

**PART A  
INVITATION TO BID**

| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE COMMUNITY SCHEMES OMBUD SERVICE</b>  |  |                                  |  |  |              |
|---|--|----------------------------------|--|--|--------------|
| BID NUMBER:   | <b>RFQ010-2022</b>   | CLOSING DATE: <b>23 May 2022</b> |  | CLOSING TIME:  | <b>12h00</b> |
| DESCRIPTION   | <b>THE APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF 2022 TAX YEAR-END RECONCILIATIONS AND RETURN SERVICES.</b> |                                  |  |  |              |
| <b>BID RESPONSE DOCUMENTS MAY BE EMAILED TO THE BELOW (EMAIL ADDRESS)</b>   |  |                                  |  |  |              |
| <a href="mailto:quotations@csos.org.za">quotations@csos.org.za</a>  |  |                                  |  |  |              |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>   |  |                                  | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                           |  |              |
| CONTACT PERSON  | <b>Jabulile Sithole</b>  |                                  | CONTACT PERSON   | <b>Masaswivona Nhlungwana</b>  |              |
| TELEPHONE NUMBER  | <b>(010) 593 0533/ 066 302 5937</b>  |                                  | TELEPHONE NUMBER   | <b>(010) 593 0533/ 066 305 8387</b>  |              |
| FACSIMILE NUMBER  |  |                                  | FACSIMILE NUMBER   |  |              |
| E-MAIL ADDRESS  | <a href="mailto:goutations@csos.org.za">goutations@csos.org.za</a>   |                                  | E-MAIL ADDRESS   | <a href="mailto:masaswivona.nhlungwana@csos.org.za">masaswivona.nhlungwana@csos.org.za</a> |              |
| <b>SUPPLIER INFORMATION</b>   |  |                                  |  |  |              |
| NAME OF BIDDER  |  |                                  |  |  |              |
| POSTAL ADDRESS  |  |                                  |  |  |              |
| STREET ADDRESS  |  |                                  |  |  |              |
| TELEPHONE NUMBER  | CODE   |                                  | NUMBER   |  |              |
| CELLPHONE NUMBER  |  |                                  |  |  |              |
| FACSIMILE NUMBER  | CODE   |                                  | NUMBER   |  |              |
| E-MAIL ADDRESS  |  |                                  |  |  |              |
| VAT REGISTRATION NUMBER   |  |                                  |  |  |              |
| SUPPLIER COMPLIANCE STATUS  | TAX COMPLIANCE SYSTEM PIN:   |                                  | <b>OR</b>  | CENTRAL SUPPLIER DATABASE No:  | MAAA         |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE  | TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No   |                                  | B-BBEE STATUS LEVEL SWORN AFFIDAVIT                                      | [TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No          |              |
| <b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b> |  |                                  |  |  |              |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?   | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES ENCLOSE PROOF]                                       |                                  | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No<br>[IF YES, ANSWER PART B:3]      |              |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>   |  |                                  |  |  |              |

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?

YES  NO

DOES THE ENTITY HAVE A BRANCH IN THE RSA?

YES  NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

YES

NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

YES  NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

YES  NO

**IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.**

**PART B  
TERMS AND CONDITIONS FOR BIDDING**

**1. BID SUBMISSION:**

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. **ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

**2. TAX COMPLIANCE REQUIREMENTS**

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.”

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g., company resolution)

DATE: .....



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## **REQUEST FOR QUOTATIONS (RFQ)**

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### **PROVISION OF 2022 TAX YEAR-END RECONCILIATIONS AND RETURNS SERVICES.**

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## 1. TERMS AND CONDITIONS

**THIS REQUEST FOR PROPOSAL (RFP) HAS BEEN COMPILED BY THE CSOS AND IS MADE AVAILABLE TO BIDDERS SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS, WHICH BIDDERS ARE DEEMED TO ACKNOWLEDGE AND ACCEPT:**

- 1.1 A Bid submitted in response to this RFP will constitute a binding offer that will remain binding and irrevocable for a period of hundred and twenty (120) days from the date of submission to the CSOS.
- 1.2 Unless or until a binding contract is concluded between the CSOS and the successful Bidder, the offer constituted by the Bid will be deemed not to have been accepted and no agreement will be deemed to be reached with any Bidder.
- 1.3 The CSOS reserves the right to amend, modify, withdraw or terminate this RFP or any of the requirements set out herein at any time (and from time to time), without prior notice and without liability to compensate or reimburse any Bidder or person.
- 1.4 Should this RFP be amended, the CSOS undertakes to publicize or send each Bidder in writing the amended RFP. No oral amendments by the Bidder or the CSOS shall be considered.
- 1.5 It is compulsory for a Bidder submitting a bid to be registered on the National Treasury's Central Supplier Database ("the CSD") and ensure that it remains registered for the duration of the services and/or contract, if successful.
- 1.6 The Bidder needs to ensure that it is tax compliant at the time of submitting its Bid and remains tax compliant for the duration of the contract and/or services, if successful, and undertakes to provide supporting documentation issued by the South African Revenue Services ("SARS") confirming it is tax compliant upon request by the CSOS.
- 1.7 The CSOS reserves the right to conduct site inspections or call for supporting documentation in order to confirm any information provided by a Bidder in its response to this Bid.
- 1.8 This RFP is not intended to form the basis of a decision to enter into any transaction with the CSOS and does not constitute an offer or recommendation to enter into such transaction, or an intention to enter into any legal relationship with any person.
- 1.9 Neither the CSOS nor any of its respective directors, officers, employees, agents, representatives, or advisors will assume any responsibility for any costs or expenses incurred by any party in or associated with preparing or submitting a Bid in response to this RFP.
- 1.10 No entity or associated entities may be involved, whether directly or indirectly, in more than one Bid in response to this RFP. Failure to comply with this requirement may, within the sole discretion of the CSOS, result in disqualification of both entities.

- 1.11 Any material changes in the control and/or composition of any Bidder or any core member of a Bidder after submission of a Bid must be brought to the attention of the CSOS Supply Chain Management (“SCM”) Section in writing. The CSOS shall be the sole arbiter as to what constitutes a material change in the control and/or composition of any Bidder and may in its sole discretion disqualify the Bidder from any further participation in the bid process.
- 1.12 Any requirement set out in this RFP which stipulates the form and/or content of any aspect of a Bid is stipulated for the sole benefit of the CSOS, and unless the contrary is expressed, may be waived by the CSOS in its sole discretion at any stage in the bid process.
- 1.13 The CSOS and its advisors shall rely on a Bid as being accurate and complete in relation to the information and proposals provided therein by the Bidders.
- 1.14 All Bids submitted to CSOS shall become the property of the CSOS and will not be returned to the Bidders. The CSOS will make all reasonable efforts to maintain the information contained in proposals confidentially.
- 1.15 A Bid submitted by the Bidder shall be considered non-responsive if it shows any omissions or irregularities of any kind. However, the CSOS reserves the right to waive any aspect of non-responsiveness and to make an award in the best interest of the organization, provided that any such waiver shall be applied consistently across all Bidders.
- 1.16 The CSOS reserves the right to accept or reject in part or whole any submitted Bid submitted.
- 1.17 The CSOS reserves the right to require a Bidder to provide a formal presentation of its RFP at a date and time to be determined by the CSOS. The CSOS shall provide adequate instructions and clarification regarding the purpose and scope of the presentation. All expenses shall be borne by the Bidder.
- 1.18 In this RFP, the words “service provider”, “supplier” will be used interchangeably to refer to the Bidder.
- 1.19 All costs associated with the preparation and submission of the Bid remain the responsibility of the Bidder. The costs shall not be chargeable to the CSOS by the successful or unsuccessful Bidder.
- 1.20 All Bids must be formulated and submitted in accordance with the requirements of this RFP.
- 1.21 Bids received after the closing date and time as specified in this RFP shall be rejected.
- 1.22 The CSOS is not obliged to appoint a bidder with the lowest price, if, based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, CSOS may appoint the second ranked bidder provided that the reasons for such deviation are properly justified and accurately recorded.

## **2. CONFIDENTIALITY AND INTELLECTUAL PROPERTY**

- 2.1 All the produced documents are the property of CSOS.
- 2.2 The CSOS is not obliged to appoint a bidder with the lowest price if based on its sole discretion and assessment, the said bidder does not exhibit or demonstrate adequate capacity or full comprehension of the scope of work to be undertaken. In this regard, CSOS may appoint the second ranked bidder provided that the reasons for such deviation are properly justified.

## **3. BRIEFING SESSION**

- 3.1 There will be no briefing session
- 3.2 Any queries may be directed to the technical contact person under enquiries

## **4. INTRODUCTION**

- 4.1 The Community Schemes Ombud Services (CSOS) is established in terms of Community Schemes Ombud Services Act 2011 (Act 9 of 2011), to regulate the conduct of parties within community schemes and to ensure good governance within community schemes. CSOS is a schedule 3A public entity in terms of the Public Finance Management Act (PFMA) which reports to the Minister for Human Settlements.

## **5. PROJECT BACKGROUND**

- 5.1 CSOS currently uses Sage VIP Premier version 5.4b as their payroll system to keep the accurate records of employee information. As an employer CSOS, just like all other employers are by law required to register for income tax for all its employees. It is the employers' responsibility to accurately and on time, submit its annual employers' tax reconciliations by ensuring that a successful reconciliation of an EMP501 submission, monthly Employer Declarations (EMP201s) are reconciled with payments made as well as the IRP5 / IT3 (a) data generated

## **6. PROJECT PURPOSE**

- 6.1 The purpose of this Request for Quotation (RFQ) is to appoint an experienced and reputable service provider that can assist with the preparation and submission of the statutory year-end annual employer reconciliations and tax returns for the year 2020/21, including training for officials and review of prior submissions to identify and resolve variances that could potentially result in interest charges.

## **7. ORGANISATIONAL STATUS OF THE FINANCE UNIT**

- 7.1 The payroll function is delegated to the Expenditure Management unit that is responsible for the processing payments at CSOS. The sub-unit is manned by a manager and two (2) senior accountants assisted by two (2) administrators.

- 7.2 The payroll function was previously performed by the budget and reporting sub-unit within the finance unit. No training has been offered and/or undertaken by the officials responsible for the processing and administration of the payroll

## **8. SCOPE OF WORK**

- 8.1 The scope of work required for the project includes but not limited to:
- 8.1.1 Liaison with the Manager: Expenditure at the CSOS.
  - 8.1.2 Prepare the tax year-end tax return for the 2022 tax year.
  - 8.1.3 Assist with Employer Reconciliation Submissions (Emp501) up until the point of importing the payroll file into e@syFileT Employer version 7.1.0 and with validation of errors.
    - 8.1.3.1 Pay-As-You-Earn (PAYE)
    - 8.1.3.2 Unemployment Insurance Fund (UIF)
- 8.2 Payments made and tax values of the Employee Tax Certificates [IRP5/IT3 (a)].
- 8.4 Ensure that monthly Employer Declarations (EMP201s) reconcile with payments made as well as the IRP5 / IT3 (a) data generated
- 8.3 Preparing a reconciliation of the tax returns for the 2022 to date.
- 8.4 Assist in preparing the declaration for submission on eFiling.
- 8.5 Filing the actual returns on e@syFileT.
- 8.6 Provide services on any other tax year procedures required.
- 8.7 Printing certificates and checking the status on the submission
- 8.8 Ensure complete, up-to-date compliance with the Tax Administration Act
- 8.9 Review of the prior tax year submission for variances and resolve those variances.
- 8.10 Training of the CSOS officials responsible for payroll processing and administration of the tax reconciliations and submissions.

## **9. PROJECT TIME FRAME**

- 9.1 This is once off service to be provided on the day of scheduled appointment only.

## **10. DISBURSEMENTS**

- 10.1 The bidders are expected to assume the costs for their own travel and accommodation where applicable.

## **11. PROJECT MANAGER'S RESPONSIBILITIES**

- 11.1 The CSOS Project Manager's responsibilities will include providing the service provider with all appropriate documentation advice and information pertinent to the success of this project.

## **12. OFFICE ACCOMODATION AND EQUIPMENT**

- 12.1 CSOS will provide the necessary office space and all other office equipment must be provided by the service provider. Remote working is also welcomed.



### 13. CHANGES TO THIS RFQ DOCUMENT

13.1 CSOS reserves the right to make changes on this RFQ Document. All changes will be communicated to those entities that have responded to the RFQ. No reliance shall be placed on other information or comment from any other person.

### 14. CONFIDENTIALITY AND INTELLECTUAL PROPERTY

14.1 Any information relating to the submissions, through the process or otherwise, shall be treated in strict confidence. All the artwork and produced documents are the property of CSOS.

### 15. OTHER MATTERS

15.1 CSOS reserves the right not to enter into any relationship and no correspondence pertaining to submissions will be entered into.

15.2 If CSOS does not accept any proposal, it will declare this RFQ call process closed and may then elect to:

15.2.1 Proceed on a completely different basis; and

15.2.2 Not to appoint any respondent in the event it deems proposals not appropriate.

15.3 CSOS will not accept any responsibility for costs incurred by bidders in preparing and submitting proposals.

15.4 CSOS reserves the right to engage in processes to validate all claims made in the proposal.

### 16. EVALUATION CRITERIA

16.1 In order to facilitate a transparent selection process that allows equal opportunity to all bidders, CSOS has a Supply Chain Management policy that will be adhered to.

16.2 Proposals will be evaluated in terms of the prevailing Supply Chain Management policy applicable to CSOS and it should be noted that proposals will be assessed as per the below phases.

16.3 **Phase 1: Pre-Qualification Criteria (Mandatory Requirements)**

16.3.1 Bidders must submit all the mentioned below requirements. The following mandatory requirements must be met to qualify for functionality.

**16.3.1.1 SAGE business partner confirmation letter/certification.**

**16.3.1.2 Proof of CSD registration**

**16.3.1.3 Tax Compliance Certificates**

**16.3.1.4 Three (3) references for similar projects (tax reconciliations and tax returns submissions)**

**Bidders who do meet the above requirement will not be evaluated on pricing.**

## 16.4 Phase 2: Price

- 16.4.1 Only bidders that have met the pre-qualification criteria will be evaluated for price evaluation. In this phase the evaluation will be based on the bidders' responses in respect of the bid proposal (evaluated on the minimum functional specifications).
- 16.4.2 Prospective bidders who met the Pre-qualification will be considered for the next phase 2 (Price).

| CRITERIA | SUB-CRITERIA              | WEIGHTING/POINTS |
|----------|---------------------------|------------------|
| Price    | Detailed budget breakdown | 100              |
| Total    |                           | 100              |

## 17. PRICING

- 17.1 Service providers/Firms are required to submit a breakdown of their pricing. Pricing should be **inclusive** of VAT and overheads.

## 18. LEGAL IMPLICATIONS

- 18.1 Non-disclosures will be signed for the project with the appointed service provider and any other company they might sub-contract.

## 19. PAYMENT STRUCTURE

- 19.1 The CSOS undertakes to pay in full, within thirty (30) days, all valid claims for work done to its satisfaction upon presentation of a substantiated claim/invoice.
- 19.2 Payments will only be made on the basis of the work completed (milestones/ deliverables) as per the project implementation plan to be agreed at the inception of the project.

## 20. Enquiries

### For Technical enquiries:

**Mr Masaswivona Nhlungwana**

**Email:** [masaswivona.nhlungwana@csos.org.za](mailto:masaswivona.nhlungwana@csos.org.za) ,

**Tel:** 010 593 0533.

**Cell:** 066 305 8387

### SCM enquiries:

**Ms. Jabulile Sithole**

**Email:** [jabu.sithole@csos.org.za](mailto:jabu.sithole@csos.org.za)

**Tel:** 010 593 0533

**Cell:** 066 305 5937

**PRICING SCHEDULE**  
**(Professional Services)**

NAME OF BIDDER: .....RFQ NO:  
**RFQ010-2022: THE APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF 2022 TAX YEAR-END RECONCILIATIONS AND RETURN SERVICES.**

**CLOSING TIME 12h00 ON 23 May 2022.**

OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF RFQ.

| ITEM<br>NO<br>TAX | DESCRIPTION | BID PRICE IN RSA CURRENCY<br>INCLUSIVE OF <u>VALUE ADDED</u> |
|-------------------|-------------|--|
|-------------------|-------------|--|

**DESCRIPTION: THE APPOINTMENT OF A SERVICE PROVIDER FOR THE PROVISION OF 2022 TAX YEAR-END RECONCILIATIONS AND RETURN SERVICES.**

1. Services must be quoted in accordance with the attached terms of reference.  
 Services must be quoted in accordance with the attached terms of reference.  
 Total cost of the assignment (R inclusive VAT)  
 R.....

The financial proposal for this assignment should cover for all assignment activities as per terms of reference

2. Period required for commencement with project after acceptance of bid \_\_\_\_\_
3. Are the rates quoted firm for the full period? Yes/No
4. If not firm for the full period, provide details of the basis on which Adjustments will be applied for, for example consumer price index.

**Technical enquiries regarding bidding procedures may be directed to:**

Masaswivona.Nhlungwana  
 Tel: (010) 593 0533  
 Cell: 066 305 8387  
 E-mail address: [masaswivona.nhlungwana@csos.org.za](mailto:masaswivona.nhlungwana@csos.org.za)

**Supply Chain queries may be directed to:**

Jabulile Sithole  
 Cell: 066 302 5937  
 Email: [qoutations@csos.org.za](mailto:qoutations@csos.org.za)

**PLEASE REFER TO THE ATTACHED TERMS OF REFERENCE FOR MORE INFORMATION.**

## BIDDER'S DISCLOSURE

### 1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

### 2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
|           |                 |                           |
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|           |                 |                           |

2.2 Do you, or any person connected with the bidder, have a relationship

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<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

I, \_\_\_\_\_ the \_\_\_\_\_ undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature Date

.....  
Position Name of bidder