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REQUEST FOR QUOTATION (RFQ)

RFQ	**RFQ/LOG/2022/183**
RFQ ISSUE `DATE	**22 NOVEMBER 2022**
RFQ DESCRIPTION	**APPOINTMENT OF A SUITABLE SERVICE PROVIDER TO SERVICE ROTARY-VANE AIR COMPRESSORS AT RADIO AND TV CAMPUSES FOR A PERIOD THREE (3) YEARS.**
NON-COMPULSORY BRIEFING SESSION	**VIRTUAL BRIEFING SESSION ON MICROSOFT TEAMS** **28 NOVEMBER 2022 @10HOO – 11H00AM** **Join on your computer, mobile app or room device** Click here to join the meeting
CLOSING DATE & TIME	**5 DECEMBER 2022 At 12H00PM**

Submissions must be emailed to: SABC RFQSubmissions@sabc.co.za :on or before the closing date of this RFQ.
PLEASE NOTE THAT AS FROM 01 JULY 2016 COMPANIES THAT ARE NOT REGISTERED WITH CSD SHALL NOT BE CONSIDERED
The Tenderer shall have a CIDB Grading of minimum 3ME or Higher. The Tenderer shall provide a valid certificate at the time of closing and at the time of award.
For queries, please contact **Blonde Ngoepe on email** tenderqueries@sabc.co.za
The SABC requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. Late and incomplete submissions will invalidate the quote submitted.

SUPPLIER NAME: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

FAX NO.: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

South African Broadcasting Corporation SOC Limited: Registration Number: 2003/023915/30
ecutive Directors: Mr M T Mxakwe (Group Chief Executive Officer); Mr I C Plaatjes (Chief Operations Officer); Ms Y van Biljon (Chief Financial Officer);
mpany Secretary: Ms L V Bayi

NOTES ON QUOTATIONS AND PROPOSALS SUBMISSION

1. All electronic submissions must be submitted in a **PDF** format that is protected from any modifications, deletions, or additions.
2. Financial/pricing information must be presented in a **separate** attachment from the Technical / Functional Response information.
3. The onus is on the Bidder to further ensure that all mandatory and required documents are included in the electronic submission.
4. All submissions should be prominently marked with the following details in the email subject line:

- **RFQ Number and bidders' name.**

5. Bidders are advised to email electronic submissions at least thirty minutes before the bid closing time to cater for any possible delay in transmission or receipt of the bid. The onus is on bidder to ensure that the bid is submitted on time via email
6. Tender submission emails received after submission date and time will be considered late bid submissions and will not be accepted for consideration by SABC.
7. SABC will not be responsible for any failure or delay in the email transmission or receipt of the email including but not limited to:
    - receipt of incomplete bid
    - file size
    - delay in transmission receipt of the bid
    - failure of the Bidder to properly identify the bid
    - illegibility of the bid; or
    - Security of the bid data.

- **NB: THE BIDDER SHOULD ENSURE THAT LINKS FOR WETRANSFER AND GOOGLE DROP BOX EXPIRE AFTER 30 DAYS OF THEIR SUBMISSIONS INSTEAD OF SEVEN DAYS.**

FIRST PHASE – PREQUALIFICATION CRITERIA: MANDATORY DOCUMENTS

All bid respondents must submit mandatory documents that comply with all mandatory requirements. Bids that do not fully comply with the mandatory requirements will be disqualified and will not be considered for further evaluation.

1.	2. MANDATORY REQUIREMENT	COMPLY/ NOT COMPLY
1.	**Active registration and valid minimum grading with the Construction Industry Development Board (CIDB) of 3ME or Higher *(Provide proof)*** ***NB! The Tenderer shall provide a valid and active certificate at the time of closing and at the time of award.***	

NON-SUBMISSION OF THE MANDATORY DOCUMENTS WILL RESULT IN AUTOMATIC DISQUALIFICATION.

REQUIRED DOCUMENTS

1.1 Submit proof of CSD Registration (Bidder must be registered with CSD to do business with the SABC)

1.2 Proof of Valid TV License Statement for the Company; all active Directors and Shareholder must have valid TV Licenses.
(Verification will also be done by the SABC internally).

1.3 Valid SARS Tax Compliance Status Pin Issued to validate supplier's tax matters.

1.4 Original or Certified copy of Valid BBBEE Certificate (from SANAS accredited Verification Agency)

1.5 All EME's and 51% black Owned QSE's are only required to obtain a **sworn affidavit** on an annual basis, confirming the following.
1.4.1Annual Total Revenue of R10 Million or less (EME) or Revenue between R10 Million and R50 Million for QSE
1.4.2 Level of Black Ownership

Note 1:

Verification Agencies and Auditors who are accredited by the IRBA (Independent Regulatory Board for Auditors) are no longer the 'approved regulatory bodies' for B-BBEE verification and therefore IRBA auditors are not allowed to issue B-BBEE certificates after 30 September 2016.

Note 2:

Any misrepresentation in terms of the above constitutes a criminal offence as set out in the B-BBEE act as amended.

1.6 Certified copy of Company Registration Document that reflect Company Name, Registration number, date of registration and active Directors or Members.

1.7 Certified copy of Shareholders' certificates.

1.8 Certified copy of ID documents of the Directors or Members.

NB: NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TAX MATTERS ARE NOT IN ORDER.

NO CONTRACT WILL BE AWARDED TO ANY BIDDERS WHO'S TV LICENCE STATEMENT ACCOUNT IS NOT VALID.

DETAILED TECHNICAL SPECIFICATION

1. BACKGROUND

The Rotary vane compressor provide 6bar compressed air that is used to operate (open/close) the pneumatic operated valves actuators. Therefore, these compressors play a critical role in the circulation of chilled air to various part of the building and directing spent air back to the air-handling unit to be re-introduced into the conditioned space.

2. BUSINESS REQUIREMENTS SERVICE

- Carry out minor service at every 2000hrs/3months interval and one annual major service. They must also provide the service report outlining the status/condition of each machine.
- The service provider must offer 24/7 on-call maintenance and repair service and the technician must be onsite within 2 hours from the time the call is lodged.

Radio Campus Rotary-vane Air Compressors

- **K4 Plant Compare HV15 Rotary-vane Compressor**: (Model No: V15 ACE08 – 4035S 700, Serial No: V15-001922-1508)
- **Central Plant HV 11 Rotary-vane Compressor**: (Model No: V11 PEAS08 – 4035 S000, Serial No: HV11- 000081 – 1112)
- **Central Plant HV15 Rotary-vane Compressor**: (Model No: V15 ACE08 – 4035 S600, Serial No: V15 – 001727 – 1310)

TV Campus Rotary-vane Air Compressors

- **Main Plant CompAir Rotary-vane Compressor** No. 1 (Model No: V22ACE08 – 4035S600, Serial No: V22 - 002022 – 1605)
- **Main Plant CompAir Rotary-vane compressor** No.2 (Model No: V22ACE08 – 4035S500, Serial No: V22 - 001957 – 1507)

3. THE SCOPE OF SERVICE

The project scope includes the following:

Annual / Yearly Service Scope of Work (Major Service)

- Check/torque electrical connections
- Check servo pressure off load
- Check rotor stator unit (rsu) temperature
- Check oil temperature
- Change oil filter
- Check power on load

- Clean the condenser fins (dryer)
- Check oil level at filter plug/sight glass
- Check power off load
- Site dust free ambient
- Site- ambient temperature within limit
- Site- adequate ventilation
- Check compressor electrical absorption
- Check motor gland/cables secure
- Check for air leaks
- Change mineral oil
- Check for motor damage
- Cull operational test/check
- Change vacuum valve seals
- Change minimum pressure valve (mpv) seals
- Change unloader valve seals
- Check for oil leaks
- Change air intake filter
- Clean solenoids
- Clean any external dirt from motor
- Clean any external dirt from compressor
- Clean combi cooler matrix
- Check drive media
- Check oil seal for leakage
- Check flexible oil pipes
- Check motor vibration
- Check motor cables and earth
- Check for lose connections
- Change combi cooler/cabinet filter
- Change flexible pipes
- Replace fan pressure switch (dryer)
- Complete disassembly of drain and cleaning of components (dryer)
- Replace filter element (dryer)
- Check starter contractors
- Change thermal motor
- Grease motor bearings if applicable
- Change synthetic oil
- Change separator element/s

- Replace high dew point temperature sensor
- Replace fan contactor

Six-Monthly Service Scope of Work (Minor Service)

- Check/torque electrical connections
- Check servo pressure off load
- Check rotor stator unit (rsu) temperature
- Check oil temperature
- Change oil filter
- Check power on load
- Clean the condenser fins (dryer)
- Check oil level at filter plug/sight glass
- Check power off load
- Site dust free ambient
- Site- ambient temperature within limit
- Site- adequate ventilation
- Check compressor electrical absorption
- Check motor gland/cables secure
- Check for air leaks
- Change mineral oil
- Check for motor damage
- Full operational test/check
- Change vacuum valve seals
- Change minimum pressure valve (mpv) seals
- Change unloader valve seals
- Check for oil leaks
- Change air intake filter
- Clean solenoids
- Clean any external dirt from motor
- Clean any external dirt from compressor
- Clean combi cooler matrix
- Check drive media
- Check oil seal for leakage
- Check flexible oil pipes
- Check motor vibration
- Check motor cables and earth
- Check for lose connections

- Change combi cooler/cabinet filter
- Change flexible pipes
- Replace fan pressure switch (dryer)
- Complete disassembly of drain and cleaning of components (dryer)
- Replace dryer filter element
- Check starter contractors
- Change thermal motor
- Grease motor bearings if applicable
- Change synthetic oil
- Change separator element/s

- Replace high dew point temperature sensor
- Replace fan contactor

N.B.! Service providers need to provide a comprehensive service report stating the status of the of each compressor, what anomaly was found, how it was rectified or what needs to be done.

4. Contract Documentation

- **Duration of the Contract- Three (3) Years**
- **Location of site-** ***SABC Auckland Park***

5. RFQ Response Information

Effective Date of Bid

Vendors must state in writing in their quotation to the SABC that all provided information, including price, will be valid and applicable for 90 days from the date the vendor quotation is received by the SABC.

6. COSTING

The quotation must reflect a detailed cost breakdown, and any indirect costs associated with the delivery of the required service. ***The RFQ rates shall be fixed and remain firm for the duration of the contract.***

NB! Please see Annexure E BOQ for Major Service (Annual Service)

7. EVALUATION CRITERIA

7.1 BBBEE and Price

The RFQ responses will be evaluated on the 80/20-point system

7.2 Technical Evaluation

7.2.1 The tender submission will be technically evaluated out of **80 points**

7.2.2 A threshold of **50** out of **80** has been set.

7.2.3 All bidders achieving less than the set threshold of **50 points out of 80** points will not proceed to the next phase and not be evaluated for BBBEE & Price.

7.2.4 SABC further reserve the right not to award this RFQ to any bidder based on the proven poor record of accomplishment of the bidder in previous projects within the SABC.

7.2.5 ***Bidder's non-compliance to this mandatory requirement will be declared non-responsive.***

FIRST PHASE: PAPER BASED EVALUATION CRITERIA

Evaluation Area	Evaluation Criteria	Max Points	Min Points
Turnaround time	**Indicate the turnaround time for services & repairs:** • 0 – 2 days (10) • 3 – 5 days (5) • **More than 5 days (0)**	10	5
Warranty on repairs	**Clearly indicate the warranty period** • **No warranty (0)** • 0-6 months (5) or • 7 - 12 months (10)	10	5
Capacity to provide service	**Bidder to inform in detail on existing capacity of the following:** • Mobile workshop for services and repairs (**Reference business vehicles and equipment)** (10) • Availability of the following emergency responses (5) ➢ emergency contact number provided = 5 ➢ **turnaround time = 5** ○ less than 1 hr. = 3 ○ Less than 2 hrs. = 2 ○ **more than 2 hours = 0**	20	20
Service Provider Relevant Experience in rotary-vane compressors maintenance	**Bidder to provide proof of industry experience.** • Experience of 5 years or more (10). Less than 5 years (0) • Provide reference letters from at least 3 clients. (10) • **Less than 3 clients. (0)** ***NB! Letters of reference must be on the letterhead of the client, be duly signed, have a contract duration & contact details with the name of the contact person.***	20	10
Legal Compliant Safety File	**Bidder to provide a legal compliant safety file containing the following:** • Letter of good standing (5) • Risk Assessments (5) • Emergency plan (5) • Company health & safety plan (5)	20	10
TOTAL		**80**	**50**

8. ADJUDICATION USING A POINT SYSTEM

8.1. The bidder obtaining the highest number of total points will be awarded the contract

8.2. Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.

8.3. In the event that two or more bids have scored equal points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.

8.4. However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality

8.5. Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

9. POINTS AWARDED FOR PRICE

THE 80/20 PREFERENCE POINT SYSTEMS

A maximum of 80 points is allocated for price on the following basis:

80/20

$$Ps = 80\left(1 - \frac{Pt - P\min}{P\min}\right)$$

Where

Ps = Points scored for comparative price of bid under consideration

Pt = Comparative price of bid under consideration

Pmin = Comparative price of lowest acceptable bid

BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

B-BBEE Status level of Contributor	Number of points (80/20 point system)
1	20
2	18
3	14
4	12
5	8

6	**6**
7	**4**
8	**2**
Non-compliant contributor	**0**

9.1. Bidders who qualify as EME's in terms of the B-BBEE Act must submit a certificate issued by a verification Agency accredited by SANAS for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates or DTI Affidavit.

9.2. Bidders other than EMEs must submit their original and valid B-BBEE status levels verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a verification agency accredited by SANAS.

9.3. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate

9.4. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

9.5. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

9.6. A tenderer will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend 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 bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.

9.7. 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 equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

10. COMMUNICATION

Respondents are warned that a response will be disqualified should any attempt be made by a tenderer either directly or indirectly to canvass any officer(s) or employees of SABC in respect of a RFQ, between the closing date and the date of the award of the business. **All enquiries relating to this RFQ should be emailed two days before the closing date.**

11. CONDITIONS TO BE OBSERVED WHEN TENDERING

11.1. The Corporation does not bind itself to accept the lowest or any tender, nor shall it be responsible for or pay any expenses or losses which may be incurred by the Tenderer in the preparation and delivery of his tender. The Corporation reserves the right to accept a separate tender or separate tenders for any one or more of the sections of a specification. The corporation also reserves the right to withdraw the tender at any stage.

11.2. No tender shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

11.3. The Corporation reserves the right to:

11.3.1 Not evaluate and award tenders that do not comply strictly with this tender document.

11.3.2 Make a selection solely on the information received in the tenders and

11.3.3 Enter into negotiations with any one or more of preferred Tenderer(s) based on the criteria specified in the evaluation of this tender.

11.3.4 Contact any Tenderer during the evaluation process, in order to clarify any information, without informing any other Tenderers. During the evaluation process, no change in the content of the tender shall be sought, offered or permitted.

11.3.5 Award a contract to one or more Tenderer(s).

11.3.6 Accept any tender in part or full at its own discretion.

11.3.7 Cancel this RFQ or any part thereof at any time.

11.3.8 Should Tenderer(s) be selected for further negotiations, they will be chosen on the basis of the greatest benefit to the Corporation and not necessarily on the basis of the lowest costs.

11.4 SABC shall not be liable for any loss or injuries or damages or death of the bidder representative while travelling for SABC auction business.

12. COST OF BIDDING

The Tenderer shall bear all costs and expenses associated with preparation and submission of its tender or RFQ, and the Corporation shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection process.

13. PAYMENT TERMS

SABC will effect payment sixty (60) days after the service provider has submitted an invoice.

Annexed to this document for completion and return with the document:

Annexure A	-	Declaration of Interest
Annexure B	-	Consortiums, Joint Ventures and Sub-Contracting Regulations
Annexure C	-	Previous completed projects/Current Projects
Annexure D	-	SBD 8 & 9 Forms
Annexure E	-	**BOQ for Major Service (Annual Service)**

ANNEXURE A

DECLARATION OF INTEREST

1. Any legal or natural person, excluding any permanent employee of SABC, may make an offer or offers in terms of this tender invitation. In view of possible allegations of favouritism, should the resulting tender, or part thereof be awarded to-

   (a) any person employed by the SABC in the capacity of Tenderer, consultant or service provider; or
   (b) any person who acts on behalf of SABC; or
   (c) any person having kinship, including a blood relationship, with a person employed by, or who acts on behalf of SABC; or
   (d) any legal person which is in any way connected to any person contemplated in paragraph (a), (b) or (c),

   it is required that:

   The Tenderer or his/her authorised representative shall declare his/her position *vis-à-vis* SABC and/or take an oath declaring his/her interest, where it is known that any such relationship exists between the Tenderer and a person employed by SABC in any capacity.

   Does such a relationship exist? [YES/NO]
   If YES, state particulars of all such relationships (if necessary, please add additional pages containing the required information):

	[1]	[2]
NAME	:……..…….…..	
POSITION	:…….…….……..	
OFFICE WHERE EMPLOYED	:…….……..…	
TELEPHONE NUMBER	:…….……..…	
RELATIONSHIP	:……..……..……..	

2. Failure on the part of a Tenderer to fill in and/or sign this certificate may be interpreted to mean that an association as stipulated in paragraph 1, *supra,* exists.

3. In the event of a contract being awarded to a Tenderer with an association as stipulated in paragraph 1, *supra*, and it subsequently becomes known that false information was provided in response to the above question, SABC may, in addition to any other remedy it may have:
   - recover from the Tenderer all costs, losses or damages incurred or sustained by SABC as a result of the award of the contract; and/or
   - cancel the contract and claim any damages, which SABC may suffer by having to make less favourable arrangements after such cancellation.

SIGNATURE OF DECLARANT	TENDER NUMBER	DATE

POSITION OF DECLARANT	NAME OF COMPANY OR TENDERER

ANNEXURE B

CONSORTIUMS, JOINT VENTURES AND SUB-CONTRACTING REGULATIONS

1. CONSORTIUMS AND JOINT VENTURES

1.1 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

1.2 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate tender.

2 SUB-CONTRACTING

2.1 A person awarded a contract may only enter into a subcontracting arrangement with the approval of the organ of state.

2.2 A person awarded a contract in relation to a designated sector, may not subcontract 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.

2.3 A person awarded a contract may not subcontract 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 of contributor than the person concerned, unless the contract is subcontracted to an EME that has the capability and ability to execute the subcontract.

3 DECLARATION OF SUB-CONTRACTING

3.1 Will any portion of the contract be sub-contracted? YES / NO

3.2 If yes, indicate:

3.2.1 The percentage of the contract will be sub-contracted …….....%

3.2.2 The name of the sub-contractor .....

3.2.3 The B-BBEE status level of the sub-contractor.....

3.2.4 whether the sub-contractor is an EME YES / NO

SIGNATURE OF DECLARANT	TENDER NUMBER	DATE

POSITION OF DECLARANT	NAME OF COMPANY OR TENDERER

ANNEXURE "C"

Previous completed projects *(preferably provide a detailed company profile, detailed the below mentioned information)*

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completed date

Current projects (preferably provide a detailed company profile, detailed the below mentioned information)

Project Descriptions	Client	Contact no	Contact person	Email address	Period of projects	Value of projects	Project Commence date	Completion date

ANNEXURE ‘’D’’

SBD 8

DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Standard Bidding Document must form part of all bids 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-

a. abused the institution’s supply chain management system;
b. committed fraud or any other improper conduct in relation to such system; or
c. 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	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury’s Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? **(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied).** The Database of Restricted Suppliers now resides on the National Treasury’s website(**www.treasury.gov.za**) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury’s website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.**	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

SBD 8

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME) ……
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM 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.

……...	**……..**
Signature	**Date**
……	**……..**
Position	**Name of Bidder**

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (SBD) must form part of all bids[1] 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).[2] Collusive bidding is a *pe 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:

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

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

_____

(Bid Number and Description)

in response to the invitation for the bid made by:

_____

(Name of Institution)

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

I certify, on behalf of:_____that:

(Name of Bidder)

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

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[3] will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
    (a) prices;
    (b) geographical area where product or service will be rendered (market allocation)
    (c) methods, factors or formulas used to calculate prices;
    (d) the intention or decision to submit or not to submit, a bid;
    (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
    (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

[3] Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

ANNEXURE E

YEAR 1

Service Kit #	Part #	Description	Qty	Rate	Total
KM1122E	100001611	AIR FILTER ELEMENT	1		
KM1122E	57562	FILTER OIL 128/178	1		
KM1122E	75062	FILTER MEDIA	2		
KM1122E	75961	1MPV FACING VERTICAL 11/15 kW	1		
KM1122E	77049	MPV FACE SEAT PART OF 35044	1		
KM1122E	A13010174	AIR-OIL SEPAR. BOX #QR#	1		
KH1122	A51129874	ELEMENT CE0036N B / E	1		
KH1122	CC1081885	CARTON - 210X210X80 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1081900	CARTON - 205X205X275 **(***HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT***)	1		
KH1122	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		

KH1122	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CZ9617	BONDED SEAL-5/8	1		
KM1122E	CZ9619	BONDED SEAL-3/4 WAS 9619	2		
KM1122E	CZ9624	BONDED SEAL-1	1		
KM1122E	CZ9753	O'-RING (0166-24) VITON	1		
KM1122E	ST16149	CLEAR RESEALABLE BAG PLASTIC DISPOSAL	1		
KSVNR-60	56647/C103	SOLID BOARD REVERSE TUCK IN ENDS - 2 COL	1		
KSVNR-60	73215	R1/8-6MM-PUSH IN ELBOW	2		
KSVSD	73215	R1/8-6MM-PUSH IN ELBOW	4		
KSVSD	73841	SOLENOID VALVE 711 24V	1		
KSVSD	74377	SOLENOID VALVE 24V N/C	1		
KSVNR-60	CZ75821	SOLENOID VALVE N.O.	1		
KSVNR-60	ST16148	PREMIUM STICKER	1		
KSVSD	ST16151	THREADSEAL RED TUBE TRULOCK 777	1		
KSVSD	ST214671	TUBE 6MM NYLON	1,5		

% Mark – up on Spares				
Labour Rate per Hour				
Saturday Rate per Hour				
Sunday Rate per Hour				

YEAR 2

Service Kit #	Part #	Description	Qty	Rate	Total
KM1122E	100001611	AIR FILTER ELEMENT	1		
KM1122E	57562	FILTER OIL 128/178	1		
KM1122E	75062	FILTER MEDIA	2		
KM1122E	75961	1MPV FACING VERTICAL 11/15 kW	1		
KM1122E	77049	MPV FACE SEAT PART OF 35044	1		
KM1122E	A13010174	AIR-OIL SEPAR. BOX #QR#	1		
KH1122	A51129874	ELEMENT CE0036N B / E	1		
KH1122	CC1081885	CARTON - 210X210X80 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1081900	CARTON - 205X205X275 **(***HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT***)	1		

KH1122	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KH1122	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CZ9617	BONDED SEAL-5/8	1		
KM1122E	CZ9619	BONDED SEAL-3/4 WAS 9619	2		
KM1122E	CZ9624	BONDED SEAL-1	1		
KM1122E	CZ9753	O'-RING (0166-24) VITON	1		
KM1122E	ST16149	CLEAR RESEALABLE BAG PLASTIC DISPOSAL	1		
KSVNR-60	56647/C103	SOLID BOARD REVERSE TUCK IN ENDS - 2 COL	1		
KSVNR-60	73215	R1/8-6MM-PUSH IN ELBOW	2		
KSVSD	73215	R1/8-6MM-PUSH IN ELBOW	4		
KSVSD	73841	SOLENOID VALVE 711 24V	1		
KSVSD	74377	SOLENOID VALVE 24V N/C	1		
KSVNR-60	CZ75821	SOLENOID VALVE N.O.	1		
KSVNR-60	ST16148	PREMIUM STICKER	1		
KSVSD	ST16151	THREADSEAL RED TUBE TRULOCK 777	1		

KSVSD	ST214671	TUBE 6MM NYLON	1,5		
% Mark – up on Spares					
Labour Rate per Hour					
Saturday Rate per Hour					
Sunday Rate per Hour					

YEAR 3

Service Kit #	Part #	Description	Qty	Rate	Total
KM1122E	100001611	AIR FILTER ELEMENT	1		
KM1122E	57562	FILTER OIL 128/178	1		
KM1122E	75062	FILTER MEDIA	2		
KM1122E	75961	1MPV FACING VERTICAL 11/15 kW	1		
KM1122E	77049	MPV FACE SEAT PART OF 35044	1		
KM1122E	A13010174	AIR-OIL SEPAR. BOX #QR#	1		
KH1122	A51129874	ELEMENT CE0036N B / E	1		
KH1122	CC1081885	CARTON - 210X210X80 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1081900	CARTON - 205X205X275 **(***HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KM1122E	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT***)	1		

KH1122	CC1082277	LABEL - 100X150 (*HYDROVANE BRANDED* ***OR EQUIVALENT)***	1		
KH1122	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CC1093073	KIT QRC LABEL BLANK	1		
KM1122E	CZ9617	BONDED SEAL-5/8	1		
KM1122E	CZ9619	BONDED SEAL-3/4 WAS 9619	2		
KM1122E	CZ9624	BONDED SEAL-1	1		
KM1122E	CZ9753	O'-RING (0166-24) VITON	1		
KM1122E	ST16149	CLEAR RESEALABLE BAG PLASTIC DISPOSAL	1		
KSVNR-60	56647/C103	SOLID BOARD REVERSE TUCK IN ENDS - 2 COL	1		
KSVNR-60	73215	R1/8-6MM-PUSH IN ELBOW	2		
KSVSD	73215	R1/8-6MM-PUSH IN ELBOW	4		
KSVSD	73841	SOLENOID VALVE 711 24V	1		
KSVSD	74377	SOLENOID VALVE 24V N/C	1		
KSVNR-60	CZ75821	SOLENOID VALVE N.O.	1		
KSVNR-60	ST16148	PREMIUM STICKER	1		
KSVSD	ST16151	THREADSEAL RED TUBE TRULOCK 777	1		

KSVSD	ST214671	TUBE 6MM NYLON	1,5		
% Mark – up on Spares					
Labour Rate per Hour					
Saturday Rate per Hour					
Sunday Rate per Hour					