



**sanedi**

South African National Energy  
Development Institute

**REQUEST FOR QUOTATION  
FOR  
ENERGY EFFICIENCY APPLIANCE STANDARDS AND LABELLING  
PROGRAMME IMPACT ASSESSMENT TO DETERMINE ENERGY  
SAVINGS, GHG REDUCTIONS, JOB CREATION AND CAPACITY BUILT  
BETWEEN 2020 AND 2023**

NAME OF BIDDER.....

POSTAL ADDRESS .....

STREET ADDRESS .....

CONTACT PERSON .....

TELEPHONE NUMBER Code ..... Number .....

CELL PHONE NUMBER Code ..... Number .....

FACSIMILE NUMBER Code .....Number .....

E-MAIL ADDRESS .....

**Signature of Bidder** ..... **Date** .....

<b>RFQ Number</b>	RFQ1723
<b>Date of RFQ</b>	30 June 2023
<b>SANEDI Contact</b>	<p>All enquiries and RFQ submissions must be directed to :</p> <p>Name: Ms Nondumiso Buthelezi  Tel: 011 038 4369  Enquiries: e-mail address: <a href="mailto:enquiries.procurement@sanedi.org.za">enquiries.procurement@sanedi.org.za</a>  Website address: <a href="http://www.sanedi.org.za">www.sanedi.org.za</a></p>
<b>Closing date &amp; Time Electronic - Submission</b>	<p><b>Friday the 14<sup>th</sup> of July 2023 at 11:00am</b></p> <p><b>E-mail submission only: <a href="mailto:quotes.procurement@sanedi.org.za">quotes.procurement@sanedi.org.za</a></b></p>
<b>Work specification (and Technical specifications)</b>	<p><b>1. Project Background</b></p> <p>1. Project Background</p> <p>The South African Energy Efficiency Appliance Standards and Labelling (S&amp;L) Project was implemented by the Department of Mineral Resources and Energy (DMRE) in collaboration with the United Nations Development Programme (UNDP). The Project was implement with the aim to reduce energy consumption and greenhouse gas (GHG) emissions by promoting the use of energy efficient appliances and to encourage the penetration of higher energy efficient appliances in the South African market. Upon the closing out of the UNDP project, the DMRE mandated the South African National Energy Development Institute (SANEDI) to implement the Programme as an ongoing national key initiative. SANEDI is an entity of the Department of Mineral Resources and Energy, established under the National Energy Act, 2008 (Act No.34 of 2008). The Act provides for SANEDI to direct, monitor and conduct energy research and development, promote energy research and technology innovation as well as undertake measures to promote energy efficiency throughout the economy.</p> <p>The South African Government, through the DMRE has put mandatory regulations, standards and Energy Efficiency labels to ensure that inefficient regulated appliances can not be sold in the country. The first appliance regulations came into effect in 2015, were 10 residential appliances and equipment were covered. Over the years the S&amp;L Programme conducted research to inform standards and regulations in the country and the following MEPS were introduced, MEPS for appliances (VC9008), geysers (VC9006) and general service lamps (VC9109) which is still pending. The S&amp;L Programme team and its stakeholders are currently working on various projects with the objective of introducing and sustaining standards to reduce electricity consumption and the carbon footprint of the residential sector through strategic and effective awareness creation, Minimum Energy Performance Standards (MEPS) development and enforcement. From 2020 to date, SANEDI has conducted regulatory Impact Assessments in the form of Cost Benefit Analyses, Techno-Economic Assessments, Market Risk Assessments and Socio-Economic Impact Assessments to inform Governments decision to regulate additional products such as taps and showerheads, Electronic displays, Electric motors and streetlighting luminaires.</p> <p>The Impact Assessment will be conducted to determine the potential energy savings, GHG reductions, job creation, industry capacity built and public awareness created between 2020 and 2023. It is important to conduct the Impact Assessment so that the government, private sector and public beneficiaries are informed of the S&amp;L Programme's contribution to South Africa achieving national energy efficiency goals.</p>

## 2. Project Objectives

To determine the potential amount of energy to be saved from the regulation of the products failing within the 2020-2023 Programme expansion period (as listed in the background section of this document). With the current energy crises in the country it is important to emphasize the implementation of the initiatives that will help to reduce the stress on the electricity supply grid.

To determine the GHG emissions reduction potential from the implementation of existing regulations and the regulations of the 4 product classes mentioned above. The government committed to hold greenhouse gas emissions between 398 and 614 MtCO<sub>2</sub> per year from 2025 to 2030 in its NDC to the 2015 United Nations Framework Convention on Climate Change (UNFCCC) Paris agreement. Understanding the contribution against national energy efficiency targets is key.

To determine the Programme's contribution to job creation in the country. South Africa has a high unemployment rate and it is important for the Programme to contribute in helping the government to reduce this rate. This section will explore the roles involved in realizing the mandate of a Standards and Labelling Programme and the potential for growing the jobs created in government and the industry in the areas of consultancy, project management, standards development, regulation, market surveillance, compliance, youth development, academia, marketing and PR, awareness creation and so forth.

To determine the capacity and skills developed through the stakeholder briefing workshops and knowledge sharing opportunities hosted/participated in. In many programme interactions, direct jobs may not have been created but through strategic engagements- skills and knowledge has been developed. This impact needs to be quantified to provide a clear picture of the programme's impact in this regard.

To determine the level of awareness created. Through past research efforts, it has come to SANEDI's attention that there is still not enough awareness of appliance energy efficiency standards and labeling requirements/benefits. There are ongoing efforts implemented to raise significant awareness. Understanding the impact of these efforts and potential areas of improvement will add value to the programme's strategic planning going forward.

## Scope of Works

### 1. Scope of Works

The service provider must provide the following services:

- 1.3 Full Inception report and the associated PowerPoint presentation at the inception meeting. The presentation must detail the methodology in which the project will be conducted.
- 1.4 View historical documents to be able to conduct a well-researched Impact assessment. The mandate and objectives of the Programme must be clearly understood.
- 1.5 Refer to previous impact assessment and conduct research to determine whether the predictions have been/will be achieved.
- 1.6 Identify the standards and regulations that the S&L Programme's research helped to inform between 2020-2023. After identifying the standards and regulations, potential energy savings must be projected.

- 1.7 Determine the energy saving the S&L Programme has achieved in the last 3 years. The service provider with the help of the S&L team will request appliances data from NRCS and SABS so that they can be able to calculate the energy savings achieved.
- 1.8 Consult an Environmental specialist to determine the amount of GHG emissions created by the residential sector between 2020 – 2023.
- 1.9 Determine the Programme’s contribution to job creation in the country. The data must include demographics such as age, gender, race and educational level.
- 1.10 Determine the impact on SMME development in South Africa as the result of Standards and Labelling work.
- 1.11 Determine the skill development/ capacity building impact the Programme has created in the country.
- 1.12 Determine the awareness creation and public education impact created by the Programme.
- 1.13 Determine the Regional harmonization of standards and regulations impact the South African Energy Efficiency Standards and Labelling Programme has created.
- 1.14 Expected to do weekly and monthly reporting. The S&L team will arrange meetings either a virtual meeting or in person meeting where the service provider will share progress of the project and highlight areas where they need assistance. The service provider will be required to submit project progress report monthly and a final report at the end of the project. The report to include but not limited to:
  - a. A background and introduction
  - b. Detailed scope of work
  - c. Proposed approach to impact assessment
  - d. Stakeholder approach and consultation plan
  - e. Impact assessment task team, the appointed team will work with the SANEDI project team in monthly working meetings to assign tasks contributing to the assessment
  - f. Detailed workplan with project activities and timelines
  - g. Energy savings and GHG emissions impact of the S&L Programme
  - h. Job creation impact created by the S&L Programme
  - i. Data sources and Assumptions
  - j. Where there are calculations, formulas must be defined and explained.
  - k. Where graphs and illustration are used, they must be a detailed paragraph explaining the graph
  - l. Future predictions with supporting data
  - m. Benefits of the S&L Programme to consumers, the environment and the government
  - n. Comparison of the last impact assessment data with the current Impact assessment data
  - o. Recommendations
  - p. Annexures
  - q. References
- 1.15 Submit all the required Impact Assessment supporting documents to the S&L team at the end of the project.

**2. Project duration**

- 5 months

Required qualifications and experience (Technical Evaluation Criteria)	Evaluation Criteria				
	No.	Technical Criteria	Evaluation Criteria	Score Range	Weightings%
	1	<b>Company Experience:</b> Company profile demonstrating years and quality of work experience acquired on similar energy efficiency appliance standards and labelling impact assessments	5 years or more experience in similar assessments	8 - 10	20%
			3 – 4 years' experience in similar assessments	5 - 7	
			Less than 3 years' experience in similar assessments	1 - 4	
	2	<b>Team Leader Qualification:</b> Team leader have obtained professional qualification/s in Electrical / Electronics engineering.	PhD/ Master's degree in Electrical / Electronics Engineering and related courses	8 - 10	5%
			Honours degree in Electrical Engine/ Electronics Engineering and other relevant and equivalent qualifications	5 - 7	
			Bachelor's degree/ Advanced Diploma/ B-tech in Electrical Engine/ Electronics Engineering and other relevant and equivalent qualifications	1 - 4	
	3	<b>Team Leader Experience:</b> Quality work experience on similar impact assessments/projects. The team leader must have worked on energy efficiency/ appliances standards and labelling impact assessments/ researches.	Team leader with 5 years or more experience on similar assessments/projects	8 – 10	15%
			Team leader with 3 – 4 years' experience on similar assessments/projects	5 - 7	
			Team leader with less than 3 years' experience on similar assessments/projects	1 - 4	
	4	<b>Methodology:</b> concise approach to investigate concept of key focal areas presented in the proposal submitted. Approach to plan, design, execute and analysis of work assignment.  Key focal areas:  4.1 Determine energy saving impact 4.2 Determine GHG emissions 4.3 Determine whether the prior impact assessment's predictions have/will be achieved 4.4 Contribution to job creations & SMME development 4.5 Determine awareness creation, public education and skill development/ capacity building impact. 4.6 Determine the regional harmonization of standards & regulation impacts.	Comprehensive methodology outlining key focal areas and analysis.	8 -10	30%
			Reasonable methodology outlining focal areas and analysis.	5 -7	
			Poor methodology failing to outline focal areas and analysis.	1 -4	
	5	<b>Environmental Specialist</b> : the consultancy company must have /	Specialist with 5 years or more experience available or to be sourced	8 - 10	15%

	contract environmental specialist to determine GHG emissions impact of the S&L Programme in the residential sector. The specialist must have experience in determining GHG emissions of household appliances.	Specialist with 3 – 4 years’ experience available or to be outsourced	5 - 7	
		Specialist with less than 3 years’ experience available or to be outsourced	1 - 4	
		Master’s in Environmental Management/ Environmental Sciences related courses	8 - 10	5%
		Honours degree in Environmental Management/ Environmental Sciences related courses	5 - 7	
		Bachelor’s degree/ Advanced Diploma/ B-tech in Environmental Management / Environmental Sciences related courses	1 - 4	
<b>6</b>	<b>Reference Letters:</b> from different companies (on company letterhead), signed by designated manager, and dated. the reference letters must be of similar impact assessments.	5 or more reference letters	8 – 10	10%
		3 to 4 reference letters	5 - 7	
		1 to 2 reference letters	1 - 4	
<b>Technical threshold = 75%</b>				
<b>Total = 100%</b>				
Total points available 100 = <b>Minimum threshold 75 points</b>				
<b>Terms and Conditions</b>	The RFQ shall be subjected to the SANEDI procurement terms and conditions which can be found on <a href="http://www.sanedi.org.za">www.sanedi.org.za</a> .  New suppliers are requested to apply for registration as suppliers on the database as no RFQs will be considered without suppliers firstly being registered on the supplier database.			
<b>Quoted Price excluding Disbursements VAT inclusive</b>	(Attach a formal quotation on company official letterhead to this RFQ)			
<b>Discounted amounts Disbursements VAT inclusive</b>	R			
<b>Total Amount VAT inclusive</b>	R			
<b>Other Requirements</b>	The supplier must submit the following returnable schedules:  1. Pricing schedule 2. Attach SBD9, SBD 4 and SBD 6.1 3. Attach valid tax clearance 4. Certified BBBEE certificate  Forms are available on <a href="http://www.sanedi.org.za">www.sanedi.org.za</a>			

**SBD 4: Bidder's Declaration of Interest**

	<p>Any legal person, including persons employed by the state, 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 favoritism, 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</p> <ul style="list-style-type: none"> <li>- the bidder is employed by the state; and/or</li> <li>- 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.</li> </ul>
	<p><b>In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.</b></p>

<b>COMPANY &amp; REPRESENTATIVE DETAILS</b>	
Full Name of bidder or his or her representative	
Identity Number	
Position occupied in the Company (director, trustee, shareholder, member):	
Registration number of company, enterprise, close corporation, partnership agreement or trust	
Tax Reference Number	
VAT Registration Number	

<b>DECLARATIONS</b>	<b>YES</b>	<b>NO</b>
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	Are you or any person connected with the bidder presently employed by the state?		
	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:		
	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?		
	If yes, did you attach proof of such authority to the bid document?  <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.</u>		
	If no, furnish reasons for non-submission of such proof:		
	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?		



If so, furnish particulars:		
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?		
If so, furnish particulars:		
Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies  Wither or not they are bidding for this contract?		
If so, furnish particulars:		

<b>Full details of directors / trustees / members / shareholders.</b>			
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 the table below.			
<b>Full Name</b>	<b>Identity Number</b>	<b>Personal Income Tax Reference Number</b>	<b>State Employee Number / Persal Number</b>


“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.

“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.

**DECLARATION OF INTEREST**

I, the undersigned (name).....

Certify that the information furnished in this declaration is correct and I accept that SANEDI may reject the bid or act against me should this declaration prove to be false.

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....

## 1. Preference Points

### PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

#### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender: - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 Preference Points applicable:

a) The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender shall be awarded for:

(a) Price; and

(b) Specific Goals.

1.4 The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
Price	80
Specific Goals	20
<b>Total points for price and specific goals</b>	<b>100</b>

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 SANEDI reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the SANEDI.

## 2. DEFINITIONS

- (a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “price” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).
- (f) “B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (g) “B-BBEE status level of contributor” means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (h) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (i) “Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (j) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (k) “functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (l) “proof of B-BBEE status level of contributor” means:
  - B-BBEE Status level certificate issued by an authorized body or person;
  - A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - Any other requirement prescribed in terms of the B-BBEE Act;

- “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

### 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

#### 3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS A maximum of 80 or 90 points is allocated for price on the following basis:

$$P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{80/20} \quad \text{or} \quad \text{90/10} \quad P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

**Note to tenderers: The tenderer must indicate how they claim points for each preference point system.**

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)			Number of points claimed (80/20 system) (To be completed by the tenderer)
	Total points possible	Indicator	Points allocated	
B-BBEE Status level of Contributor	10	Level 1	10	
		Level 2	9	
		Level 3	8	
		Level 4	5	
		Level 5	4	
		Level 6	3	
		Level 7	2	
		Level 8	1	
		Non-compliant	0	
Women	5	Women Owned 76% - 100%	100%	
		Women Owned 51% - 75%	75%	
		Women Owned 26% - 50%	50%	
		Women Owned 5% - 25%	25%	
		Women Owned less than 5% - 0%	0%	
Youth	2.5	Youth Owned 76% - 100%	100%	
		Youth Owned 51% - 75%	75%	
		Youth Owned 26% - 50%	50%	
		Youth Owned 5% - 25%	25%	
		Youth Owned less than 5% - 0%	0%	
Persons with Disability	2.5	Person with Disability 76% - 100%	100%	
		Persons with disability 51% - 75%	75%	
		Persons with disability 26% - 50%	50%	
		Persons with disability 5% - 25%	25%	

		Persons with disability less than 5% - 0%	0%	
<b>TOTAL FOR SPECIFIC GOALS</b>	<b>20</b>			

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3 Name of the company/firm.....

4.4 Company registration number:.....

**4.5 TYPE OF COMPANY/FIRM**

Type of Firm	Tick the applicable box here
Partnership/Joint Venture/ Consortium	
One-person business/sole propriety	
Close corporation	
Public Company	
Personal Liability Company	
(Pty) Limited	
Non -Profit Company	
State Owned Company	

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
<b>SIGNATURE(S) OF TENDERER(S)</b>	
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....



### **SBD 9: Certificate of Independent Bid Determination**

I, the undersigned, in submitting the accompanying bid for .....

in response to the invitation for the bid made by SANEDI do hereby make the following statements that I certify to be true and complete in every respect:

I therefore certify, on behalf of ..... that I have read and I understand the contents of this Certificate;

1. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
2. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
3. 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;
4. 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

5. 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 will not be construed as collusive bidding.

6. 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.

7. 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.
8. 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.
9. 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.

Name of Enterprise Bidding: .....

Name of Authorised Representative .....

Signature of Authorised Bidder .....

Date .....