borehole for the intended purpose of use and giving maximum yield. The tenderer should allow for tasks such as:				•		•		
	1.A pre-fieldwork assessment of the groundwate	er resource potential in the project area to field based exploration efforts			1				
	2. Site verification, characterisation and hydro c	ensus of the selected project area within a 1.5 km radius.			1				
	Identify potential pollution sources. Complete a groundwater quality assessment.				1				
3	Preparation and submssion of report detailing analysis and findings from task 1 and 2 above. Report to be approved by the submssion of report detailing analysis and findings from task 1 and 2 above.		1		1 4				
3	reparation and submission of report detailing as scientist	ianysis anu ilinuings iroin task i anu 2 auvve. Report to be approved by Fr			1				
	SPECIFIC GOALS	POINTS							
	QSEs- Businesses owned by people who are black- 51% or more	10							
	Youth - Businesses owned by Black People - 51% or more	10							
									ļ
	VISIBLE ON THEIR QUOTATION.	ould use their own company letter head not JW RFQ Template Al							
	NB: A copy of valid lease agreement or m	unicipal account(not older than 3 months)should be submitted v	vith a quote						
	NB: MBD forms attached should be comp NB: All Quotes should be on PDF (MS WO	leted and submitted with the quote PRD, MS EXCEL, PICTURES ARE NOT ALLOWED)					+		
	NB: Copy of valid BBBEE CERTIFCATE o	r SWORN AFFIDAVIT to be submitted with the quote							
	Quotation should be valid for 60 days				<u> </u>				
		ADE ON THE E-TENDER PORTAL(https://		SUBMISSIONS					
	SEE PAGE TWO ON HOW 1	O SUBMIT YOUR RESPONSE ON E-TEND	ER						
		-							
	OFFICIAL STAMP	AUTHORISED BY:	1. QUOTATIONS RECEIVED AFTER CLOSE OF BUSINESS 2. QUOTATIONS WITHOUT BRAND NAMES WHERE REQ	S ON THE CLOSING DATE WILL NOT BE ACCEPTED.					
		SIGNATURE:	3. PRICES QUOTED MUST BE AS PER THE UNIT INDICAT	TED AND BE EXCLUDED OF VAT SO SIGNATURE WILL NOT BE ACCEPTED. (ONLY IF QUO	TED ON THE BY DEC.	EMDI ATE\			1
					IED ON THE JW RFQ T	EMPLAIE)			
		DATE:	5. ACCEPTANCE OF A QUOTATION WILL BE SUBJECT TO 6. TOTAL QUOTATION VALUE TO INCLUDE V.A.T WHER						1
			6. TOTAL QUOTATION VALUE TO INCLUDE V.A.T WHER	E APPLICABLE					

Guide: How to submit a response on the E-tender Portal

- Submit on E tender portal, following the below:
- 1. (https://www.etenders.gov.za/)
- Search/Click Browse Opportunities by organ of state (JohannesburgWater)/search by RFQ reference number .
- 3. Click the + sign to expand the tender/ RFQ information.
- 4. start the e submission process.
- 5. Supplier login
- 6. Use your CSD Credentials to Login. Contact CSD on (csd@treasury.gov.za) incase you forgot your login credentials. "My profile should show if you have logged in successfully".
- 7. select supplier.
- 8. check the submission checklist and attached the compulsory documents.
- 9. confirm and proceed.

If the application is not going through on the E-tender portal Contact:

eTenders Contact Centre

+27(0)12 406 9222 / 012 406-9229 / 012 312-5000

etenders@treasury.gov.za

https://etenders.treasury.gov.za





City of Johannesburg

Johannesburg Water SOC Ltd

Turbine Hall 65 Ntemi Piliso Street Newtown Johannesburg Johannesburg Water PO Box 61542 Marshalltown 2107 Tel +27(0) 11 688 1400 Fax +27(0) 11 688 1528

www.johannesburgwater.co.za

Technical Evaluation for Borehole Investigation RFC

CRIT ERIA NO#	CRITERIA	EVIDENCE	SUB-CRITERIA	A/CLAUSE	MAX SCOR E	SCORE
		Provide at least three (3) references from previous clients with similar		0 Completed Projects		0
		projects.		1 Completed Project		20
		Note : This reference letter must be completed by the referee/previous client		2 Completed Projects	-	40
1	Tenderers' Experience with Respect to Borehole Investigations	of the tenderer and included in the tender submission. Alternatively, the Clients letterhead may be used provided it complies with the functional requirements. A separate form must be completed for each reference as a requirement in the evaluation criteria. The information provided will be verified and if found to be false or misrepresented, punitive measures will be instituted against the respective party including blacklisting in participating in any future government tenders.	NUMBER OF COMPLETED BOREHOLE INVESTIGATI ONS	3 or More Completed Projects	65	65
2	Personnel: Qualified hydrologists or water scientists with relevant degrees (e.g., BSc or MSc in Hydrology, Environmental Science, or related field) with at least 2 years of practical experience.	Qualification: Certified proof of qualification and CV	RELEVANT EXPERIENCE AND QUALIFICATI ONS	Qualifications of qualified personnel	5	5
3	Personnel: Professional Scientist (Pr Sci Nat) designation	Certifications: Valid professional certifications from recognized bodies such as the South African National Accreditation System (SANAS) for water testing laboratories.	RELEVANT CERTIFICATI ON	Certification by Professional body	30	30
	um Acceptable Score			•		75
Maxim	um Possible Score					100

Tenderers who FAIL to meet the technical criteria or requirements of the tender will be disqualified. Please note that seven (7) days will be afforded to bidders who have provided copies of qualifications that are not certified. Only certified copies of the information originally submitted will be accepted.

Directors

Ms Dineo Majavu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director),

Mr Kgaugelo Mahlaba (Chief Financial Officer and Executive Director), Mr Sipho Mthembu, Ms Zandile Meeleso, Mr Pholoso Matjele,

Mr Kgaile Mogoye, Mr Molate Mashifane, Ms Pamela Mabece, Mr Collen Sambo, Mr Makoko Makgonye, Ms Thabiso Kutumela,

Mr Kefiloe Mokoena

Ms Kethabile Mabe (Company Secretary), Johannesburg Water SOC Ltd

Registration Number: 2000/029271/30





City of Johannesburg

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Specific Goals will be allocated as follows:

SPECIFIC GOALS	POINTS
QSEs- Businesses owned by people who are black- 51% or more	10
Youth - Businesses owned by Black People - 51% or more	10

Directors:

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POPIA PRIVACY STATEMENT

Johannesburg Water SOC Limited

In terms of the Protection of Personal Information Act, 213 (Act 4 of 2013), also called the POPI Act or POPIA, Johannesburg Water SOC Limited, undertakes all reasonable measures to protect personal information and to keep it private and confidential.

1. Privacy Notice applies to:

Suppliers, vendors, contractors, service providers, etc whether appointed or prospective.

2. Definitions of personal information

According to the Act "personal information" means information relating to an identifiable living, natural person, and where it is applicable, an identifiable, existing juristic person. All addresses including residential, postal and email addresses.

3. About the Public Entity

Johannesburg Water (SOC) Limited, registration number 2000/029271/30

3.1 The information we collect

We collect information directly from you where you provide us with your personal details. Where possible, we will inform you what information you are required to provide to us and what information is optional.

3.2 How Johannesburg Water use your information

We will use your personal information only for the purposes for which it was collected and agreed with you. For example: to gather contact information, to confirm and verify your identity, for the evaluation and adjudication of bids and quotations for tenders, request for quotations, and other personal information for the procurement of goods and services by the Entity.

Directors:

Mr Sipho Mthembu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director), Mr Phetole Modika, Mr Siphamandla Mnyani, Mrs. Zandile Meeleso, Mr Pholoso Matjele, Mr Kgaile Mogoye, Mr Molate Mashifane, Ms Pamela Mabece, Mr Lunga Bernard, Mr Julias Maputla



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Tel +27(0) 11 688 1400 Fax +27(0) 11 688 1528

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3.3 Disclosure of information

We may disclose your personal information to our Shareholder, the City of Johannesburg, and other Government agencies such as National Treasury, and the Auditor-General of South Africa. We have agreements in place to ensure that they comply with the privacy requirements as required by the Protection of Personal Information Act.

We may also disclose your information:

- Where we have a duty or a right to disclose in terms of law;
- Where we believe it is necessary to protect our rights.

Information Security 3.4

We are legally obliged to provide adequate protection for the personal information we hold and to stop unauthorised access and use of personal information. We will, on an ongoing basis, continue to review our security controls and related processes to ensure that your personal information remains secure.

When we contract with third parties, we impose appropriate security, privacy and confidentiality obligations on them to ensure that personal information that we remain responsible for, is kept secure. We will ensure that anyone whom we pass your personal information agrees to treat your information with the same level of protection as we are obliged to.

3.5 Your rights: Access to Information

You have the right to request a copy of the personal information we hold about you. To do this, simply contact us at informationofficer@jwater.co.za, and specify what information you require.

3.6 Correction of your personal information

You have the right to ask us to update, correct or delete your personal information. We will require a copy of your identification document to confirm your identity before making changes to personal information we

Directors:

Mr Sipho Mthembu (Chairperson), Mr Ntshavheni Mukwevho (Managing Director and Executive Director), Mr Phetole Modika, Mr Siphamandla Mnyani, Mrs. Zandile Meeleso, Mr Pholoso Matjele, Mr Kgaile Mogoye, Mr Molate Mashifane, Ms Pamela Mabece, Mr Lunga Bernard, Mr Julias Maputla

Ms Kethabile Mabe (Company Secretary), Johannesburg Water SOC Ltd Registration Number: 2000/029271/30





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may hold about you. We would appreciate it if you would keep your personal information accurate and up to date.

3.7 How to contact us

If you have any queries about this document; you need further information about our privacy practices; wish to withdraw consent; exercise preferences or access or correct your personal information, please contact us at the numbers listed on our website or send an email to informationofficer@jwater.co.za.

Directors:

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 □ ICK 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;
 - 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.

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, 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 id 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 -

3

- (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 beer	n in the service of the state for the past twelve months?	?YES / NO
	3.9.1 If yes, fu	ırnish particulars	
3.1	Do you have a in the service of the evaluation	ny relationship (family, friend, other) with persons of the state and who may be involved with and or adjudication of this bid?	YES / NO
3.11	any other bidder	of any relationship (family, friend, other) between and any persons in the service of the state who with the evaluation and or adjudication of this bid?	YES / NO
3.12		ompany's directors, trustees, managers, olders or stakeholders in service of the state?	YES / NO
3.13	Are any spouse,		YES / NO
3.14	principle shareho have any interes	the directors, trustees, managers, olders, or stakeholders of this company it in any other related companies or or not they are bidding for this contract.	YES / NO

Full Name	Identity Number	State Employee Number
	,	

Signature	Date
Canacity	Name of Ridder

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 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 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:				
Item	Question		Yes	No	
4.4	Does the bidder or any of its directors owe any municipal rate municipal charges to the municipality / municipal entity, or to / municipal entity, that is in arrears for more than three month	any other municipality	Yes	No	
4.4.1	If so, furnish particulars:				
4.5	Was any contract between the bidder and the municipality / m other organ of state terminated during the past five years on ac perform on or comply with the contract?	unicipal entity or any count of failure to	Yes	No	
4.7.1	If so, furnish particulars:				
CERTIFICATION I, THE UNDERSIGNED (FULL NAME) CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM 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.					
Sign	ature	Date	•••••		
Position		Name of Bidder	J:	s367bW	

MBD 9

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:
 - 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 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 c	omplete in every respect:
I 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;
 - (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.

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.

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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
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