



public works

Department:  
Public Works  
**PROVINCE OF KWAZULU-NATAL**

**EYESIZWE CONTRACTOR DEVELOPMENT PROGRAMME (ECDP)  
REGISTRATION FORM**

**GRADE 2 - 6**

**NO FAXED OR EMAILED COPIES WILL BE ACCEPTED**

SUPPLIER NAME	.....	
REGISTRATION NUMBER		
<b><u>FOR OFFICIAL USE (ONLY)</u></b>		
CAPTURED BY	Name & Surname	Signature
APPROVED BY	Name & Surname	Signature

**KWAZULU NATAL DEPARTMENT OF PUBLIC WORKS**

**CONTRACTOR DEVELOPMENT DATABASE CHECKLIST**

**Grade 2-6**

<b>THE FOLLOWING DOCUMENTS MUST BE ATTACHED</b>	<b>Y</b>	<b>N</b>	<b>N/A</b>	<b>OFFICE USE</b>
Valid Company Registration Documents				
Certified Copies of Identity Document(s) of Shareholder(s)/member(s)				
Proof of Banking Details/Current Bank statements (three months period)				
Current Bank Rating				
Original Valid Tax Clearance Certificate/Pin and Income Tax Number				
Proof of Valid Registration with CIDB				
Proof of Registration on the (CSD) Central Supplier Database				
Valid Certified BBBEE Certificate/Affidavit/letter from the accountant				
Company Structure and CV of personnel				
List of Completed Projects and Current Projects and minimum of 3 references				
Proof of Physical Address (electricity Bill/ letter from Traditional Council)				
Proof of Disability (where applicable)				
Military force number (where applicable)				
VAT Registration Certificate/Number				
Completed Declaration of interest- SBD 4				
Completed Declaration of bidder's past supply chain management practices- SBD 8				
Completed Declaration of certificate of independent bid determination- SBD 9				

**(Submission of compulsory statutory documents).**

- **Risks analysis is performed to confirm that the applicant:**
  - Is not under any restriction, or has any principles that are under restrictions from participating in public procurement.
  - Can demonstrate that he/she possess the necessary professional and technical competence, financial resources, equipment and other physical facilities, managerial capabilities, reputation and the personnel to perform the contract.
  - Has the legal capacity to enter into a contract.
  - Is not insolvent, in receivership, bankrupt or being wound up, or has its affairs administered by the Court or a Judicial Officer.
  - Does not have conflicts of interest which may impact on his/her ability to perform the contract in the best interest of the employee.

**Failure to submit all the compulsory statutory documents marked with a steric sign will result in your company being disqualified from the programme.**

<b>ADMISSION REQUIREMENTS</b>
*Original Valid Tax Clearance Certificate/Pin and Income Tax Number
*Proof of Valid Registration with CIDB
*Proof of Registration on the CSD (Central Supplier database)
* Declaration of interest (SBD 4)
* Declaration of bidder's past supply chain management practices (SBD 8)
* Declaration of certificate of independent bid determination (SBD 9)
*Valid Company Registration Documents
Certified Copies of Identity Document(s) of Shareholder(s)/member(s)
Letter of Good Standing
List of completed projects and current projects and minimum of 3 references
Valid Certified BBBEE Certificate/Affidavit/letter from the accountant
Proof of business Address(electricity bill/letter from Traditional council)
Company Structure and CV'S of personnel

**FOR OFFICIAL USE (ONLY)**

I acknowledge that this form has been checked by me, and that all the required information and documents have been furnished accordingly			
<b>Name</b>		<b>Surname</b>	
<b>Signature</b>		<b>Date</b>	

## SECTION A: INTRODUCTION, GUIDELINE & KEY POINTS TO REMEMBER

1. ALL APPLICANTS ARE ADVISED THAT ONLY ORIGINAL DPW EYESIZWE CONTRACTOR DATABASE FORMS OR COPIES THEREOF WILL BE PROCESSED. ANY DOCUMENT THAT HAS BEEN RETYPED OR REDRAFTED WILL BE DISREGARDED AND RETURNED TO APPLICANT
2. IT IS IMPERATIVE THAT ALL SUPPORTING DOCUMENTS WITH AN ORIGINAL SIGNATURE BE SUBMITTED.
3. APPLICATIONS WITH COPIED SIGNATURES WILL NOT BE CONSIDERED
4. CONTRACTORS PROVIDING INCORRECT INFORMATION OR FRAUDULENT INFORMATION IN THEIR FORMS WILL BE DISQUALIFIED FROM REGISTERING ON THE DATABASE.
5. ANY ALTERATIONS MADE BY THE CONTRACTOR, TO ITS OWN INFORMATION INSERTED ON THIS DOCUMENT MUST BE INITIALLED BY THE CONTRACTOR.
6. THE CONTRACTORS SHOULD INDICATE ALL GDB GRADES APPLICABLE TO THEIR COMPANIES.
7. IF YOU ARE THE OWNER OR DIRECTOR OF MULTIPLE ENTITIES, YOU HAVE TO ATTEND THE BRIEFING AS PER ADVERT REPRESENTING ONLY ONE ENTITY OF YOUR CHOICE AND SUBMIT YOUR APPLICATION FOR THAT ENTITY ONLY.
8. THE DEPARTMENT WILL ONLY ADMIT MILITARY VETERANS WHO ARE REGISTERED ON THE NATIONAL MILITARY VETERANS DATABASE.
9. THE DEPARTMENT WILL ONLY ADMIT PEOPLE WITH DISABILITY WHO HAVE PROOF OF DISABILITY
10. IT IS THE CONTRACTORS RESPONSIBILITY TO ENSURE THAT THE DEPARTMENT **HAS** THE CORRECT AND VALD INFORMATION AT ALL TIMES.

### THE DEPARTMENT OF PUBLIC WORKS: DISTRICT MUNICIPALITIES (Choose one)

<b>MIDLANDS REGION – MUNICIPALITIES</b>
<b>UThukela District Municipality</b>
<b>UMzinyathi District Municipality</b>
<b>Amajuba District Municipality</b>
<b>NORTH COAST REGION – MUNICIPALITIES</b>
<b>Zululand District Municipality</b>
<b>UThungulu District Municipality</b>
<b>UMkhanyakude District Municipality</b>
<b>SOUTHERN REGION – MUNICIPALITIES</b>
<b>UMgungundlovu District Municipality</b>
<b>Harry Gwala District Municipality</b>
<b>UGu District Municipality</b>
<b>ETHEKWINI REGION – MUNICIPALITIES</b>
<b>EThekwini District Municipality</b>
<b>ILembe District Municipality</b>

## SECTION B: COMPANY INFORMATION

1. Business Particulars**				
Name of Business as per CIPC				
Trading As				
Registration Number				
Type of Business	One Person Business/Sole Proprietor		Partnership	
	Close Corporation		Private Company (Pty) Ltd	
	Other (Specify)			
Physical Address of where the company is based. (This will be used to allocate the contractor a District Forum).				
Building				
Street Name				
Town/Local Municipality				
District Municipality or choose on <b>DPW District Municipality on page 3)</b>				
Ward Number				
Region				
Province		Postal Code		
Postal Address of the company				
Postal Address		Postal Code		
Telephone Number		Fax Number		
Email Address				
Cellular Phone Number		Alternate Number		

<b>Contact Person</b>			
<b>Initials</b>			<b>First Name</b>
<b>Surname</b>			<b>Position</b>
<b>Preferred Method of Correspondence</b>	<b>Post</b>		<b>Language</b>
	<b>SMS</b>		
	<b>Email</b>		
<b>2. FINANCIAL INFORMATION**</b>			
A certified copy of latest bank statement/original cancelled cheque/original letter from the bank must be provided. Proof of banking may not be older than 3 months.			
<b>Name of Bank Account Holder</b>			
<b>Name of Bank</b>			
<b>Type of Account</b>	<b>CURRENT</b>	<b>SAVINGS</b>	<b>TRANSMISSION</b>
<b>Bank Account Number</b>			
<b>Branch Number</b>			
<b>Income Tax Reference Number</b>			
<b>VAT Reg. Number</b>			
<b>NB: An original tax clearance certificate must be supplied</b>			
<b>Tax Clearance Issue Date</b>		<b>Tax Clearance Expiry Date</b>	
<b>NB: A certified copy of the organisation's BEE certificate must be supplied</b>			
<b>BEE Certificate Issue Date</b>		<b>BEE Certificate Expiry Date</b>	
<b>NB: CSD Registration Number from National Treasury and CIDB Copy</b>			
<b>CSD Number</b>		<b>Date Registered</b>	
<b>CIDB /CRS Number</b>		<b>Registration Date</b>	
<b>Expiry Date</b>		<b>Grade</b>	

<b>SECTION C: CIDB GRADING STATUS (Please tick all applicable grades to your company specialization.</b>											
1	200 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ
2	650 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ
3	2 000 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ
4	4 000 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ
5	6 500 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ
6	13 000 000-00	CE	EB	EP	GB	ME	SB	SC	SD	SE	SF
		SG	SH	SI	SJ	SK	SL	SM	SN	SO	SQ

**FOR DEPARTMENT OF PUBLIC WORKS USE:**

<b><u>REF</u></b>	<b><u>DESCRIPTION</u></b>	<b><u>COMPLETED</u></b>					
<b>Annexure</b>	<b>Checklist of all submitted information</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Notes</b>	
A	Management and staff						
B	Schedule of Recently Completed Contracts						
C	Schedule of current contracts						
D	Schedule of Plant & Equipment						
E	Current Supplier References						
F	Minimum of three references from clients, Main Contractors and Consultants on recent projects on the prescribed format						

**ANNEXURE (A)****❖ Management and Staff**

<b>Designation</b>	<b>Male Full time</b>	<b>Female Full time</b>	<b>Total Full time</b>	<b>Male Full time</b>	<b>Female Part time</b>	<b>Total Part time</b>
Owners/Top Management						
Senior Management						
Professionally qualified Staff						
Skilled Administration etc.						
Skilled Staff						
Semi-Skilled Staff						
Unskilled Staff						
Other staff						
Other staff						
TOTALS						



**ANNEXURE (B)****❖ Schedule of Recently Completed Contracts****❖ The contractor shall list below the recent contracts awarded and completed in the last 5 years.** (In the event of insufficient space, kindly attach pages)

<b>NAME OF PROJECT</b>	<b>Employer / Main Contractor / Principal Agent / Architect (Name )</b>	<b>Employer / Main Contractor / Principal Agent / Architect (Tel No &amp; Email Address)</b>	<b>Nature of Work (Trades)</b>	<b>Value of Work (incl. Vat)</b>	<b>Year Completed</b>

**SIGNATURE**..... **DATE:** .....  
(Of person authorized to sign on behalf of the contractor)

## ANNEXURE (C)

- ❖ **Schedule of current Contracts awarded and not yet completed.** The contractor shall list below the contracts awarded and not yet completed. (In the event of insufficient space, kindly attach pages)

NAME OF PROJECT	Employer / Main Contractor / Principal Agent / Architect (Name)	Employer / Main Contractor / Principal Agent / Architect (Tel. No & Email Address)	Nature of Work (Trades)	Value of Work (Inc. VAT)	Date of Projected Completion

**ANNEXURE (D)**

- ❖ **Schedule of Construction Plant & Equipment (Not compulsory)**
- ❖ **Details of Equipment that is owned by the contractor or can be immediately available when required**

DESCRIPTION (type, size, capacity etc.)	Quantity	Year of manufacture	Owned / Hired

**SIGNATURE:** .....  
(Of person authorized to sign on behalf of the contractor)

**DATE:** .....

## ANNEXURE (E)

❖ **Current Suppliers or Potential Supplier References:**[illegible]

**ANNEXURE (F)**

❖ References on work completed

Name of Project	Nature of Project	Project Duration	Year Completed	Name of Client / Project Manager / Main Contractor/ Architect / Principal Agent	Designation	Contact Details

### **GUIDELINES AND VERIFICATION OF INFORMATION**

This form is specifically designed for the registration of emerging contractors on the **EYESIZWE CONTRACTOR DEVELOPMENT PROGRAMME** of the Department of Public Works KZN. In order to ensure that the information supplied is legitimate, it is imperative that the guidelines stated herein are adhered to and that the information supplied is warranted as true before the **COMMISSIONER OF OATH**

STAMP

#### **DECLARATION/AFFIDAVIT:**

**I/WE THE UNDERSIGNED, WHO WARRANTS THAT HE/SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE BUSINESS/COMPANY, CERTIFIES THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT (ECDP APPLICATION FORM) INCLUDING SUPPORTING DOCUMENTATION, EITHER AS PROOF OR ADDITIONAL INFORMATION, IS CORRECT AND ACCURATE.**

Contractors providing incomplete and incorrect (fraudulently or otherwise) information will be disqualified from the registration and the Department of Public Works KZN reserves the right to take legal action against such a company (as registered entity or the undersigned as a legal entity) for any financial prejudice that the Department may suffer as a result of that action.

Only documents with an ORIGINAL signature must be submitted AND all changes made in this form must be initialed.

**SIGNED ON THIS .....DAY OF .....20.....IN.....**

**BEFORE THE COMMISSIONER OF OATHS**

.....  
**SIGNATURE OF THE AUTHORISED REPRESENTATIVE**

.....  
**FULL NAME AND SURNAME IN BLOCK LETTERS**

.....  
**DESIGNATION/TITLE/POSITION**

.....  
**COMPANY/BUSINESS NAME**

Signed and affirmed to, before me at, .....on this.....day of.....200...,

by the deponent who has acknowledged the he/she knows and understands, the contents of this documents, and he/she has acknowledged that he/she has no to affirming, that he/she regards the affirmation to be binding on his/her conscience.

.....

.....

Address:.....

Commissioner: Name and Signature

Capacity and Area

.....

**SECTION E**  
**DECLARATION OF INTEREST**

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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; 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.

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

2.1 Full Name of bidder or his or her representative:

.....

2.2 Identity

Number:.....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>, member):

.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

2.5 Tax

Reference

Number:

.....



2.6 VAT Registration Number:  
 .....

2.6.1 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.

<sup>1</sup>"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.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**  
 presently employed by the state?

2.7.1 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:

.....  
 .....  
 .....  
 .....

2.7.2 If you are presently employed by the state, did you obtain **YES / NO**

the appropriate authority to undertake remunerative  
work outside employment in the public sector?

2.7.2.1 If yes, did you attach proof of such authority to the bid document?

**YES / NO**

(Note: Failure to submit proof of such authority, where  
applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....  
.....  
.....

2.8 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?

**YES / NO**

2.8.1 If so, furnish particulars:

.....  
.....  
.....

2.9 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?

**YES / NO**

2.9

2.10 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?

**YES / NO**

of this bid?

2.10.1 If so, furnish particulars.

.....  
.....  
.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES / NO**  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....  
.....  
.....

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number

**4 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 SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

.....

**Signature**

.....

**Date**

.....

**Position**

.....

**Name of bidder**

## **5. 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 SHOULD THIS  
DECLARATION PROVE TO BE FALSE.

## T2.15 DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bid's invited.
- 2 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.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have:
  - abused the institution's supply chain management system;
  - committed fraud or any other improper conduct in relation to such system;
  - or failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question		
4.1	<p><i>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?</i></p> <p><b>(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).</b></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	<p><i>If so, furnish particulars:</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
4.2	<p><i>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)?</i></p> <p><i>To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, 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.</i></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	<p><i>If so, furnish particulars:</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
4.3	<p><i>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?</i></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	<p><i>If so, furnish particulars:</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		
4.4	<p><i>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?</i></p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	<p><i>If so, furnish particulars:</i></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		

**5 CERTIFICATION**

I the undersigned (*full name*) \_\_\_\_\_  
certify that the information furnished on this declaration is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of authorised representative	Signature	Date	Position

## **SBD 9**

### **CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Standard Bidding Document (SBD) must form part of all bids/quotes<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 *per se* prohibition meaning that it cannot be justified under any grounds.
- 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.
- 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.
- 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:

<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. 2

## **SBD 9**

### **CERTIFICATE OF INDEPENDENT QUOTATION/PROPOSAL DETERMINATION**

I, the undersigned, in submitting the accompanying quote:

---

(Quote Number and Description)

in response to the invitation for the quote 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)

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 3



## **SBD 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. <sup>4</sup>

**SBD 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

Js914w 2