



## FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

Quote Number:	<b>RFQ130/2022</b>	Placement Date: 09/02/2022
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To be completed by SCM

Closing Date and Time of Quotation (12h00):	Delivery Date of Items (If items are not delivered on date specified, the order will be cancelled if no arrangements were made by the supplier):
<b>14/02/2022 @12H00</b>	<b>14 Days after official order</b>

Contact Person	Mobile No	Telephone No	Email Address
R. Martins	0839922237	0227522718	Ronnie.martins@sbm.gov.za

Validity period of Quotation:	30 Days
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Requisition Number	Vote Number 237-CONTRACT-FENCES

Invitation to Quote Form
Full Description of Job / Item and Purpose Required:
REPAIR GATE AND REPLACE FAULTY PARTS
<b>Evaluation criteria: on total amount _____</b>
<b>Local Content - Designated Sector: Steel 100%- Item 1</b>

**Quotations must be placed in the relevant RFQ number at the Quotation Return Address below**

Quotation Return Address (Postal)	Delivery Address (Address where items / goods need to be delivered after receipt of order):
Buller Centre (Investment Centre), Ground Floor (Quotation Box) 15 Main Road (Private Bag x12) Vredenburg (7380)	Saldanha Bay Municipality Stores Floryn Street, Marias Industrial Vredenburg, 7380

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

## Instructions to Tenderers:

### **DATABASE REGISTRATION (Compulsory):**

**It is compulsory for all suppliers to be registered on the Central Supplier Database (CSD). NO AWARD WILL BE MADE TO A SUPPLIER WHO IS NOT REGISTERED ON THE CSD. Please ensure that your registration on the CSD remains active. The General Conditions of Contract (July 2010) is applicable to this Quotation. In addition to the GCC the following Special Conditions to quote will apply:**

1. The quotation, sealed in an envelope and **externally endorsed with the relevant quotation number**, must be submitted to the abovementioned **“Quotation Return”** address and can either be **hand-delivered or couriered**. It is the supplier’s responsibility to make sure that the quote with all relevant documents reach this office before the closing date and time and is placed in the correct quotation box or handed in at the Supply Chain Management office (Second Floor, 15 Main Road, Buller Centre (Investment Centre) Vredenburg, 7380). Late Quotations will not be accepted.
2. **The quotation originally completed in ink MUST be done on the attached “Invitation to Quote” form and suppliers may additionally add a quotation on their business’ letterhead. Copies of Quotation documents will be disregarded.**
3. The use of correction fluid (TIPPEX) on the price schedule is prohibited and quotations will be found non-responsive.
4. The quotation must be on items that strictly conform to the specifications as requested (mentioned). **Quotations must be submitted in line with specifications stipulated – pricing must be done per item or per bill of quantities.** In the event of any items not conforming to the specifications, additional costs may be recovered from the tenderer.
5. Delivery charges MUST be included in the price for “Supply and Delivery of Goods”.
6. Calculation errors will be corrected; where the quote is based on items or quantities, tariffs (unit rates) will be regarded as correct. In the case of a construction work quote the total amount will be regarded as correct.
7. Tenderers must submit a **Certificate of Independent Bid Determination (MBD 9), Preference Points Claim Form (MBD 6.1) and original or originally certified B-BBEE certificate or Affidavit** with the quotation. **NO BUSINESS MAY BE CONDUCTED WITH PERSONS IN SERVICE OF THE STATE.** All relevant documents can be downloaded at [www.sbm.gov.za](http://www.sbm.gov.za) > Tenders / Quotations > Supply Chain Documents.
8. The municipality may accept the whole or a part of the quote where the quote comprises of more than one item.
9. The municipality does not bind itself to accept the lowest or any bid.
10. The acceptance of the quote and the subsequent issuing of an official order constitute a legal binding document and may not be cancelled.
11. Goods and services may only be provided after and according to the official order issued.
12. All contractors to ensure that waste generated during a construction period of a building project is appropriately contained on site and correctly disposed of at a registered landfill site or drop-off facility. The management of waste is continuous, and waste is not allowed to accumulate to a point where it is unsightly, creates windblown litter or any form of nuisance. Upon completion of the project safe disposal certificates need to be submitted to the project manager as proof that all waste was disposed of in the correct manner. The submission of safe disposal certificates will be a pre-requisite for the processing of payment certificates. Construction and demolition waste (Bricks, mortar, concrete, sand, tiles, etc.) should be stored in a container (Skip or similar) or must be covered with netting if stock-piled on site. All other waste generated on site such as, plastics, paper, cement bags, etc. must be stored in a dedicated mesh cage/enclosure to avoid windblown litter. No waste may be placed on the side walk or surrounding properties. Law Enforcement will conduct regular inspections and non-compliant contractors will be fined.
13. ***“All documents and / packaging of courier must be clearly marked RFQ/Q or Tender with the number. It remains the responsibility of the service provider/contractor to ensure that his quotation or bid is clearly marked.”***

**QUOTATIONS WILL BE EVALUATED IN TERMS OF THE AMENDED PREFERENTIAL PROCUREMENT REGULATIONS, 2017 AND NEW BEE CODES WHEN BIDDERS CLAIM POINTS IN TERMS OF THEIR B-BBEE STATUS LEVEL.**

**NB!! FAILURE TO COMPLY WITH THE ABOVEMENTIONED CONDITIONS WILL INVALIDATE YOUR QUOTE!!!**

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

## **Submission of Invoices:**

The successful bidder(s) to ensure compliance with Section 20(4) of the Value Added Tax (VAT) Act, 89 of 1991.

In terms of Section 20(4) of the Act, the TAX INVOICE(S) received from registered Vat vendors MUST bear the following information:

- The words "TAX INVOCIE" in a prominent place;
- Name, address and VAT registration number of the supplier;
- The name and address: Saldanha Bay Municipality, Private Bag X12, Vredenburg, 7380;
- The Saldanha Bay Municipality VAT registration number: 4100113150;
- Unique VAT invoice number and date of issue;
- Accurate description of goods and/or services;
- Quantity or volume of goods or services supplied; and
- Price and VAT amount and percentage (%).

Failure to comply with abovementioned will result in payments not been made timeously.

Also take note that Saldanha Bay Municipality will not be liable for any late payments as a result of invalid Tax Invoice submitted by suppliers

COMPANY NAME: .....

I hereby declare that I am duly authorised to sign on behalf of the abovementioned company

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

## Invitation to Quote Form

### Compulsory checklist

Compulsory documents to be submitted by suppliers	Comply Please mark/tick where applicable	
Are you registered on the Central Supplier Database (CSD)? If "YES", please provide your CSD registration nr: MAAA_____  If "NO", please complete the online registration process on Central supplier database <a href="http://www.csd.gov.za">www.csd.gov.za</a>	YES	NO
MBD 4 – Declaration of Interest	YES	NO
MBD 6.2 – Declaration of Local Production and Content and Annex C form	YES	NO
MBD 9 - Certificate of Independent Bid Determination	YES	NO
Annexure 1 - NOTE: Declaration of Company Address of the bidding entity	YES	NO
B-BBEE Certificate/ Affidavit to be submitted. The aforementioned documents will be used for reporting and not evaluation purposes.	YES	NO

COMPANY NAME: .....

I hereby declare that I am duly authorised to sign on behalf of the abovementioned company

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
DATE

## Invitation to Quote Form

(Price quotation to be completed by the supplier on this form)

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

<u>NAME AND ADDRESS OF SUPPLIER</u>	<u>SUPPLIER CONTACT DETAIL</u>
	Tel: Fax: Email: Contact Person:

## Detailed Specifications

REPAIR GATE AND REPLACE FAULTY PARTS <ul style="list-style-type: none"> <li>• Repair broken exit gate</li> <li>• Replace razz rack complete</li> <li>• Prepare with galvanized &amp; silver hammer ride</li> <li>• Repair motor-gearbox shaft bend</li> </ul>
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All COVID 19 legislation must be adhered to.

## Pricing Schedule

Items	PARTICULARS	Quantity	Unit price (vat excluded)	Total Price
1	Repair gate and replace faulty parts	1		
<b>TOTAL (VAT Exclusive)</b>				
<b>VAT 15% (if applicable)</b>		<b>VAT registration nr:</b> 4.....		
<b>TOTAL (VAT INCLUSIVE)</b>				<b>R.....</b>
<b>NB!!! QUOTATIONS MUST BE VALID FOR AT LEAST 30 DAYS FROM CLOSING DATE</b>				

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

(To be completed by Supplier)

<b>MBD 4</b>		
<b>DECLARATION OF INTEREST</b>		
1. No bid will be accepted from persons in the service of the state		
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 favoritism, 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 authorized representative declare their position in relation to the evaluating/adjudicating authority.		
<p><b>MSCM Regulations: “in the service of the state” means to be –</b></p> <p><b>(a) a member of-</b></p> <p style="padding-left: 40px;">(i) any municipal council;</p> <p style="padding-left: 40px;">(ii) any provincial legislature, or</p> <p style="padding-left: 40px;">(iii) the national Assembly of the national Council of provinces</p> <p><b>(b) a member of the board of directors of any municipal entity;</b></p> <p><b>(c) an official of any municipality or municipal entity;</b></p> <p><b>(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);</b></p> <p><b>(e) a member of the accounting authority of any national or provincial public entity, or</b></p> <p><b>(f) an employee of parliament or a provincial legislature</b></p> <p><b>“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</b></p>		
3. PERSONAL DETAILS		
3.1. Name of bidder/representative:		
3.2. ID Number:		
3.3. Position in Company:		
3.4. Company Registration Number:	3.5. Tax Reference Number:	3.6. VAT Registration Number:
3.7. The names of all directors/ trustees/ shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.		
QUESTIONNAIRE		
3.8. Are you presently in service of the state?	YES	NO
3.8.1. If YES, please furnish particulars:		
3.9. Have you been in service of the state for the past 12 months?	YES	NO
3.9.1. If YES, please furnish particulars:		

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

3.10. Do you have any relationship (family, friend, other) with persons in service of the state, who may be involved with the evaluation/adjudication of this bid?	YES	NO
3.10.1. If YES, please furnish particulars:		
3.11. Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation /adjudication of this bid?	YES	NO
3.11.1. If YES, please furnish particulars:		
3.12. Any of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?	YES	NO
3.12.1. If YES, please furnish particulars:		
3.13. Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state?	YES	NO
3.13.1. If YES, please furnish particulars:		
3.14. Do you or any of the directors, trustees, managers, principle shareholders or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for his contract?	YES	NO
3.14.1. If YES, please furnish particulars:		
<b>4. DETAILS OF DIRECTORS/TRUSTEES/MEMBERS/SHAREHOLDERS</b>		
<b>FULL NAME</b>	<b>ID NUMBER</b>	<b>STATE EMPLOYEE NUMBER</b>
_____	_____	
<b>Signature</b>	<b>Date</b>	
_____	_____	
<b>Position:</b>	<b>Name of Bidder:</b>	

MBD 6.2

**DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT**

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

This Municipal Bidding Document (MBD) 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)



# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

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:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
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<u>All Steel Products</u>	<u>100%</u>
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3. Does any portion of the goods or services offered have any imported content?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
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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](http://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):

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

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

- 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

- 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.
- 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

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

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 (PPPFA), 2000 (Act No. 5 of 2000).

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

<b>SIGNATURE:</b> _____	<b>DATE:</b> _____
<b>WITNESS No. 1</b> _____	<b>DATE:</b> _____
<b>WITNESS No. 2</b> _____	<b>DATE:</b> _____

**(PLEASE ATTACH ANNEXURE C ALONG WITH THE RETURNABLE DOCUMENTS TO THE BACK OF THIS TENDER DOCUMENT. SCHEDULES SHOULD BE COMPLETED FOR EACH ITEM OFFERED AS PER DTI GUIDLINES)**

Documents can be downloaded from the Municipal website:

<http://www.sbm.gov.za>



**ANNEXURE C**

**SATS 1286.2011**

**Local Content Declaration – Summary Schedule**

NOTE: VAT to be excluded from all calculations

(C1) Tender No.						
(C2) Tender Description						
(C3) Designated product(s)						
(C4) Tender Authority	Saldanha Bay Municipality					
(C5) Name of Tendering Entity						
(C6) Tender Exchange Rate	Pula		EU		GBP	
(C7) Specified local content %						

		Calculation of local content					
Tender Item No's	List of Items	Tender Price – each	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)
1	Repair gate and replace faulty parts						

Tender summary			
Tender Quantity	Total tender value	Total exempted imported content	Total imported content
(C16)	(C17)	(C18)	(C19)
1			
(C20) Total tender value			
(C21) Total Exempt imported content			
(C22) Total Tender value net of exempt imported content			
(C23) Total Imported content			
(C24) Total local content			
(C25) Average local content % of tender			

SIGNATURE OF TENDERER AS PER LOCAL CONTENT DECLARATION

DATE



## MINIMUM THRESHOLD FOR LOCAL CONTENT

The following industries, sectors and sub-sectors have so far been designated for local production with minimum local content thresholds.

Nr. of Sectors designated	Industry/sector/sub-sector	Minimum threshold for local content
1	<b>Buses (Bus Body)</b>	80%
2	<b>Textile, Clothing, Leather and Footwear</b>	100%
3	<b>Steel Power Pylons,</b> Monopole Pylons, Steel Substation Structures, Powerline Hardware, Street Light Steel Poles, Steel Lattice Towers	100%
4	<b>Canned / Processed Vegetables</b>	80%
5	<b>Pharmaceutical Products:</b>	
	<ul style="list-style-type: none"> <li>OSD Tender</li> <li>Family Planning Tender</li> </ul>	<ul style="list-style-type: none"> <li>70% (volumes)</li> <li>50% value</li> </ul>
6	<b>Rail Rolling Stock</b>	65%
7	<b>Set Top Boxes (STB)</b>	30%
8	<b>Furniture Products:</b>	
	<ul style="list-style-type: none"> <li>Office Furniture</li> <li>School Furniture</li> <li>Base and Mattress</li> </ul>	<ul style="list-style-type: none"> <li>85%</li> <li>100%</li> <li>90%</li> </ul>
9	Solar Water Heater Components	70%
10	Electrical and telecom cables	90%
11	Valves products and actuators	70%
12	<b>Residential Electricity Meter:</b>	
	<ul style="list-style-type: none"> <li>Prepaid Electricity Meters</li> <li>Post Paid Electricity Meters</li> <li>SMART Meters</li> </ul>	<ul style="list-style-type: none"> <li>70%</li> <li>70%</li> <li>50%</li> </ul>
13	<b>Working Vessels/Boats (All types):</b>	60%
	<ul style="list-style-type: none"> <li>Components</li> </ul>	<ul style="list-style-type: none"> <li>10% - 100%</li> </ul>
14	Conveyance Pipes	80% - 100%
	<b>Transformers and Shunt Reactors:</b>	
	<ul style="list-style-type: none"> <li>Class 0</li> <li>Class 1</li> <li>Class 2</li> <li>Class 3</li> <li>Class 4</li> </ul>	<ul style="list-style-type: none"> <li>90%</li> <li>70%</li> <li>70%</li> <li>45%</li> <li>10%</li> </ul>
	<ul style="list-style-type: none"> <li>Components and conversion activities</li> </ul>	<ul style="list-style-type: none"> <li>50% - 100%</li> </ul>
15	<b>Solar PV Components:</b>	
	<ul style="list-style-type: none"> <li>Laminated PV Modules</li> <li>Module Frame</li> <li>DC Combiner Boxes</li> </ul>	<ul style="list-style-type: none"> <li>15%</li> <li>65%</li> <li>65%</li> </ul>

**No faxed or emailed quotations will be accepted**

# FORMAL QUOTATIONS

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	<ul style="list-style-type: none"> <li>• Mounting Structure</li> <li>• Inverter</li> </ul>	<ul style="list-style-type: none"> <li>• 90%</li> <li>• 40%</li> </ul>
16	<b>Two Way Radio Terminals and Associated Equipment:</b>	
	<ul style="list-style-type: none"> <li>• Portable Radio</li> <li>• Mobile Radio</li> <li>• Repeater</li> </ul>	<ul style="list-style-type: none"> <li>• 60%</li> <li>• 60%</li> <li>• 60%</li> </ul>
	<ul style="list-style-type: none"> <li>• Components</li> </ul>	<ul style="list-style-type: none"> <li>• 20% - 100%</li> </ul>
17	<b>Rail Signalling:</b>	<ul style="list-style-type: none"> <li>• 65%</li> </ul>
	<ul style="list-style-type: none"> <li>• Components</li> </ul>	<ul style="list-style-type: none"> <li>• 40% - 100%</li> </ul>
18	<b>Wheely Bins:</b>	100%
19	<b>Fire Fighting Vehicle</b>	30%
	<ul style="list-style-type: none"> <li>• Crew Cabin</li> <li>• Super Structure</li> <li>• Assembly</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> </ul>
20	<b>Steel Products and Component for Construction</b>	
21	<b>Steel Value-added Products</b>	
	<ul style="list-style-type: none"> <li>• Fabricated Structural Steel</li> <li>• Joining/Connecting Components</li> <li>• Frames</li> <li>• Roof and Cladding</li> <li>• Fasteners</li> <li>• Wire Products</li> <li>• Ducting and Structural pipework</li> <li>• Gutters, downpipes &amp; lauders</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> </ul>
	<b>Steel Value-added Products</b>	
	<ul style="list-style-type: none"> <li>• Plates</li> <li>• Sheets</li> <li>• Galvanised and Colour Coated Coils</li> <li>• Wire Rod and Drawn Wire</li> <li>• Sections</li> <li>• Reinforcing bars</li> </ul>	<ul style="list-style-type: none"> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> <li>• 100%</li> </ul>

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

**MBD 9**

## **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.
  
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
  
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
  
- 4 This 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.
  
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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.



# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

**MBD 9**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

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(Bid Number and Description)

in response to the invitation for the bid made by:

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(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

## MBD 9

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 consortium<sup>3</sup> 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.

<sup>3</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.

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

**MBD 9**

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

# FORMAL QUOTATIONS

Total Value of Items / Services less than R 30 000.00

## ANNEXURE 1

### DECLARATION OF THE COMPANY ADDRESS

The Supplier must complete the addresses of the company below.

Company Address:

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Company Address:

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Company Address:

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Company Address:

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Company Address:

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Company Address:

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