



REQUEST FOR QUOTATION (RFQ)

RFQ NUMBER	RFQ-MS-UPS BATTERIES-01/04/2022	
DATE ISSUED	01 April 2022	
PROJECT NAME/ DESCRIPTION OF GOODS, WORK OR SERVICES	PROVISION OF SUPPLY, DELIVERY AND INSTALLATION OF 18 X UPS BATTERIES FOR SIU PRETORIA OFFICE.	
BRIEFING SESSION <i>(Compulsory or Non-compulsory) if applicable</i>	DATE NONE	TIME
CLOSING DATE AND TIME	14 April 2022	13:00
SUBMISSION EMAIL	rfq@siu.org.za	
RFQ VALIDITY PERIOD	30 Days (commencing from the official RFQ closing date)	
NAME OF A BIDDER/TENDERER		
TELEPHONE NUMBER		
FACSIMILE NUMBER		
EMAIL ADDRESS		
POSTAL ADDRESS		
PHYSICAL/STREET ADDRESS		
B-BBEE STATUS LEVEL OF CONTRIBUTION	LEVEL:	
EME OR QSE		
B-BBEE STATUS LEVELS¹		

¹ A B-BBEE status level verification certificate/sworn affidavit-oath commissioned (for EME & QSE) must be submitted in order to qualify for preference points for B-BBEE)

FULL NAME OF BIDDER OR HIS/HER REPRESENTATIVE			
NATIONAL TREASURY-CENTRAL SUPPLIER DATABASE NUMBER: CSD MAAA	MAAA:		
SUPPLIER COMPLIANCE STATUS <i>(Please tick appropriate box and submit proof)</i>	TAX COMPLIANT AS PER CSD		TAX COMPLIANCE SYSTEM PIN
	Yes	No	<input type="checkbox"/> Yes
			PIN NO:
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS SERVICES/WORKS OFFERED	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF AND COMPLETE BELOW QUESTIONNAIRE]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS <i>(To be completed by Foreign suppliers)</i>	<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 8. III BELOW.</p>		
IDENTITY NUMBER			
POSITION OCCUPIED IN THE COMPANY (DIRECTOR, TRUSTEE, SHAREHOLDER)			

COMPANY REGISTRATION NUMBER	
VAT REGISTRATION NUMBER (If applicable)	
QUOTE PRICE (INCL VAT)	R.....
SIGNATURE (of the bidder)	

1. INTRODUCTION TO THE SIU

The SIU is an independent statutory body established by proclamation R.118 of 31 July 2001, issued in terms of the Special Investigating Units and Special Tribunals Act No. 74 of 1996 as amended (*"the SIU Act"*). The purpose of the SIU is to investigate serious malpractices, maladministration and corruption in connection with the administration of State Institutions, state assets and public money as well as any conduct, which may seriously harm the interest of the public. Furthermore, the purpose of the SIU is to institute and conduct civil proceedings in any court of law or a Special Tribunal in its own name or on behalf of State Institutions.

2. ELIGIBILITY/MANDATORY REQUIREMENTS

ELIGIBILITY/MANDATORY REQUIREMENTS	Comply	Not Comply
2.1 Phase 1 - LOCAL CONTENT REQUIREMENT	Comply	Not Comply
Industrial lead acid batteries - 50% Locally produced		
Failure to comply with the above eligibility requirements and submission of the Annexures C, D and E will result in non-compliance and will lead to the bid being disqualified for Phase 2		
2.2 Phase 2	Comply	Not Comply
a) Proof of National Treasury Central Supplier Database (CSD Summary report)		
b) CSD Overall Tax Status must be compliant (Tax Compliant)		
c) Conformance to the Scope of Work/ Terms of Reference (ToR)		

NB: Failure to submit/or reflect the above eligibility requirements and conformance to the scope of work will result in non-compliance and will lead to the bid being disqualified.

3. PROJECT BACKGROUND

The SIU requires the service of a duly experienced and knowledgeable service provider to deliver the service of security guards to the below address:

**74 Watermeyer,
Rentmeeter Building
Meyerspark
Pretoria
0183**

4. SCOPE OF WORK/ TERMS OF REFERENCE (TOR)

UPS BATTERIES with the following features:

- **12 Volts**
- **45W**
- **Cell**
- **10 Minutes**
- **Valve regulate sealed lead-acid type rechargeable battery**

5. Contract period

Once off delivery

6. **CONDITIONS**

Quotations will be evaluated only on Pricing, SIU's Supply Chain Management Policies and National Treasury Practice and instruction note (s).

PLEASE NOTE THAT THE QUOTATION MAY BE REGARDED INVALID/DISQUALIFIED IN THE FOLLOWING INSTANCES:

- a) If the SBD 4: declaration of interest form is not completed and signed
- b) If the SBD 8: declaration of bidder's past supply chain management practices form is not completed
- c) If the SBD 6.2
- d) If the SBD 9: certificate of independent bid determination form is not completed
- e) CSD tax clearance is non-compliant
- f) If SBD and/or information is proven incorrect.
- g) Late and incomplete submissions will not be accepted
- h) Service providers who are listed on the national treasury's database of restricted suppliers and defaulters
- i) Service providers who are under investigation of corrupt activities
- j) Appointment may be subjected to screening by the SIU internal integrity unit or vetting by the state security agency before commencements

7. **TAX COMPLIANCE REQUIREMENTS**

I. Bidders must ensure compliance with their tax obligations.

II. Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to verify the taxpayer's profile and tax status.

III. Application for Tax Compliance Status (TCS) pin may be made via e-filing through the SARS website www.sars.gov.za.

IV. Bidders may also submit a printed TCS certificate together with the bid.

V. In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.

VI. Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

VII. No bids will be considered from persons in the service of the state, companies with directors who are persons in the service of the state, or close corporations with members' persons in the service of the state."

8. TERMS AND CONDITIONS:

- a) Quotations must be submitted in the company letterhead
- b) All copyright and intellectual property herein rests with the SIU
- c) All goods or services purchased will be subject to SIU's conditions, policies and procedures.
- d) It is the responsibility of the bidder to ensure that the SIU is in possession of a compliant Tax Status documentations. The onus therefore rests on the bidder to ensure that the SIU is in receipt of a Compliant Tax Status as per CSD summary report.
- e) All purchases will be made through an official order form therefore; no goods must be delivered or render services before an official order has been received.
- f) To participate in SIU's Quotation of goods and/or services, vendors are advised to register on SIU's National Treasury Central Supplier Database (CSD)
- g) Bidder² certify that the information supplied is correct and I have read and understood SIU's Conditions and procedures and accept it.
- h) Bidder further certify that all the required information has been furnished and the relevant forms completed and are herewith submitted as part of the bid.
- i) Payments are effective within 30 days after receipt of invoice
- j) No late responses will be considered.
- k) All quotes should be accompanied by a valid BBBEE status Certificate with a SANAS logo or Sworn Affidavit by the Commissioner of Oaths with an SAPS Stamp for 80/20 evaluation criteria.
- l) Note that there are no pre-payments and payments will take place within 30 working days from the invoice date
- m) Successful bidders must be able to deliver the specified goods/services in full no later than stipulated date.
- n) Please do not hesitate to contact the undersigned for further information.
- o) When a bidder responds to this request for quotations, accept SIU's condition and also confirm that should he/she is successful, will be able to offer and deliver quality service
- p) SIU as a public entity is not allowed to do pre-payments, therefore when the bidder respond to this request, accept the quotation
- q) The appointed bidder is required to sign of the SBD document truthfully and in full
- r) Any bidder who has reasons to believe that the RFQ specifications is based on a specific brand must inform SIU on or before RFQ's closing date.
- s) Awarding of the quotation will be subject to the Service Provider's express acceptance of the SIU Supply Chain Management policy, general contract conditions and any other related general
- t) By responding to this RFQ document, a bidder commits to bind himself or herself by SIU's conditions which supersedes bidders' own quotation's conditions.
- u) Upon finalisation of the appointment, SIU may enter into a Service Level Agreement (SLA),
- v) SIU reserves the right to conduct its own internal tests and analysis on products/goods to ascertain the quality as per SABS compliance etc.
- w) No equipment, utensils or agents that may damage the buildings, fittings, persons shall be used. The SIU reserves the right to reject such conduct.
- x) Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
- y) All bids must be submitted on the official forms provided– (not to be re-typed) or in the manner prescribed in the bid document.
- z) This bid is subject to the preferential procurement policy framework act, 2000 and the preferential procurement regulations, 2017, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.
- aa) This RFQ is subject to Procurement General Conditions of Contract, (you may request a copy from SCM official or download from National Treasury's website.
- bb) The successful bidder will be required to fill in and sign a written contract form (SBD7).

9. EVALUATION CRITERIA

SIU promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price, which does not necessarily provide the best value. Best value incorporates the expertise, experience and technical proposal of the organisation and individuals who will be providing the service and the organisational capacity supporting the project team.

SIU is committed to achieving the government’s transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA), Procurement Regulation 2017.

The value of this bid is estimated not to exceed R50 000 000.00 (all applicable taxes included) and therefore the 80/20 system shall be applicable. (This is by no means the budget of the project but the process threshold as per PPPFA)

The procedure for the evaluation of responsive bids³ is Price, and Preference method.

The preference points evaluation of the responsive bids will be evaluated in terms of the 80/20 preference points systems, where the 80 points will be used for price and the 20 points will be awarded to a bidder for attaining the B-BBEE status level of contributor.

SIU promotes the concept of “best value” in the award of contracts, as opposed to merely looking for the cheapest price,

SIU is committed to achieving Government’s transformation objectives in terms of the Preferential Procurement Policy Framework Act (PPPFA)

10. PRICING SCHEDULE

Price must include the entire scope of work and any other logistics or disbursement that assist the service provider in delivering the final product (s) to SIU as per the scope of work and within the set timelines.

Note: VAT must be included and disbursements on the final product.

Item No	Deliverable/Description of Work/Services/Goods	Quantity	Total Price R'
1	Provision of supply, delivery and installation of ups batteries for Siu Pretoria office UPS batteries with the following features: <ul style="list-style-type: none"> - 12 Volts - 45W - Cell - 10 Minutes - Valve regulate sealed lead-acid type rechargeable battery. 	18	R
	VAT (If applicable)		R
	Total Price (VAT inc)		R

² A bidder and/or service provider will be used interchangeably across the bid document

³ Responsive bids, are those bids that meet the eligibility/mandatory/administrative criteria as set out on the bid document.

- Quotation must reflect a cost breakdown and prices quoted must be inclusive of VAT.
- A separate quote should be on bidders' letter head
- The Bidder must thus complete the attached schedule and return (No separate schedules permitted).
- All fee rates shall be quoted in the currency of the Republic of South Africa for the periods specified, and will be held to be firm for the period of the Bid.

11. DECLARATION OF INTEREST (SBD 4)

Any legal person, including persons employed by the state, accounting authority, executive or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- The bidder is employed by the state;
- SIU's accounting authority; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid

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

Full Name of bidder or his or her representative:
.....

Identity Number:
.....

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

Company Registration Number:
.....

Tax Reference Number:
.....

VAT Registration Number:
.....

The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee /persal numbers must be indicated in paragraph 3 below.

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament

<p>Are you or any person connected with the bidder presently employed by the state? If so, furnish the following particulars: Name of person / director / trustee / shareholder/ member: Name of state institution at which you or the person connected to the bidder is employed: Position occupied in the state institution: Any other particulars: </p>	YES / NO
<p>If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? If yes, did you attach proof of such authority to the bid document? (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid If no, furnish reasons for non-submission of such proof: </p>	YES / NO
<p>Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? If so, furnish particulars: </p>	YES / NO
<p>Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? If so, furnish particulars: </p>	YES / NO
<p>Are you, or any person connected with the bidder aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? If so, furnish particulars: </p>	YES / NO
<p>Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract? If so, furnish particulars: </p>	YES / NO

Full details of directors / trustees / members / shareholders, or kindly attached additional

information in this tabular format as an Annexure.

Name	Entity Number	Personal Tax Number	State Employee Number/ Persal number

DECLARATION

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

1. SBD 6.2

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

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

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

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

Where

x is the imported content in Rand

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

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

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

	Minimum Threshold for Local Content
Industrial lead acid batteries - 50% Locally produced	50%

3. Does any portion of the goods or services offered have any imported content?
(**Tick applicable box**)

YES		NO	
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- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

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

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

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

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

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

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

.....
NB

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

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

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

(b) I have satisfied myself that:

(i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and

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

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

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

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

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

2. Declaration of Bidder's past supply chain management practices (SBD 8)

a. This Standard Bidding Document must form part of all bids invited.

b. 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

c. The bid of any bidder may be disregarded if that bidder, or any of its directors have-

2.3.1 Abused the institution's supply chain management system

2.3.2 Committed fraud or any other improper conduct in relation to such system; or

2.3.3 Failed to perform on any previous contract.

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

Item	Question	Yes	No
------	----------	-----	----

2. 4.1	Is the bidder or any of its directors listed on the National Treasury's database 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.4.1.1	If so, furnish particulars:		
2.4.2	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 <input type="checkbox"/>	No <input type="checkbox"/>
2.4.2.1	If so, furnish particulars:		
2.4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.4.3.1	If so, furnish particulars:		
2.4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.4.4.1	If so, furnish particulars:		

DECLARATION

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

3. Certificate of Independent Bid Determination (SBD 9)

3.1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

3.2 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.

3.3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:

- a) disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
- b) cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

3.4 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.

3.5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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

Certificate of Independent Bid Determination

I, _____ the _____ undersigned, _____ in _____ submitting _____ the _____ accompanying
bid: _____

(Bid Number and Description)

in _____ response _____ to _____ the _____ invitation _____ for _____ the _____ bid _____ made
by: _____

(Name of Institution)

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

certify, on behalf of: _____ that:

(Name of Bidder)

- A. I have read and I understand the contents of this Certificate;
- B. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- C. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- D. 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;
- E. 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
- F. 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.
- G. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (i) prices;
 - (ii) geographical area where product or service will be rendered (market allocation)
 - (iii) methods, factors or formulas used to calculate prices;
 - (iv) the intention or decision to submit or not to submit, a bid;
 - (v) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (vi) bidding with the intention not to win the bid.
- H. 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.
- I. 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.

- J. 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

6. SPECIAL CONDITIONS

- a) Quotations to be returned to: (rfq@siu.org.za)
- b) Proposal submitted to the SIU becomes the property of the SIU. SIU is therefore not obliged to send it back to the bidder
- c) The service provider shall commit to post support service where and when required by SIU.
- d) Payment will be done on deliverables achieved, with payments done within 30 days of receipt of invoice.
- e) CSD Tax Compliance status must be found on the CSD Summary report
- f) **SIU Head Office are situated at the following address:**
74 Water Meyers Street, Rentmeester Building, Meyers Park, First Floor

7. SUPPORTING DOCUMENTATION AND MINIMUM CRITERIA

- a. send and the original will be requested from the recommended bidder) failure to attached will lead to disqualification.
- b. The quote must be valid for a period of 30 days
- c. All quotations must be accompanied by the following documents if you have not submitted the information before:
 ❖ **Central supplier database for Government (CSD)**
- d. Quotation must reflect a cost breakdown, where applicable, prices quoted must be inclusive of VAT
- e. All pages of quotation must be signed by the responsible person
- f. SIU has the right to withdraw any quotation at any time within or outside the validity of the quotation.
- g. **SIU reserves the right to invite suppliers/companies to present their bid proposals for final decision**

8. DECLARATION

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the enterprise:

- i) Confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- ii) Confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iii) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and ;
- iv) Confirms that the contents of this questionnaire/forms (SBD 4, 6.1, 6.2, 8 & 9) are within my personal knowledge and are to the best of my belief both true and correct
- v) Accept that, in addition to cancellation of a contract, action may be taken against me should the Declaration prove to be false.

Please note that if the supporting documentation is not provided then the submission will be classified as non-responsive.

Tender Conditions**1. Disqualification**

Please note that if a tender document is not filled in correctly or completely, or is delivered/send after the tender closing time, or CSD tax compliant status is not reflected on the CSD summary report will automatically disqualified the bid. Please return this document with the supporting documents including CSD Tax Compliance summary status report.

2. Tender Document Submission

Faxed and emailed tender documents will be accepted. However, the onus is on the tenderer to ensure that complete faxed or email documents have been received by the SIU by the due time.

Please note that any alterations to the tender document other than filling in the tenderer's details and tender price will automatically disqualify the tenderer.

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

END