



## ***Request for Quotation (RFQ)***

### ***Request for Quotation (RFQ) for the Acoustic Underwater Tank Refurbishment at Building No. 14E, CSIR Pretoria.***

***RFQ No. 5994/31/01/2023***

|                                                 |                                                                                                                                                                                   |
|-------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date of issue:                                  | Thursday, 12 January 2023                                                                                                                                                         |
| Compulsory briefing session and site inspection | Date: Thursday, 19 January 2023<br>Venue: CSIR Scientia Campus, Building 14E, room 2, Pretoria, Gauteng,<br>Time: 10h00 – 11h00                                                   |
| Closing Date and Time                           | Tuesday, 31 January 2023<br>Time: 16h30                                                                                                                                           |
| Submission and Contact details:                 | For submission of quotations or any other enquiries:<br>Email: <a href="mailto:tender@csir.co.za">tender@csir.co.za</a> ( <b><i>Please use RFQ No. as subject reference</i></b> ) |

## **SECTION A: TERMS OF REFERENCE, SCOPE OF WORK, TECHNICAL SPECIFICATION, AND FUNCTIONAL REQUIREMENTS**

### **1 INTRODUCTION**

The Council for Scientific and Industrial Research (CSIR) is one of the leading African research and technology development organisations. The CSIR's mandate is to undertake directed and multidisciplinary research and technology innovation that contributes to the improvement of the quality of life of South Africans. The CSIR lives and achieves this mandate in partnership with national and international research and technology institutions, parties in the public and private sectors, and with civil societies.

### **2 INVITATION FOR QUOTATION**

Quotations are hereby invited from suitably qualified and experienced service providers for the refurbishment of an indoor Acoustic Underwater Tank at the CSIR Pretoria Campus Building No. 14E as detailed in the BOQ to the CSIR.

### **3 SCOPE OF WORK AND DELIVERABLES**

The objective of this project is to renovate the underwater tank (sandblast and paint the internal and external surfaces) in order, to maintain the standard of the testing facility and ensure that it remains functional to support the projects that the Industrial Sensors (IS) impact area is engaged in. The indoor acoustic underwater tank is made of steel plate.

However, there are a number of corrosion spots around the underwater tank surfaces that slowly changes the microstructure of the steel wall (Size: 5(L) X 10 (W) X 5 (H)) m, and it is envisaged that with time it will make the steel plate brittle and flaky. The corrosion initially occurred on the welded joints in an area where a window glass was replaced with a steel plate and extended in other areas.

**The description and the specification of the services required for this project are listed on the Pricing Schedule/ Bill of material.**

#### 4 PRICING SCHEDULE / BILL OF MATERIALS

The supplier must quote as per the below Bill of Quantities (BOQ):

| Item | Description                                                                                                                                                                                              | Unit           | Quantity          | Rate | Amount |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------|------|--------|
| 1.0  | <b><u>Health and Safety</u></b>                                                                                                                                                                          |                |                   |      |        |
| 1.1  | Allowance for all health and safety requirements as deemed necessary for the successful execution of the project                                                                                         | Item           | 1.0               |      |        |
| 2    | <b><u>SECTION 2</u></b>                                                                                                                                                                                  |                |                   |      |        |
|      | <b>Disassembly of the tank gantries</b>                                                                                                                                                                  |                |                   |      |        |
| 2.1  | Remove tank gantries and stored them safely in the laboratories.                                                                                                                                         | Item           | 1.0               |      |        |
|      | <b>Surface Preparation</b>                                                                                                                                                                               |                |                   |      |        |
| 2.2  | Empty the tank, using the drain valve.                                                                                                                                                                   | M <sup>3</sup> | 250M <sup>3</sup> |      |        |
| 2.3  | Remove Existing Paint:<br>- Degrease and rinse (preferably Alkaline Cleaner) the water tank to remove oil and grease.<br>- Use an abrasive material to remove the existing paint. Profile:50- 75 microns | M <sup>2</sup> | 200M <sup>2</sup> |      |        |
| 2.4  | Repair Rust Areas:<br>Use the chemical treatment to remove the rust and ensure the recommended chemical does not damage the metal.                                                                       | Item           | 1.0               |      |        |
| 2.5  | Clean up the water tank to remove sand and dust                                                                                                                                                          | M <sup>2</sup> | 200M <sup>2</sup> |      |        |
|      | <b>Internal Coating</b>                                                                                                                                                                                  |                |                   |      |        |
| 2.6  | Apply Primer Coat                                                                                                                                                                                        | M <sup>2</sup> | 200M <sup>2</sup> |      |        |

|                            |                                                                                                                                                                                  |                |                   |  |  |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------|--|--|
|                            | The applied primer coat must be compatible with the topcoat.                                                                                                                     |                |                   |  |  |
| 2.7                        | Apply Topcoat:<br>The topcoat must be resistant to chemicals, stains, and abrasion<br>Paint Minimum Lifespan: 5 years<br>Preferable Epoxy Paint (blue)                           | M <sup>2</sup> | 200M <sup>2</sup> |  |  |
|                            | <b>Re-Assembly of the tank gantries</b>                                                                                                                                          |                |                   |  |  |
| 2.8                        | The tank gantries should be functional after the service                                                                                                                         | Item           | 1.0               |  |  |
|                            | <b>External Coating</b>                                                                                                                                                          |                |                   |  |  |
| 2.9                        | Paint (preferable blue normal paint)<br>• Repair Rust Areas<br>• Clean up the surfaces to remove sand and dust<br>• Apply primer coat<br>• Apply Topcoat (Surface Finish: Gloss) | M <sup>2</sup> | 150M <sup>2</sup> |  |  |
| <b>Sub Total</b>           |                                                                                                                                                                                  |                |                   |  |  |
| <b>VAT 15%</b>             |                                                                                                                                                                                  |                |                   |  |  |
| <b>Total including VAT</b> |                                                                                                                                                                                  |                |                   |  |  |



Size: 5(L) X 10 (W) X 5 (H) m<sup>3</sup>



**Notes to Pricing:**

Bidders are to note that if the price offered by the highest scoring bidder is not market related, CSIR may not award the contract to that bidder. CSIR may:

- negotiate a market-related price with the Respondent scoring the highest points or cancel the RFQ.
- if that bidder does not agree to a market-related price, negotiate a market-related price with the bidder scoring the second highest points or cancel the RFQ.
- if the bidder scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the bidder scoring the third highest points or cancel the RFQ.
- If a market-related price is not agreed upon with the bidder scoring the third highest points, CSIR may cancel the RFQ.

**NB: The above cost must be inclusive of all costs required to render the required services as per the above scope of work and specifications.**

**4.1 Additional quotation requirements (These must be submitted with and/or indicated in the quote):**

- The bidder must submit a quotation on their official company letterhead.
- Bidders must quote as per the above Bills of Quantities (BoQ)/Pricing schedule in line with the stipulated specifications.
- Goods and/or services are to be delivered to the CSIR Scientia site in Pretoria, Gauteng.
- The pricing must be firm and inclusive of all costs required to deliver the required services to the CSIR.

**5 MANDATORY DOCUMENTS REQUIRED / RETURNABLES:**

Bidders must submit the below-mentioned documents and/or information and confirm compliance thereof:

| No. | Description                                                                                                         | Please indicate Yes/No |
|-----|---------------------------------------------------------------------------------------------------------------------|------------------------|
| 1   | Quotation on official company letterhead                                                                            |                        |
| 2   | Completed BoQ (Annexure A) or pricing schedule                                                                      |                        |
| 3   | Submit completed schedule of bidder's experience and contactable references information- <b>Annexure B, pg. 11.</b> |                        |
| 4   | Bidder must submit Completed and duly signed Standard Bidding Form (SBD 1)- Invitation to bid.                      |                        |
| 5   | Bidder must submit Completed and duly signed Bidder's Disclosure Form- SBD 4                                        |                        |

**NB:** Non-submission of the above-mentioned documents as well as any deviation from the above quotation requirements and specifications may deem your submission unresponsive and may thus result in your submission not being considered for Price and BBEE evaluation.

## 6 EVALUATION CRITERIA

- 6.1 Selection of suppliers will be based on the 80/20 preference point system.
- 6.2 Submit a valid B-BBEE Certificate (SANAS accredited), CIPC B-BBEE certificate or sworn affidavit indicating the B-BBEE Status level. (RSA suppliers only)
- 6.3 No B-BBEE status will equal zero points. (RSA suppliers only)
- 6.4 Indicate CSD number (National Treasury Central Supplier Database) on quotation. If not registered yet on CSD, use [www.csd.gov.za](http://www.csd.gov.za) to register.
- 6.5 No order will be issued, or no contract will be signed without a valid CSD number (Only applicable to RSA suppliers).
- 6.6 Elimination Criteria:  
Suppliers will be eliminated under the following conditions:
  - Late submission of Quotes.
  - Submission at the incorrect email address- submissions must be made to [tender@csir.co.za](mailto:tender@csir.co.za)
  - If bidder does not submit quotation on official company letterhead.
  - If bidder does not quote according to stipulated specifications and requirements
  - If bidder does not price as per BOQ or pricing schedule.

- Non-submission of any of the mandatory/returnable documents specified in **section 5** above.
- Bidders that are listed on the National Treasury (NT) database of restricted suppliers will not be considered.
- Bidders that are registered on the NT Register of Tender Defaulters will not be considered.



## SECTION B: TERMS AND CONDITIONS

### 7 PRICING QUOTATION

- 7.1 Price needs to be provided in South African Rand (excl. VAT), with details on price elements that are subject to escalation and exchange rate fluctuations clearly indicated, if applicable.
- 7.2 Price should include additional cost elements such as freight, insurance until acceptance, duty where applicable, etc.
- 7.3 Payment will be according to the CSIR Payment Terms and Conditions.

**The price should be firm and inclusive of costs and all services required to deliver on the required goods and/or services.**

### 8 PROCEDURE FOR SUBMISSION OF QUOTATIONS

- All quotations must be submitted electronically to: [tender@csir.co.za](mailto:tender@csir.co.za)
- Respondents must use the RFQ number as the subject reference number when submitting their bids
- The email and file sizes should not exceed a total of 25 per email
- The naming / labeling syntax of files or documents must be short and simple (e.g., BBBEE Certificate)
- Each bidder will be limited to send two emails with their submissions, and the subject of the email must clearly reference the bidder's name and RFQ number
- All documents submitted electronically via email must be clearly visible.
- Documents submitted via cloud solutions such as: *WeTransfer*, *Google Drive*, *Dropbox*, etc. will not be considered.
- Tenders or documents received after the closing date and time will be considered as a late submission. Late submissions will not be evaluated.

**NB: NO HARD COPIES OR PHYSICAL SUBMISSIONS WILL BE ACCEPTED**

## 9 BRIEFING SESSION INFORMATION AND PROTOCOL

A compulsory briefing session and/or site inspection will be held under the following details:

|       |                                                                   |
|-------|-------------------------------------------------------------------|
| Date  | Thursday, 19 January 2023                                         |
| Time  | 10h00- 11h00                                                      |
| Venue | CSIR Scientia Campus, Building 14E, room 2, Pretoria,<br>Gauteng, |

Please take note of the following Protocols to follow when visiting the CSIR for the briefing session/site inspection:

- Only a maximum of two delegates from each company will be allowed to attend the session
- If attending a physical briefing session/site inspection, all bidders/contractors must prior to visiting the CSIR site complete the online COVID-19 symptom screening questionnaire via the following link - <https://screen.csir.co.za/>
- An attendance register will be circulated for signatures. Bidder's must clearly write their details on the attendance register and sign. Only a maximum of two people from the same company allowed to sign attendance register.
- No pens, paper or other stationary will be distributed. Bidders need to bring their own pens, notepads, etc.
- No refreshments will be served during the site inspection

## 10 REQUIREMENTS FOR A VALID BROAD-BASED BLACK ECONOMIC EMPOWERMENT (B-BBEE) CERTIFICATE, CIPC CERTIFICATE AND SWORN AFFIDAVIT

10.1 Only those tenderers who submit a valid SANAS accredited B-BBEE certificate or Sworn Affidavit (dtic or CIPC) will be awarded points for B-BBEE during evaluation.

10.2 The following constitutes a valid **B-BBEE certificate**:

- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.
- Value-Add Tax number, where applicable.
- The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes.

- B-BBEE status with corresponding procurement recognition level.
- The relevant Codes used to issue the B-BBEE Verification Certificate.
- Date of issue and expiry (e.g., 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate
- Financial period which was used to issue the B-BBEE Verification Certificate.
- Unique identification number of the B-BBEE verification professional or agency (e.g., BVA...).
- Name and logo/mark of the B-BBEE verification professional or agency.
- A B-BBEE Verification Certificate must be signed by the technical signatory at the bottom with full name and surname. The details of the technical signatory can be checked from the SANAS website ([www.sanas.co.za](http://www.sanas.co.za)). No other person is allowed to sign the B-BBEE Verification Certificate apart from the technical signatory.
- The SANAS logo on the B-BBEE Verification Certificate.

**10.3** The following constitutes a valid **dtic Sworn Affidavit**:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage of black ownership, black female ownership, and designated group. In the case of specialised enterprises as per Statement 004, the percentage of black beneficiaries must be reflected.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
- Financial year end as per the enterprise's registration documents, which was used to determine the total revenue.
- B-BBEE Status level. An enterprise can only have one status level.

- Empowering supplier status must be indicated. For QSEs, the deponent must select the basis for the empowering supplier status.
- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.

**10.4** The following constitutes a valid **CIPC B-BBEE certificate**:

- Name of enterprise, registration number, and business address.
- Date of issue and expiry adding to twelve months (e.g. 9 June 2018 to 8 June 2019) must be indicated.
- Percentage of total black ownership, black female ownership, and total white ownership.
- Certificate number.
- Barcode with tracking number
- Barcode with enterprise number.
- B-BBEE Status and procurement recognition level.
- The dtic logo on the top left corner, and CIPC logo on the top right corner.
- CIPC watermark

## **11 SUB-CONTRACTING**

11.1 A tenderer will not be awarded points for B-BBEE status level if it is indicated in the tender documents that such a tenderer intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a tenderer qualifies for unless the intended sub-contractor is an exempted micro enterprise that has the capability and ability to execute the sub-contract.

11.2 A tenderer awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an exempted micro enterprise that has the capability and ability to execute the sub-contract.

11.3 If the tender intends to sub-contract, they must indicate the value of the work in Rands to be sub-contracted in relation to the total tendered amount. The supplier must also indicate the name(s) of the company / contractor.

11.4 All BBBEE certificates of the sub-contractors must also be submitted. Non-submission will result in 0 points being awarded for BBBEE.

11.5 In case of proposal from a joint venture, the following must be submitted together with the proposal/Quotation:

- Joint venture Agreement including split of work signed by both parties.
- The original or certified copy of the B-BBEE certificate of the joint venture.
- The Tax Clearance Certificate of each joint venture member.
- Proof of ownership/shareholder certificates/copies; and
- Company registration certificates.

## **12 CORRECTNESS OF RESPONSES**

12.1 The tenderer must confirm satisfaction regarding the correctness and validity of their quotation and that all prices and rates quoted cover all the work/items specified in the RFQ. The prices and rates quoted must cover all obligations under any resulting contract.

12.2 The tenderer accepts that any mistakes regarding prices and calculations will be at their own risk.

## **13 ADDITIONAL TERMS AND CONDITIONS**

13.1 A tenderer shall not assume that information and/or documents supplied to CSIR, at any time prior to this request, are still available to CSIR, and shall consequently not make any reference to such information document in its response to this request.

13.2 Copies of any affiliations, memberships and/or accreditations that support your submission must be included in the tender.

13.3 An omission to disclose material information, a factual inaccuracy, and/or a misrepresentation of fact may result in the disqualification of a tender, or cancellation of any subsequent contract.

13.4 Failure to comply with any of the terms and conditions as set out in this document will invalidate the Quotation.

## **14 CSIR RESERVES THE RIGHT TO**

14.1 Extend the closing date.

14.2 Verify any information contained in a proposal.

14.3 Request documentary proof regarding any tendering issue.

- 14.4 Appoint one or more service providers, separately or jointly (whether or not they submitted a joint proposal);
- 14.5 Award this RFQ as a whole or in part; and
- 14.6 Cancel or withdraw this RFQ as a whole or in part.

## **15 PERSONAL INFORMATION**

- 15.1 Each Party consents to the other Party holding and processing “personal information” (as defined in the POPI Act) relating to it for legal, personnel, administrative and management purposes (including, if applicable, any “special personal information” relating to him/her, as defined in the POPI Act). Notwithstanding the generality of the aforesaid, each Party hereby undertakes to comply with all relevant provisions of the POPI Act and any other applicable data protection laws. The Client further agrees to comply with all CSIR’s reasonable internal governance requirements pertaining to data protection.
- 15.2 Each Party consents to the other Party making such information available to those who provide products or services to such parties (such as advisers, regulatory authorities, governmental or quasi-governmental organisations and potential purchasers of such Party or any part of their business).
- 15.3 The Client consents to the transfer of such information to CSIR’s business contacts outside South Africa in order to further its business interests.
- 15.4 While performing any activity where a Party is handling personal information as a “responsible party” (as defined in the POPI Act), each Party undertakes that it will process the personal information strictly in accordance with the terms of the POPI Act, this Contract, and the other Party’s instructions from time to time, and take appropriate operational measures to safeguard the data against any unauthorised access.
- 15.5 Each Party acknowledges that in the course of conducting business with each other, each Party intends to maintain and process personal information about the other Party in an internal database. By signing this Contract, each Party consents to the maintenance and processing of such personal information.
- 15.6 Where relevant, the Client shall procure that all of its personnel, agents, representatives, contractors, sub-contractors, and mandataries shall comply with the provisions of this clause 12 (Personal Information). The CSIR shall be entitled on reasonable notice to conduct an inspection or audit Client’s compliance with the requisite POPI Act safeguards.

**16 DISCLAIMER**

This RFQ is a request for quotations only and not an offer document. Answers to this RFQ must not be construed as acceptance of an offer or imply the existence of a contract between the parties. By submission of its quotation, tenderers shall be deemed to have satisfied themselves with and to have accepted all Terms & Conditions of this RFQ. The CSIR makes no representation, warranty, assurance, guarantee, or endorsements to the tenderer concerning the RFQ, whether with regard to its accuracy, completeness or otherwise and the CSIR shall have no liability towards the tenderer or any other party in connection therewith.

**17 OTHER TERMS AND CONDITIONS**

- 17.1 The supplier shall under no circumstances offer, promise or make any gift, payment, loan, reward, inducement, benefit or other advantage, which may be construed as being made to solicit any favour, to any CSIR employee or its representatives. Such an act shall constitute a material breach of the Agreement and the CSIR shall be entitled to terminate the Agreement forthwith, without prejudice to any of its rights.
- 17.2 A validity period of 90 calendar days will apply to all quotations except where indicated differently on the quote.

**18 No goods and/or services should be delivered to the CSIR without an official CSIR Purchase order or signed supplier agreement. The CSIR purchase order number must be quoted on the invoice. Invoices without CSIR purchase order numbers will be returned to supplier.**

**19 Note: This is not a Purchase Order**

**DECLARATION BY TENDERER**

**Only tenderers who completed the declaration below will be considered for evaluation.**

**RFQ No: 5994/31/01/2023**

I hereby undertake to render services described in the attached tendering documents to CSIR in accordance with the requirements and task directives / proposal specifications stipulated in **RFQ No 5994/31/01/2023** at the price/s quoted. My offer/s remains binding upon me and open for acceptance by the CSIR during the validity period indicated and calculated from the closing date of the proposal.

I confirm that I am satisfied with regards to the correctness and validity of my proposal; that the price(s) and rate(s) quoted cover all the services specified in the proposal documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.

I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this bid as the principal liable for the due fulfilment of this bid.

I declare that I have no participation in any collusive practices with any tenderer or any other person regarding this or any other proposal.

I accept that the CSIR may take appropriate actions, deemed necessary, should there be a conflict of interest or if this declaration proves to be false.

I confirm that I am duly authorised to sign this proposal.

NAME (PRINT) .....  
CAPACITY .....  
SIGNATURE .....  
NAME OF FIRM .....  
DATE .....

|           |       |
|-----------|-------|
| WITNESSES |       |
| 1         | ..... |
| 2         | ..... |
| DATE:     | ..... |



**20 ANNEXURE B: SCHEDULE OF BIDDER'S EXPERIENCE AND CONTACTABLE REFERENCES**

| <b>Client / Company Name</b> | <b>Contact person, email, and Telephone Number</b> | <b>Description of goods and/or services delivered</b> | <b>Value of the goods and/or services delivered (Inclusive of Vat)</b> | <b>Date when goods and/or services were delivered to client</b> |
|------------------------------|----------------------------------------------------|-------------------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------|
|                              |                                                    |                                                       |                                                                        |                                                                 |
|                              |                                                    |                                                       |                                                                        |                                                                 |
|                              |                                                    |                                                       |                                                                        |                                                                 |
|                              |                                                    |                                                       |                                                                        |                                                                 |



## RFQ No.5994 /31/01/2023

### BIDDER'S DISCLOSURE

#### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

#### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

2.2

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
 .....

**3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read, and I understand the contents of this disclosure.
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements, or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder