



## **ELUNDINI LOCAL MUNICIPALITY**

### **APPLICATION FORM**

- GENERAL SERVICE PROVIDERS  
 CONTRACTORS SERVICE PROVIDERS CRS NO \_\_\_\_\_  
 PROFESSIONAL SERVICE PROVIDERS

### **APPLICATION FORM FOR SERVICE PROVIDERS TO BE INCLUDED ON THE ELUNDINI LOCAL MUNICIPALITY GENERAL SERVICE PROVIDER'S DATABASE.**

#### **Please note:**

This form must be completed by all applicants wishing to register as a service provider with the Elundini Local Municipality [ELM]. Please reflect all the goods/service provided by the firm. Also reflect the expertise and experience **Other relevant** additional documentation may also be attached.

The Municipality will determine the suitability of firms for entry into its database, based on the information provided.

#### **All sections of the application form must be completed in full.**

The application form is to be completed by the duly authorised official of the firm.

- New Application  Updated Application

**CSD Number MAAA0** \_\_\_\_\_

**Registration Date:** \_\_\_\_\_

#### **Once the Application is completed return it to:**

The Supply Chain Management Unit  
1 Seller Street  
P O Box 1  
Maclear  
5480

For Enquiries Contact: SCM Helpdesk  
Tel No: 045 932 8211  
website: [www.elundini.gov.za](http://www.elundini.gov.za)

**NOTE: NO E-MAILED OR FAXED FORM WILL BE ACCEPTED**



## **Ethics Commitment for Suppliers of the Elundini Local Municipality**

**In our dealings with the Elundini Local Municipality we commit to uphold high standards of ethics. Among other things this means:**

- We will be honest and deal in good faith;
- We will not try to improperly influence any municipal official or decision;
- We will avoid all conflicts of interest;
- We will not engage in any form of corruption (e.g. paying bribes, giving kickbacks);
- We will not give gifts to municipal officials or councillors;
- We will not be involved in collusion with other service providers (i.e. price-fixing);
- We will ensure that all information we submit to the municipality is accurate and truthful (e.g. we will not engage in BBBEE fronting).
- We will inform the Municipality of any unethical behaviour which we become aware of in the procurement process, either related to other suppliers or to municipal officials.\*
- We will, through all our dealings, contribute to building a positive ethical culture in the Elundini Local Municipality.

This is our commitment to help build an ethical community.

Name of Company: \_\_\_\_\_

Name of authorized person: \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

\* If you wish to report unethical conduct you can contact:  
- The Municipal manager

\*If you are aware of any fraud/ corruption within the municipality. These may be reported anonymously, to:

- Anonymous hotline: 0800117844. Free fax 0800007 788. SMS 32840. Email: **elundini@tipsoff.com** . free post: Freepost KZN138 , Umhlanga Rocks 4320

### **REGISTRATION PREREQUISITES:**

**NOTE: SERVICE PROVIDERS WILL NOT BE REGISTERED ON THE DATABASE IF THE FOLLOWING PREREQUISITES ARE NOT MET:**

1. Company Registration Certificate and Certified ID copies of Directors
  2. Valid Tax Clearance Certificate / Valid Tax Compliance Status Pin
  3. Certified Copy of BBEE certificate by Accountants/ Independent Auditors or Signed DTI sworn affidavit B-BBEE Exempted Micro Enterprise-General
  4. Latest municipal account statement/ Lease Agreement/ Letter from ward councilor together with SAPS affidavit stating that you are not paying municipal rates.
  5. CSD report showing Tax compliant status on the submission date
  6. Copy of Bank confirmation letter or Canceled cheque
  7. A concise company profile (min 2 Pages)
  8. CIDB certificate with CRS number if the application is for Contractor
  9. NHBRC certificate where is Applicable
  10. Copy of COID registration certificate / proof of registration with Commissioner for Compensation (Workman's Compensation).
  11. Proof of registration with professional body for Professional Service Provider
  12. Previous/ Past Experience must be completed
  13. Any other registration certificate pertaining to your relevant industry e.g. SOB for security companies ECB (Electrical Board) etc.
  14. Form must be fully completed, sing and initial every page with black ink.
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**NOTE: NO SERVICES MUST BE RENDERED OR NO GOODS TO BE DELIVERED WITHOUT SIGNED PURCHASE ORDER.**

**CONTACT INFO**

**1.** Authorised Contact Person \_\_\_\_\_

Identity No: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Fax Number: \_\_\_\_\_

Cell phone Number \_\_\_\_\_

Web Site Address \_\_\_\_\_

**2.** Postal Address \_\_\_\_\_

\_\_\_\_\_

Postal Code: \_\_\_\_\_

**3.** Physical Address: \_\_\_\_\_

\_\_\_\_\_

Postal Code: \_\_\_\_\_

**4.** Eastern Cape Offices: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**5.** National Offices: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Method for correspondence	E-mail only
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**COMPANY DETAILS**

**Country of registration:** \_\_\_\_\_

**VAT Registrations details:** \_\_\_\_\_

**Income tax number:** \_\_\_\_\_

**Tax clearance expiry date:** \_\_\_\_\_

**Unemployment Ins funds No:** \_\_\_\_\_

**Compensation Comm Reg No:** \_\_\_\_\_

Note: Insert personal income tax reference number if one – man business and personal income tax reference numbers of all parties if a partnership

**Directors**

**NB: Where owners are themselves a corporate entity or partnership, please identify such.**

**Percentage of total shares/ownership by each of the following groups:**

% Black male	% Coloured male	% Asian male	% White male
% Black female	% Coloured female	% Asian female	% White female

**List the following for each partner, proprietor, shareholder, Director and senior officer of the enterprise:**

Title	Name	Race	Gender M/F	% of time devoted to enterprise

**Banking details:**

**Current Banking Details:**

**Please attach an original cancelled cheque or an original bank Verification letter.**

Payment details

Payee Name: \_\_\_\_\_

Bank Name: \_\_\_\_\_

Branch Number: \_\_\_\_\_

Account Holder: \_\_\_\_\_

Bank Account Number: \_\_\_\_\_

Date the account was opened: \_\_\_\_\_

*Signatories Name/s, Surname/s and ID number/s:*

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**Business Details**

BBBEE Status \_\_\_\_\_ Expiry date: \_\_\_\_\_

**Type of firm (tick relevant box)**

<input type="checkbox"/>	Public Company Ltd	<input type="checkbox"/>	Private Company (Pty) Ltd
<input type="checkbox"/>	Sole proprietor	<input type="checkbox"/>	Close corporation
<input type="checkbox"/>	Partnership Co-operative	<input type="checkbox"/>	Trust Community Based Organization (CBO)
<input type="checkbox"/>	Voluntary Association	<input type="checkbox"/>	Foreign Company
<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>	Consortium

\_\_\_\_\_

SMME's Classification \_\_\_\_\_

Core Business Operations \_\_\_\_\_

**Annual turnover**

**Tick the relevant box**

Less than <b>R5m</b>	<input type="checkbox"/>	
More than <b>R5m &amp; Less than R35m</b>	<input type="checkbox"/>	
More than <b>R35</b>	<input type="checkbox"/>	
Other (please specify)	<input type="checkbox"/>	
Other ( please specify)	<input type="checkbox"/>	<b>R</b>

## **LIST OF COMMODITIES**

**PLEASE PROVIDE THE FIELD OF COMPETENCE (CATEGORY OF WORKS) YOUR FIRM WILL BE REGISTERING IN, e.g. LIST OF GOODS/SERVICES PROVIDED (MORE THAN (1) FIELD OF COMPETENCE MAY BE SELECTED BUT NOT MORE FIFTEEN (15) FIELDS**

### **STRITLY LOCAL SERVICE PROVIDERS (ELUNDINI LOCAL MUNICIPALITY ONLY)**

- Catering
- Interior decorating ( roof and wall dripping, traditional décor)
- Taxi / bus hire
- VIP toilets
- Tents, chairs and tables hire

### **GENERAL COMMODITIES (ALL SERVICE PROVIDERS)**

#### **VEHICLE MAINTENANCE AND REPAIRS**

- Car services
- Vehicle body repairs
- Supply and fitment of Tyres
- Battery
- Panel Beater
- Break down (Towing)
- Car wash

#### **COMPUTER AND IT EQUIPMENT SUPLIERS**

- Laptops supplies
- Printer machine
- It consumables (toner)
- External drive
- Laptop bag
- Network cabling
- Telecommunications
- Cellular Service Provider

#### **BUILDING MATERIAL SUPLIERS**

- Cement, Sand and Cement Blocks
- Hand Tools
- Kalika
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#### **OFFICE USE EQUIPMENT**

- Stationary
- Printing Paper
- Office Furniture and Equipment

#### **MARKETING & COMMUNICATION**

- Advertising Agencies
- Printing and Design Agencies
- Events Management (Performers, Sound System, Stage, PAV,s Lights & etc.)



- Audio video Conference Equipment
- Professional Photographer
- Radio station

**DOMESTIC AND COMMERCIAL APPLIANCES SUPPLIES**

- Electrical heater
- Refrigerator
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**CLOTHING**

- Protective Clothing (Work suites, Boots, Hand Cloves & etc.)
- Promotional Wear (T-shirt, Cap, Jacket & etc.)

**AGRICULTURAL GOODS & SERVICES**

- Live stock
- Crop spraying equipment
- Lucien

**HIRING SERVICES**

- Transport
- Storage of Goods
- Graduation Guans
- Car/ Vehicle
- Venue (Conference room, Sport Field & etc.)

**OTHER COMMODITIES**

- Cleaning Material
- Toilet Paper
- Fire Equipment (Sales and Repairs)
- Sign Manufacturing
- Courier Services
- Glass repairs
- Blinds: Installation and Repairs
- Air Conditioning Repairs and Maintenance
- Plumbing Supplies
- Grocery
- Gas refill
- Electrical cables
- Crusher Material

**Other**

- 1.** \_\_\_\_\_
- 2.** \_\_\_\_\_
- 3.** \_\_\_\_\_
- 4.** \_\_\_\_\_
- 5** \_\_\_\_\_
- 6** \_\_\_\_\_

**CONTRACTORS SEVICERS PROVIDER**

**PLEASE PROVIDE THE FIELD OF COMPETENCE (CATEGORY OF WORKS) YOUR FIRM WILL BE REGISTERING IN AS REFLECTED UNDER THE CIDB REGISTRATION. PLEASE INDICATE THE GRADING AS REFLECTED UNDER THE CIDB REGISTRETION**

- BUILDING CONSTRUCTION
- BUILDING MAINTENANCE AND REPAIRS
- BURGLARY PROOFING / METAL / WELDING AND STEEL WORK
- CARPENTRY
- CARPETING / TILING
- FENCING
- MECHANICAL
- PAVING
- ROAD / TAR WORKS
- WET SERVICES ( PLUMBING & GRENADE)
- STRUCTURAL

**OTHER**

- 1.** \_\_\_\_\_
- 2.** \_\_\_\_\_
- 3.** \_\_\_\_\_
- 4.** \_\_\_\_\_
- 5.** \_\_\_\_\_
- 6.** \_\_\_\_\_

**PROFESSIONAL SERVICE PROVIDE A SEPARATE DATABASE WILL BE SET UP FOR EACH OF THE FOLLOWING CATEGORIES: INDICATE THE FIELD OF COMPETENCE YOUR FIRM WILL BE REGISTERING IN:**

<ul style="list-style-type: none"> <li><input type="checkbox"/> ARCHITECTURAL</li> <li><input type="checkbox"/> STRUCTURAL</li> <li><input type="checkbox"/> CIVIL ENGINEERS</li> <li><input type="checkbox"/> ENVIROMENTAL</li> <li><input type="checkbox"/> GEOTECHNICAL</li> <li><input type="checkbox"/> ELECTRICAL ENGINEERS</li> <li><input type="checkbox"/> MECHANICAL ENGINEERS</li> <li><input type="checkbox"/> QUANTITY SURVEYORS</li> <li><input type="checkbox"/> LAND SURVEYORS</li> <li><input type="checkbox"/> TOWN PLANNING</li> <li><input type="checkbox"/> PROPERTY VALUATORS</li> <li><input type="checkbox"/> LAW FIRMS</li> <li><input type="checkbox"/> FINANCIAL</li> <li><input type="checkbox"/> HUMAN RESOURCE</li> <li><input type="checkbox"/> TRAINING</li> <li><input type="checkbox"/> PROJECT MANAGEMENT</li> <li><input type="checkbox"/> OCCUPATIONAL HEALTH AND SAFETY</li> <li><input type="checkbox"/> AUDIT</li> <li><input type="checkbox"/> ENVIRONMENTAL</li> <li><input type="checkbox"/> HEALTH</li> <li><input type="checkbox"/> ICT FIRMS</li> <li><input type="checkbox"/> QUALIIFICATION VERIFICATION</li> </ul>	<p><b>OTHER (SPECIFY</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> _____</li> <li><input type="checkbox"/> _____</li> <li><input type="checkbox"/> _____</li> <li><input type="checkbox"/> _____</li> <li><input type="checkbox"/> _____</li> <li><input type="checkbox"/> _____</li> </ul>
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**PAST EXPERIENCE 1**

Service Providers must furnish hereunder details of similar works/ services which they have satisfactorily completed in the past. The information shall include a description of the Works, the Contract value and name of Employer.

<b>EMPLOYER</b>	<b>NATURE OF WORK &amp; VALUE OF WORK</b>	<b>DURATION AND COMPLETION DATE</b>	<b>EMPLOYER CONTACT NO.</b>

**PAST EXPERIENCE 2**

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Service Provider must furnish hereunder details of similar works/service, which they have satisfactorily completed in the past. The information shall include a description of the Works, the Contract value and name of Employer.

<b>PREVIOUS AND/OR CURRENT PROJECTS UNDERTAKEN FOR ELM</b>			
<b>PROJECT NAME</b>	<b>AWARDED AMOUNT</b>	<b>CONTRACT START DATE</b>	<b>ANTICIPATED / ACTUAL COMPLETION DATE</b>

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**SIGNATURE OF SERVICE PROVIDERS**

**DECLARATION OF INTERESTS (KINSHIP, RELATIONSHIP WITH PERSONS EMPLOYED BY ELM)**

In terms of the Municipal Supply Chain Management Regulations, no person or persons employed by the State may be awarded a bid by any municipality.

Any legal person, or persons having a kinship with persons employed by the ELM including a blood relationship, may undertake business with ELM. In view of possible allegations of favoritism, should a resulting bid or part thereof be awarded to persons connected with or related to an employee of ELM, it is required that the service provider or his/her authorized representative declare his position vis-à-vis the evaluating authority and/or take an oath declaring his/her interest, where-

- the legal person on who's behalf the bid document is signed, has a relationship with persons/a person who are/is involved with the evaluation of the bid(s), or where it is known that such a relationship exists between the person or persons for or on who's behalf the declarer acts and persons who are involved with the evaluation of the bid.

In order to give effect to the above, the following questionnaire shall be completed and submitted with this application.

Do you, or any person have any relationship (family, friend, other) with a person employed with the ELM or its administration and who may be involved with the evaluation, preparation and/or adjudication of any bid?

**Yes/No**

If so, state particulars

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Are you or any other person connected with this application, employed by any organ of State?

**Yes/No**

If so, state particulars

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**SIGNATURE OF DECLARER**

**DATE**

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**POSITION OF DECLARER                      NAME OF COMPANY OR PROVIDER**  
**DECLARATION (VALIDITY OF INFORMATION PROVIDED)**

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I.....declare that the information provided is true and correct, the signature to this application is duly authorized and documentary proof regarding any bidding issue will, when required, be submitted to the satisfaction of the Elundini Local Municipality.

\_\_\_\_\_  
**SIGNATURE OF DECLARER**

\_\_\_\_\_  
**DATE**

\_\_\_\_\_  
**POSITION OF DECLARER**

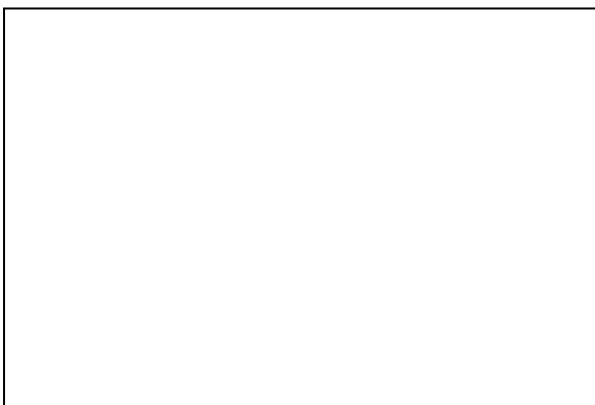
\_\_\_\_\_  
**NAME OF COMPANY OF SERVICE PROVIDER**

Should the applicant have, in the opinion of the ELM, acted fraudulently illegally, in bad faith or in any improper manner, misrepresented itself with regard to this application, then the ELM may, in its sole discretion:

- \* Ignore any bids without advising the bidder thereof
- \* Cancel any contract without prejudice to any legal rights the ELM may have

**Should the applicant disregard this or conduct affairs in a way that transgresses from good business practices, this could seriously impair future business relations between the ELM and such applicant.**

<b>FOR OFFICE USE ONLY</b>
<b>DATE OF RECEIPT:</b>
<b>SUPPLIER DATA BASE NUMBER ISSUED:</b>
<b>HAVE ALL REQUIRED DOCUMENTS BEEN PROVIDED:</b>
<b>B-BBEE STATUS LEVEL OF APPLICANT</b>



**MBD 4**

**DECLARATION OF INTEREST**

- 1. No bid will be accepted from persons in the service of the state<sup>1</sup>.
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
- 3 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:.....

3.2 Identity Number: .....

3.3 Position occupied in the Company (director, trustee, hareholder<sup>2</sup>):.....

3.4 Company Registration Number: .....

3.5 Tax Reference Number:.....

3.6VAT Registration Number: .....

3.7 The names of all directors / trustees / shareholders members, their individual identity Numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? **YES / NO**

3.8.1 If yes, furnish particulars.....

.....

<sup>1</sup>MSCM Regulations: “in the service of the state” means to be –

- (a) a member of –
  - (i) any municipal council;
  - (ii) any provincial legislature; or
  - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

<sup>2</sup> Shareholder” means a person who owns shares in the company and is actively involved in the

management of the company or business and exercises control over the company.

3.9 Have you been in the service of the state for the past twelve months? ..... **YES / NO**

3.9.1 If yes, furnish particulars.....  
.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.10.1 If yes, furnish particulars.  
.....  
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.11.1 If yes, furnish particulars  
.....  
.....

3.12 Are any of the company's directors, trustees, managers, Principle shareholders or stakeholders in service of the state? **YES / NO**

3.12.1 If yes, furnish particulars.  
.....  
.....

3.13 Are any spouse, child or parent of the company's directors trustees, managers, principle shareholders or stakeholders in service of the state? **YES / NO**

3.13.1 If yes, furnish particulars.  
.....  
.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. **YES / NO**

3.14.1 If yes, furnish particulars:  
.....  
.....



4. Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Position**

\_\_\_\_\_  
**Capacity 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
<b>4.1</b>	<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 audi alteram partem rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website (<b>www.treasury.gov.za</b>) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p><b>Yes</b></p> <input type="checkbox"/>	<p><b>No</b></p> <input type="checkbox"/>
<b>4.1.1</b>	<b>If so, furnish particulars:</b>		
<b>4.2</b>	<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 (<b>www.treasury.gov.za</b>) by clicking on its link at the bottom of the home page.</p>	<p><b>Yes</b></p> <input type="checkbox"/>	<p><b>No</b></p> <input type="checkbox"/>
<b>4.2.1</b>	<b>If so, furnish particulars:</b>		
<b>4.3</b>	<p>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?</p>	<p><b>Yes</b></p> <input type="checkbox"/>	<p><b>No</b></p> <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**

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**

**MBD 9**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

No: \_\_\_\_\_ Description: \_\_\_\_\_  
(Bid Number and Description)

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

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**Signature**

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**Date**

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**Position**

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**Name of Bidder**

- 
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.
  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.