



REQUEST FOR QUOTATION / RFQ: MUT 561/2024

Procurement of a CIDB Graded 1-4CE (only) Basic Road Maintenance + Construction Services Panel: MUT-Wide Contract for a Period Not Exceeding 6 Months Required

Business Unit: Maintenance - Building	RFQ Number: RFQ: MUT 561/2024
Requester: (Technical Enquiries): Mr Jabulani Ellenson Contact No: (031) 907 7109 Email: jabulani@mut.ac.za	Buyer (SCM Enquiries): Ms Nosipho Mzimela Contact No: (031) 907 9535 Email: procurement5@mut.ac.za
Compulsory Briefing Session	N/A
Invite date	12 August 2024
Closing date: 22 August 2024 Closing Time: 11h00	Submit this RFQ via e-mail ONLY, to: procurement5@mut.ac.za & state RFQ MUT 561/2024 in the e-mail subject line.
RFQ Validity Period: 90-days	Payment Terms: 30 days in arrears after receipt of a valid tax invoice.
NB: Clarification questions to be directed by e-mail to both the MUT Requester & Buyer ONLY.	

Bidder's Information:

▪ Bidder's Name:	
▪ Contact Number:	
▪ Name & Surname of Authorized Person:	
▪ E-mail:	
▪ Company Registration Number:	

RFQ TERMS OF REFERENCE:

1. Bidders must submit all necessary documents and complete all forms and questionnaires contained in this RFQ in full. MUT applies the two-stage process of evaluating tenders, namely functionality and price/B-BBEE component.
2. Pricing: do not show separately.
3. Bidders responding to this quotation are deemed to do so, on the basis that they acknowledge and accept all Terms of Reference of this quotation.
4. The 90-day validity period may not be extended unless otherwise stated by the bidder.
5. Incomplete or late submissions will not be evaluated.
6. Return quotations to the email address provided herein before closing date and time.

Instruction:

The bidder's information block must be filled out in full, signed by authorized personnel adhering to the closing date. The supplier must carefully read the instructions and the terms of reference of this document. Failure to adhere to these instructions and terms of reference may result in the disqualification of the submission.

WHAT IS MUT LOOKING FOR?

The MUT Maintenance Department seeks to appoint a maximum of 4 (four) CIDB graded 1-4CE contractors (only) to carry out road maintenance and construction services (OPEX & CAPEX) as and when required, MUT-wide.

Specification:

Reference is made to the "Mandatory Criteria", "Functionality Criteria" and "Pricing Schedule" and "B-BBEE Criteria" pertaining the procurement of performance driven road maintenance and construction services for a contract period not exceeding 6-months. The CIDB Act 38 of 2000 refers in respect of tender thresholds for 1-4CE graded contractors versus the budget for this rate-based and fixed-fee contract.

Scope of Work:

The outsourced road maintenance and construction services contract scope of work will entail the provision of:

1. Ad-hoc and routine Maintenance Services,
2. Planned Preventative Maintenance Services,
3. Risk-based and Emergency Maintenance Services.

Legend:

- CE = Civil Engineering
- CIDB = Construction Industry Development Board
- OPEX = Operating Expenditure
- CAPEX = Capital Expenditure
- OSHERQ = Occupational, Safety, Health, Environmental, Risk & Quality [Management

THE BIDDER:

STAGE 1: MANDATORY CRITERIA	
<p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▪ Failure to submit and meet the mandatory evaluation criteria will lead to disqualification. ▪ The successful 4 CIDB graded 1-4CE bidders will be required to submit contract specific SHE Files (for MUT's approval) within 5 workdays of receiving letters of award, prior to any work being carried out. 	
<p>The below valid and verifiable documents are required:</p> <ul style="list-style-type: none"> ▪ Bid Document - All pages must be completed and signed where signature is applicable by the Bidder. ▪ Completed Pricing Schedule ▪ Company Registration Documents / CIPC Certificate ▪ SARS Tax Pin ▪ Certified ID Copies of all Company Directors ▪ Board/Directors Resolution or Proxy (If not Sole Proprietor) ▪ Proof of Bank Account. ▪ CIDB 1-4CE Grade Certificates ONLY ▪ Public liability cover to the value of R1 000 000.00. 	

The following tables set out the evaluation and scoring matrix for the functionality criteria, for each outsourced resource.

ROAD MAINTENANCE AND CONSTRUCTION ARTISAN-DRIVER (x1) AND ARTISANS (x3)

STAGE 2: FUNCTIONALITY EVALUATION CRITERIA	SCORING
<p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▪ The information required must be submitted in the forms below ONLY, i.e., detailed, complete and signed CV templates for the key resources that will be assigned to the MUT contract as a Road Maintenance and Construction Artisan-Driver and Artisans. Failure to comply with this requirement will lead to disqualification. ▪ Failure to submit and meet the functionality evaluation criteria will lead to zero points being awarded to the bidder. Minimum qualifying points refer. Bidders are encouraged to submit their resources' full CVs as well for additional information that may assist MUT to further assess their capacity. ▪ Whilst it's not stated herein that it is mandatory for Road Maintenance and Construction Assistants to undergo formal and accredited OH&S training in respect of safe work procedures, the bidder will be required to provide proof that they have undergone internal training. ▪ It is <u>mandatory</u> for all successful bidders to source all Assistants for this contract from Umlazi Wards 88 & 89 ONLY. The successful bidders will be required to provide MUT with letters issued by the Ward 88 & 89 Councillors to serve as proof of residency by the Assistant Artisans in these two Wards. Letters of award to successful bidders will therefore be issued by MUT on a stringent condition that all successful bidders must meet this criterion. Failure to provide such proof within 5 workdays of being issued with a letter of award will lead to the bidder's appointment being rescinded with immediate effect via written communication. 	
<p>Purpose of the role (Artisan-Driver):</p> <ul style="list-style-type: none"> ▪ A dual role which carries the responsibility of transporting the bidder's team/s to and from MUT as well as sourcing and procuring material from suppliers, but also provide road maintenance and construction services in between. 	
<p>Compulsory Qualification/s: The following certified copies are required for each of the 4 key resources:</p> <ul style="list-style-type: none"> ▪ RSA IDs (x4 Artisans) ▪ Accredited civil engineering trade test certificates (x4 Artisans) ▪ SAQA accredited NQF level 2 certificates for road maintenance and construction (x2 Artisans) ▪ DoL, QCTO, HWSeta & SAIOSH accredited and endorsed OH&S certificates, based on the SAQA curriculum, in respect of all safe work procedures that relate to the full provision of this contract's deliverables, e.g., working at heights, first aid, firefighting, etc. If not already acquired, the bidder must provide a Pro-forma Invoice from an accredited training provider verifying that the 1 x Artisan-Driver and 3 x Artisans will complete the requisite training within 5 workdays of receiving a letter of award. This forms part of the required SHE File. ▪ Valid unendorsed Code 10 driver's license with a PDP for the Artisan-Driver 	<p>4 Points 4 Points 2 Points 4 Points 1 Point</p>

<p>Compulsory Experience / expertise:</p> <ul style="list-style-type: none"> ▪ 5 or more years road maintenance and construction experience after attaining trade test certificates. ▪ 2 or more years road maintenance and construction experience after attaining trade test certificates. ▪ No road maintenance and construction experience after attaining trade test certificates. 	<p>2 Points</p> <p>1 Points</p> <p>0 Points</p>
<p>Compulsory Equity Target: To promote diversity within the institution and the service providers MUT partner with, particularly in the MUT Maintenance Department's high-paced work environment which is dominated by males from the Baby Boomer Generation to Generation X, to bridge the generational gap preference will be given to resources that meet the below criteria:</p> <ul style="list-style-type: none"> ▪ Gender and age group: 1 x Female Artisan (Millennial ONLY) <p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▪ Failure to meet this criterion will lead to the bidder's submission being disadvantaged. ▪ The 1 x Artisan-Driver and 2 x Artisans can be energetic resources of any gender and productive age for the type of work they will perform. 	<p>1 Point</p>
<p>SUB-TOTAL POINTS (Minimum Qualifying Points are 15)</p>	<p>Out of 18</p>

BIDDER'S EXPERIENCE	SCORING
<p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▪ Failure to submit a client reference letter/s as proof of equivalent service duration/s for each client stated on the Company Profile Template will lead to zero points being awarded to the bidder for this evaluation criteria. Bidders are encouraged to submit their full company profiles as well for additional information that may assist MUT to further assess their capacity. 	
<ul style="list-style-type: none"> ▪ 5 or more years plumbing maintenance experience 	<p>2 Points</p>
<ul style="list-style-type: none"> ▪ 2 or more years plumbing maintenance experience 	<p>1 Point</p>
<p>SUB-TOTAL POINTS</p>	<p>Out of 2</p>

BIDDER'S GEOGRAPHICAL LOCATION	SCORING	
<p>PLEASE NOTE:</p> <ul style="list-style-type: none"> ▪ Failure to submit proof of business address in the prescribed format as indicated will lead to zero points being awarded to the bidder for this evaluation criteria, i.e.: <ul style="list-style-type: none"> - Municipal bill not older than 3 months. - Title deed of property - Copy of a Lease agreement - Affidavit confirming proof of address. 		
<ul style="list-style-type: none"> ▪ Umlazi 	4 Points	
<ul style="list-style-type: none"> ▪ Ethekwini Municipality 	3 Points	
<ul style="list-style-type: none"> ▪ KZN Province 	2 Points	
<ul style="list-style-type: none"> ▪ Outside of the KZN Province 	1 Point	
<p>SUB-TOTAL POINTS (Minimum Qualifying Point is 1)</p>	Out of 4	
<p>GRAND-TOTAL: FUNCTIONALITY EVALUATION CRITERIA</p>		Out of 24 Points

PLEASE NOTE: The Minimum Qualifying Points for the Functionality Evaluation Criteria / Bid Stage 2 are 20 (out of a total of 24 points).

CV TEMPLATE: ROAD MAINTENANCE + CONSTRUCTION ARTISAN-DRIVER

▪ Full Name:		▪ Nationality:			
▪ Gender:		▪ ID No.:			
Formal Qualifications:					
Qualification/s	Name of Institution/s			Year Obtained	
Name of Employer (1):	Full Time:	Yes		No	
Current/Recent Position:	Years of Experience:				
Name of Employer (2):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (3):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (4):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Specific Experience Record Pertinent to the Required Services:					

**CV TEMPLATE: ROAD SIGNAGE, ROAD MARKING & ROAD MAINTENANCE + CONSTRUCTION
ARTISAN 1 Female Millennial ONLY)**

▪ Full Name:		▪ Nationality:			
▪ Gender:		▪ Age:			
Formal Qualifications:					
Qualification/s	Name of Institution/s			Year Obtained	
Name of Employer (1):	Full Time:	Yes		No	
Current/Recent Position:	Years of Experience:				
Name of Employer (2):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (3):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (4):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Specific Experience Record Pertinent to the Required Services:					

CV TEMPLATE: ROAD MAINTENANCE + CONSTRUCTION ARTISAN 2

▪ Full Name:		▪ Nationality:			
▪ Gender:		▪ ID No.:			
Formal Qualifications:					
Qualification/s	Name of Institution/s			Year Obtained	
Name of Employer (1):	Full Time:	Yes		No	
Current/Recent Position:	Years of Experience:				
Name of Employer (2):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (3):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (4):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Specific Experience Record Pertinent to the Required Services:					

CV TEMPLATE: ROAD MAINTENANCE + CONSTRUCTION ARTISAN 3

▪ Full Name:		▪ Nationality:			
▪ Gender:		▪ ID No.:			
Formal Qualifications:					
Qualification/s	Name of Institution/s			Year Obtained	
Name of Employer (1):	Full Time:	Yes		No	
Current/Recent Position:	Years of Experience:				
Name of Employer (2):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (3):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Name of Employer (4):	Full Time:	Yes		No	
Previous Position:	Years of Experience:				
Specific Experience Record Pertinent to the Required Services:					

COMPANY PROFILE TEMPLATE:

<ul style="list-style-type: none"> ▪ Bidder's Company Name: 	
Experience in Providing Road Maintenance + Construction Services:	
Name of Client (1):	
Duration of Service:	Contract Value (as per the CIDB Works Capability criteria):
Assigned OSHERQ personnel (if any):	
Relevance of the Contract Scope of Services v/s this RFQ Service Scope:	
Name of Client (2):	
Duration of Service:	Contract Value (as per the CIDB Works Capability criteria):
Assigned OSHERQ personnel (if any):	
Relevance of the Contract Scope of Services v/s this RFQ Service Scope:	
Name of Client (3):	
Duration of Service:	Contract Value (as per the CIDB Works Capability criteria):

Assigned OSHERQ personnel (if any):	
Relevance of the Contract Scope of Services v/s this RFQ Service Scope:	
Name of Client (4):	
Duration of Contract:	Contract Value (as per the CIDB Works Capability criteria):
Assigned OSHERQ personnel (if any):	
Relevance of the Contract Scope of Services v/s this RFQ Service Scope:	

Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this data correctly describes our company's service experience.

Signature: **Date:**
 [of key personnel who confirms the details on the Company Profile as recorded above]

Signature: **Date:**
 [of person authorised to sign on behalf of the Tenderer]

STAGE 3: PRICING EVALUATION CRITERIA

PRICING SCHEDULE: Firm & Fixed Pricing Model

PLEASE NOTE:

1. Only firm prices will be accepted. Non-firm prices (including prices subject to rates of exchange variations) will not be considered.
2. In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point.

No	Description	Location	Unit Price (Rate P/H)	Quantity	*Unit Price (Rate P/M)	Amount
BILL OF QUANTITIES						

1.	Cost of Technical Human Capital Resources:					
1.1	Road Maintenance + Construction Artisan-Driver (x1)	MUT wide		1	N/A (as & when required)	
1.2	Road Maintenance + Construction Artisans (x3)	MUT wide		3	N/A (as & when required)	
1.3	Road Maintenance + Construction Assistants (x3)	MUT wide		3	N/A (as & when required)	
2.	Cost of Contract Disbursements & Overheads:					
2.1	Administration (R/H)	MUT wide		1	N/A (price for the total costs of the invoice pack)	
2.2	Transportation (R/KM)	MUT wide	N/A (the applicable mandated AA R/KM will apply)	1	N/A (the applicable mandated AA R/KM will apply)	N/A (the applicable mandated AA R/KM will apply)

2.3	Monthly Contract Performance Management Reports	MUT wide		1		
2.4	Other	MUT wide		1		
Sub-total						
Mark-up on Material Fee (indicate percentage & monetary value relative to R1.00)						
Profit Margin Fee (indicate percentage & monetary value)						
VAT @15% (where applicable ONLY)						
Total Bid Price in RSA Currency						

[All applicable taxes included]

Important Notes:

1. The intent of this RFQ is to procure the services of a maximum of 4 (four) 1-4CE (only) CIDB graded SMME road maintenance + construction contractors that will provide the MUT Maintenance Department with outsourced technical services (on a rate-based & fixed-fee contract).
2. The Unit price (Rate P/H) is indicative of the total costs for the provision of each outsourced resource. The bidder must provide (in a separate pricing schedule) a detailed/descriptive cost breakdown of all contract disbursements for the full provision of the required services. The total cost for all monthly disbursements must be included in the Pricing Schedule above, which will be deemed to be an exhaustive list & total amount. The mark-up fee & profit margin fee must be indicated separately in the Pricing Schedule.
3. Any & all services that will be provided on an ad-hoc/emergency basis outside of MUT working hours must be submitted by the service provider/s to, then pre-authorized in writing by the MUT Maintenance Department's authorized official prior to any services being provided. After hours, weekend & public holiday rates shall apply.
4. The contents of a Task Order Form will be agreed upon & pre-signed by the two parties to regulate the scope, deliverables, milestones & timelines for each task under this contract.
5. The service providers cannot change any of the resources outsourced to MUT for the entire duration of the contract, unless otherwise approved in writing by the MUT Maintenance Department's authorized official. The service providers' personnel will be issued with access cards.
6. At any point for the duration of this contract, the MUT Maintenance Department's authorized official reserves the right to instruct the service provider/s to immediately change any & all resources outsourced to MUT due to (including but not limited to):
 - Poor performance / incapacity / delayed services / poor workmanship quality / unacceptable behavior.
7. Penalties for these service deficiencies will be charged to the service providers at a daily rate of 1% of the total invoice value for each service deficiency that is pending.

-
- Required By : The Maintenance Department
 - At : Mangosuthu University of Technology / MUT

 - Brand and Model :
 - Country of Origin :
 - Does the offer comply with the specifications : ***YES/NO**

 - If not to specification, indicate all deviations :
 -
 -
 -
 -

 - Period required for delivery :
 - *Delivery: Firm / Not Firm?

 - Delivery basis :

NB: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

**All applicable taxes include VAT / Value Added Tax, PAYE / Pay As You Earn, Income Tax, UIF / Unemployment Insurance Fund contributions and Skills Development Levies.
Legend: * = Delete if not applicable.

RFQ FORM:

1. I/We hereby render to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to on the items and conditions and in accordance with the specifications stipulated in the RFQ documents (and which shall be taken as part of, and incorporated into, this RFQ) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/We agree that the offer herein shall remain binding upon me/us and open for acceptance by during the validity period indicated and calculated from the closing time of the RFQ.
3. If I/we withdraw my/our RFQ within the period for which I/we have agreed that the RFQ should remain open for acceptance or fail to fulfil the contract when called upon to do so, may without prejudice to its other rights, agree to the withdrawal of my/or RFQ or cancel the contract that may have been entered into between me/us and and I/we will then pay to any additional expense incurred by having either to accept any less favourable RFQ or fresh RFQs have to be invited, the additional expenditure incurred by the invitation of fresh RFQ and by the subsequent acceptance of any less favourable RFQ,shall also have the right to recover such additional expenditure by set-off against moneys which may be due or become to me/us under this or any other RFQ or contract or against any guarantee or deposit that have been furnished by me/us or on my/our behalf for the due fulfilment of this or any other RFQ or contract and pending the ascertainment of the amount of such additional expenditure to retain such moneys, guarantee or deposit as security for any loss may sustain by reason of my/our default.
4. If my/our RFQ is accepted the acceptance may be communicated to me/us by letter or ordinary post or registered post and that SA Post Office Ltd shall be regarded as my/our agent. Delivery or such acceptance to SA Post Office Ltd shall be treated as delivery to me/us.
5. The law of the Republic of South Africa shall govern the contract created by the acceptance of my/our RFQ and that I/we choose domicilium citandi et executandi in the Republic (full address).
6. I/We furthermore confirm that I/we have satisfied myself/ourselves as to the correctness and validity of my/our RFQ, that the price(s) and rate(s) quoted cover all the work/items(s) in these documents; and that the price(s) and rate(s) cover all my/our obligations under a resulting contract. I/we accept that any mistakes regarding price(s) and calculations will be at my/our risk.
7. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me/us under this agreement as the Principal(s) liable for the due fulfilment of this contract.
8. I/We agree that any action from this contract in all respects be instituted against me/us and I/we hereby undertake to satisfy fully any sentence or judgment which may be pronounced against me/us as a result of such action.

9. I/We declare that I/we have participation /no participation in the submission of any other offer for the supplies/service described in the attached documents. If in the affirmative, state name(s) or RFQ(s) involved.

10. _____

Are you duly authorized to sign for this the RFQ? ***YES / NO**

11. Has the Declaration of Interest been duly completed and included with the other RFQ forms? ***YES / NO**

DECLARATION:

I, the undersigned (full names):

Certify that the information furnished above is correct. I accept that, in addition to cancellation contract, action may be taken against me should this declaration prove to be false.

Signature:

Ensure that all pages are completed in full before returning this document.

Name & Surname of Authorized Person / Representative:	Date:
.....	
Signature of Bidder's Representative:	

DECLARATION OF INTEREST:

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where:

- The bidder is employed by the state; 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, Shareholder²):

2.4 Company Registration Number:

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.

¹"State" means:

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

²"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 presently employed by the state?

YES / NO

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 the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

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**

2.9.1 If so, furnish particulars:
.....

.....

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 of this bid? **YES / NO**

2.10.1 If so, furnish particulars:
.....
.....

2.11 Do you or any of the Directors / Trustees / Shareholders / Members of the company have any interest in any other related companies whether or not they are bidding for this contract? **YES/NO**

2.11.1 If so, furnish particulars:
.....
.....

3. Full details of Directors / Trustees / Members / Shareholders:

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

4. DECLARATION

The bidder:

- I, THE UNDERSIGNED (NAME):
CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.
- I ACCEPT THAT MANGOSUTHU UNIVERSITY OF TECHNOLOGY MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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	<p>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?</p> <p>(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 <i>audi alteram partem</i> rule was applied).</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION:

The bidder:

- 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

CERTIFICATE OF INDEPENDENT BID DETERMINATION:

1. This document must form part of all bids¹ 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 form 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 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.

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES:

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
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 consortium³ 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.

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

CHECKLIST TO BE COMPLETED BY THE BIDDER:

<ul style="list-style-type: none"> ▪ Does this offer comply with the specifications? State the brand where applicable. 	
<ul style="list-style-type: none"> ▪ Does the bidder have the required experience? State period. 	
<ul style="list-style-type: none"> ▪ Can this order be delivered within specified period? State delivery period. 	
<ul style="list-style-type: none"> ▪ Do you intend sub-contraction/Partner? 	
<ul style="list-style-type: none"> ▪ Pricing Schedule (Recalculate to ensure accuracy). Indicate whether prices are firm or non-firm). 	
<ul style="list-style-type: none"> ▪ Declaration of Interest (Read, Understand and Sign). 	
<ul style="list-style-type: none"> ▪ Declaration of Bidder's Past Supply Chain Management Practices (Read, Understand and Sign). 	
<ul style="list-style-type: none"> ▪ Certificate of Independent Bid Determination (Read, understand and Sign). 	
<ul style="list-style-type: none"> ▪ CSD Registration Number (MAAA.....) / CSD Report 	

PLEASE NOTE:

1. **MUT reserves the right to appoint or not appoint a service provider/s for this contract. MUT will not necessarily accept the lowest quotation in part or full, it will be MUT's discretion to appoint the most suitable supplier who will add value to MUT as per the functionality criteria outlined herein.**
2. **MUT reserves the right to negotiate the shortlisted bidders to competitive market related / BIBC recommended rates and/or apply a flat rate as one of the conditions of awarding this contract.**