



MICT SETA Head Office
Supply Chain Management
19 Richards Drive
Gallagher Convention Centre, Gallagher House
Level 3 West Wing
Tel +27 11 207 2600
E-mail: rfqs@mict.org.za

RFQ NUMBER	RFQ/MICT/25/2021
RFQ DESCRIPTION	PROVISION OF COURIER SERVICES FOR A PERIOD OF THREE (3) YEARS.
RFQ ISSUE DATE	22 JUNE 2021
BRIEFING SESSION	N/A
CLOSING DATE & TIME	28 JUNE 2021 @ 11:00 AM- LATE SUBMISSIONS WILL NOT BE CONSIDERED.
EMAIL FOR SUBMISSIONS	rfqs@mict.org.za

Submissions must be emailed to rfqs@mict.org.za before closing date of this RFQ.

The MICT SETA requests your quotation on the services listed above. Please furnish us with all the information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

SUPPLIER NAME: _____

NATIONAL TREASURY (CSD) SUPPLIER NUMBER: _____

POSTAL ADDRESS: _____

TELEPHONE NO: _____

E MAIL ADDRESS: _____

CONTACT PERSON: _____

CELL NO: _____

SIGNATURE OF BIDDER: _____

SUPPLIER REGISTRATION ON CSD

Prospective suppliers must register on the National Treasury Central Supplier database in terms of National Treasury circular no 4A of 2016/17. The bidder shall register prior submitting a proposal/bid.



RETURNABLE DOCUMENTS CHECKLIST

quotation invitation document must be completed, signed and submitted as a whole by the authorised Company representative. All forms must be properly completed, list below serve as a checklist of your RFQ submission.

(Tick in the relevant block below)

DESCRIPTION	YES	NO
CSD Central Supplier Database (CSD) Registration Report		
Pricing Schedule		
Valid Tax Clearance Certificate (S) and or proof of application endorsed by SARS / and or SARS issued verification pin		
Designated Sectors: Local production and content (Where applicable)		
SBD 4 - Declaration of interest		
SBD 8: Declaration of Bidder's Past Supply Chain Practices		
SBD9: Certificate of Independent Bid Determination		

Note: This RFQ must be completed and signed by the authorised company representative

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E-mail: rfqs@mict.org.za**MICT SETA –QUOTATION CONDITIONS****QUOTATION CONDITIONS**

NOTE: Quotation for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. **MICT SETA** does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a formal contract / letter of intent is prepared and executed.

MICT SETA reserves the right to:

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and Enter into negotiations with any one or more of preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process, in order to clarify any information, without informing any other bidders and no change in the content of the RFQ shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage
- f. Accept a separate RFQ or any RFQ in part or full at its own discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Select the bidder(s) for further negotiations on the basis of the greatest benefit to MICT SETA and not necessarily on the basis of the lowest costs

COST OF BIDDING

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

DETAILED TECHNICAL SPECIFICATION:
PROVISION OF COURIER SERVICES FOR A PERIOD OF THREE (3) YEARS.

1.BACKGROUND INFORMATION

The Media, Information and Communication Technologies Sector Education and Training Authority, the "MICT SETA", was established in terms of the Skills Development Act, 1998 (Act No. 97 of 1998). Is responsible for skills development for its respective sub-sectors. The MICT sector is made up of five sub-sectors that are interconnected but also quite distinct and identifiable. These are Advertising, Film and Electronic Media, Electronics, Information Technology and Telecommunications. **The objective of this request is to appoint a competent service provider to provide courier services for period of three (3) Years.**

2. SCOPE OF WORK

The purpose of the request is to appoint a service provider to render a courier services for documents and parcels on behalf of the MICT SETA as and when required for a period of three (3) years. The required courier services will include, but not limited to, the following;

- Same day services
- Weekend services
- After-hours services
- Public Holiday services
- Intra City services (within any main centre within 50km).
- Overnight express by 10h30
- Remote area/Regional services;
- Budget (Road Freight) services
- Special delivery services which cover requirements over and above the standard services
- Appointed Service Provider will be expected to assist with the collection, delivery / distribution of parcels/letters, exhibition equipment, documents on a daily, weekly or month basis to different stakeholders, institutions, and individuals in and around South Africa.
- The authorized representative of Courier Service will be required to furnish receipt for parcels and documents.
- The prospective Service Provider will ensure that all parcels/documents are delivered to the intended recipient.
- Upon prompt and correct delivery, the Service Provider will ensure that the intended recipient clearly indicates his /her full names, signature, and telephone number on the waybill.
- The Service Provider will furnish proof of delivery of parcels/documents to MICT SETA with the required level of detail on a monthly basis.
- The Courier Service will return the undelivered parcels/letters within a week

3. ONLINE SYSTEM

The Courier must have an online courier management system in place to be used for all MICT SETA consignments. The online system should be capable of the following;

- a. Enable the MICT SETA to place/ log a request for collection and/ or deliveries
- b. Keep history of the past collections and/ or deliveries for audit and information purposes.
- c. f the past collections and/ or deliveries for audit and information purposes.
- d. Enable the MICT SETA to track all consignments en-route to their respective destinations.
- e. Provide different MICT SETA users with their own individual login details to access the MICT SETA account (as opposed to single login details being used by all users).
- f. Provide online quotes for all documents or parcels requiring delivery.
- g. Provide early alerts for any delays that fall outside the agreed Service Level Agreement. This is to ensure that all affected parties are informed well in advance.
- h. Provide proof of delivery once a consignment has been delivered.
- i. Generate waybills and pre-printed waybills where necessary.
- j. Generate waybill activity reports, online statements and invoices.
- k. Enable the user to monitor courier spend throughout the month.

4. SECURITY OF CONSIGNMENTS

Safeguard the interests of the MICT SETA at all times by ensuring confidentiality and safety of parcel Demonstrate what measures they have in place to protect confidential information they will be tasked to couriers/documents being transported. The bidder must;

- a. Demonstrate what measures they have in place to protect confidential information they will be tasked to courier.
- b. Demonstrate what contingency plans they have in place to protect consignments in cases of hijackings or loss
- c. Demonstrate how consignments that contain personal information will be handled and protected as required by the Protection of Personal Information Act No. 4 of 2013 (POPI Act).

5. BILLING AND REPORTING REQUIREMENTS

- a. The Courier must timeously submit the monthly activity report and invoices.
- b. The relevant cost centres must be clearly indicated on the monthly activity report.
- c. The contractor must submit a daily/weekly/monthly tracking report with an update of the movements of MICT SETA's consignments.
- d. The bidder must provide a sample of the electronically generated courier reports (such as daily activity, monthly, daily, invoice, statement etc.).

6. CONTRACT CONDITION

- a. The successful bidder must have an electronic tracking system to track couriered goods
- b. Enable the MICT SETA to track all consignments en-route to their respective destinations.
- c. Provide different MICT SETA users with their own individual login details to access the MICT SETA account (as opposed to single login details being used by all users).
- d. Provide online quotes for all documents or parcels requiring delivery.
- e. Provide early alerts for any delays that fall outside the agreed Service Level Agreement. This is to ensure that all affected parties are informed well in advance.
- f. Provide proof of delivery once a consignment has been delivered.
- g. Generate waybills and pre-printed waybills where necessary.
- h. Generate waybill activity reports, online statements and invoices.
- i. Enable the user to monitor courier spend throughout the month.
- j. Contingency Plan: the bidder must indicate the risk management associated with this project and mitigation strategy.

7. Domestic Delivery and or collection points

CITY
Bloemfontein
Cape Town
Durban
East London
Johannesburg
Kimberly
Nelspruit
Ggeberha

EVALUATION CRITERIA

EVALUATION CRITERIA

RFQ's received will be evaluated against the following criteria:

1. PRE-QUALIFICATION CRITERIA (Regulation 4)-PPPFA

Bidder shall have a minimum B-BBEE status of level 2 or better.

Proof of compliance

Bidder must submit a valid proof of BBBEE status (BBBEE verification certificate issued by a SANAS accredited verification agency or CIPC B-BBEE certificate or B-BBEE affidavit duly sworn and commissioned).

Bidders please take note:

The duly sworn and commissioned BBBEE affidavits must be based on the Audited Financial Statements/Financial Statements and other information available on the *latest financial year-* end. Kindly contact the DTI for more information with regards to latest financial year end. E.g. 28 February 2021

Note: Bidders that do not meet the requirements of set pre-qualification will be eliminated from further evaluation process.

2. FUNCTIONAL CRITERIA

2.1 Technical Evaluation

Only RFQ submitted that have met the set pre-qualification criteria will be considered for functionality evaluation. RFQ submitted will be evaluated on technical functionality out of a maximum of **100** points. A threshold of **70** out of the **100** points has been set.

Only RFQ submitted that have met or exceeded the qualification threshold on technical functionality of **70** points will qualify for further evaluation on Price and B-BBEE according to the 80/20 preference point system in terms of the PPPFA Regulations 2017, where 80 points will be for Price and 20 points will be for B-BBEE status level of contribution.

Functional Evaluation Criteria	Proof of Compliance and points allocation	Weight score/points
<p>The Bidder must demonstrate that they have the capacity to render the required service</p>	<p>1.1. The bidder must have provided similar services in the past by submitting a portfolio of evidence or copies contracts indicating years of service in rendering courier services. Points on past experience as per portfolio of evidence or copies of contract will be allocated as follows: will be allocated as follows:</p> <ul style="list-style-type: none"> • More than 4years and above = 15 points • 3 – 4 years = 10 points • 1 – 2 years = 5 points • 0 -1 years = 0 Points <p>1.2. The bidder must submit reference letters from different clients indicating courier services rendered within the last 3 years or more, References letter should be in the client's letterhead, signed by a Company representative and include shall include all of the following: Courier services rendered, Length of Contract and Customer satisfaction. (Letters that do not indicate all of the elements stated herein will be rendered Invalid reference and no points will be allocated)</p> <p>Points on submission of different letters will allocated as follows:</p> <ul style="list-style-type: none"> • 3 or more signed reference letters from 3 or more different clients on client's letterhead = 15 points • 2 signed reference letters from 2 different clients on client's letterhead = 10 points • 1 Signed reference letter on client's letterhead = 5 points • No references letters submitted / Unsigned/unauthorized reference letters = 0 points <p>Please note: MICT SETA reserves the right to contact these clients to check authenticity of the references provided. Please include: Name of client, Contact Name , number, Designation and email Address.</p>	<p>30</p>
<p>Short profile of the Key Account Manager(s)</p>	<p>The bidder must provide relevant copy of qualifications and a CV of the Key Account Manager indicating 3 years' experience in operating or management of a courier service provider.</p> <p>Points on submission of relevant copy of qualifications and CV with relevant experience will be allocated as follows:</p> <ul style="list-style-type: none"> • 3 years' experience and above = 10 points • 1-2 years' experience = 5 points <p>Less than 1 year experience, non-submission of qualifications and CV = 0 points</p>	<p>10</p>
<p>Online system</p>	<p>The bidder must submit sample of its system generated billing and activity reports to substantiate compliance.</p> <p>Points on submission of sample system generated billing and activities reports will be allocated as follows:</p> <ul style="list-style-type: none"> • Reporting (e.g. early alerts for late deliveries, daily, monthly reports etc.) = 10 Points • Track and trace consignments from point of collection to point of delivery = 5 Points • Scheduling of pickups = 5 points 	<p>20</p>
<p>Delivery vehicles</p>	<p>The list must indicate the vehicle types (i.e. panel vans, 1 ton trucks, semi-articulated trucks, etc.)</p> <ul style="list-style-type: none"> • Proof of fleet (vehicle registrations document or lease agreement) 	<p>15</p>

Methodology and approach for outlying areas	Provide methodology and approach on delivery to outlying and remote areas. Points on detailed methodology and approach on delivery to outlying and remote areas will be allocated as follows Workflow <ul style="list-style-type: none"> The bidder is required to outline the entire process from the notification, collect to delivery of parcels =15 points Turnaround time <ul style="list-style-type: none"> The bidder must demonstrate the turnaround times for various routes and courier categories(Ability to deliver on time including rural areas) =10 points 	25
Total		100

3.COSTING

PRICING SCHEDULE

Name of bidder _____ RFQ number: _____

Closing date _____

Bid shall remain valid for acceptance for a period of **90 days** counted from the closing date.

Item	Requirement Description	Quantity	Unit Price	Sub-Total
	PROVISION OF COURIER SERVICES FOR A PERIOD OF THREE (3) YEARS. Refer to attached Annexure A for pricing guideline. Bidders must provide detailed price breakdown not limited to Annexure A including escalations for applicable years as Annexure B to Pricing schedule.			
			Sub-Total	
			VAT@15%	
TOTAL PRICE (INCLUDING VAT)				

Please complete information required below

1. Is delivery period fixed? **Yes / No**
2. Is the price(s) fixed? **Yes/ No**
3. Is the quote strictly to specification? **Yes/No**
4. Delivery period after receipt of order.....
5. Delivery address: MICT SETA Head Office

I/We, the undersigned, agree that this bidding price shall remain binding on me/us and open for acceptance for the period stipulated above;

Authorised Company Representative:

Capacity under which this quote is signed.....

Signature:

Date:

ANNEXURE A

Table 1

DOMESTIC RATES Minimum Tariffs must be indicated in kilograms and /or length where applicable. Tariffs must be indicated in Rands and inclusive of all taxes		Pick up point to delivery point				
		A	B	C	D	E
Items per Kg	Unit	Price	Price	Price	Price	Price
Sameday	1 kg					
Overnight	1 kg					
Budget Cargo	1 kg					
Weekend service	1 kg					
Total Price Excl Vat						
Sub-Total						
VAT@15%						
Total Price Incl Vat						

Table 2

INTERNATIONAL RATES		Pick up point to delivery point				
		A	B	C	D	E
Items per Kg	Unit	Price	Price	Price	Price	Price
Sameday	1 kg					
Overnight	1 kg					
Budget Cargo	1 kg					
Weekend service	1 kg					
Total Price Excl Vat						
Sub-Total						
VAT@15%						
Total Price Incl Vat						

****The tables above serve a guideline**

PREFERENCE POINT SYSTEM

PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder.
- b. In the event that two or more tenderers have scored equal total points, the successful tenderer must be the one that scored the highest points for B-BBEE.
- c. If two or more tenderers have equal points, including equal preference points for B-BBEE, the successful tenderer must be the one scoring the highest score for functionality, if functionality is part of the evaluation process.
- d. In the event that two or more tenderers are equal in all respects, the award must be decided by the drawing of lots

EVALAUTION ON 80/20 PREFERENCE POINT SYSTEM

- a. The bidder obtaining the highest number of total points will be awarded the contract unless objective criteria justify the award to another bidder
- b. Preference points shall be calculated after process has been brought to a comparative basis taking into account all factors of non-firm prices.
- c. In the event that two or more bids have scored equal pints, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- d. However, when functionality is part of the evaluation process and two or more bids have scored equal points for B-BBEE, the successful bid must be the one scoring the highest score for functionality
- e. Should two or more bids be equal in all respect, the award shall be decided by the drawing of lots.

POINTS AWARDED FOR PRICE

The **80/20** preference point system

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

$$P_s = 80 \left\{ 1 - \frac{(P_t - P_{\min})}{P_{\min}} \right\}$$

Where:

P_s	=	Points scored for comparative price of bid under Consideration
P_t	=	Comparative price of bid under consideration
P_{\min}	=	Comparative price of lowest acceptable bid

B-BBEE PREFERENTIAL POINTS WILL BE AWARDED AS FOLLOWS:

B-BBEE Status Level of contributor	Number of points 80/20 system
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- a. Bidders who qualify as EME's and QSE's in terms of the B-BBEE Act must submit a Sworn affidavit. Misrepresentation of information, constitutes a criminal offence.
- b. Bidders other than EME's or QSE's must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by SANAS.
- c. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- d. A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- e. Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- f. A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intend sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended Sub-contractor is an EME that has the capacity and the ability to execute the sub-contract.
- g. A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capacity and the ability to execute the sub-contract.

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 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 **YES / NO**
presently employed by the state?

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 attached 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

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

certify that the information furnished in paragraphs 2 and 3 above is correct. I accept that the state 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	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector Companies or person 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. The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <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

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 Standard Bidding Document (SBD) 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. disregards the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price Bid, 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.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by: **MICT SETA**

(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

Sworn Affidavit – B-BBEE Exempted Micro Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = %
 - Black Disabled % = _____%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%

- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY the annual Total revenue did not exceed R10,000,000.00 (Ten Million Rends)
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation:.....

Date:

.....

**Commissioner of Oaths
Signature & stamp**

Date:.....

Sworn Affidavit – B-BBEE Qualifying Small Enterprise

I, the undersigned,

Full name and Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a member / director / owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name	
Registration Number:	
Enterprise Address:	
Entity Type (CC, (Pty) Ltd, etc.):	
Nature of Business:	
Definition of “Black People”	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians – (c) who are citizens of the Republic of South Africa by birth or descent; or (d) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;”
Definition of “Black Designated Groups”	“Black Designated Groups means: (f) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (g) Black people who are youth as defined in the National Youth Commission Act of 1996; (h) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (i) Black people living in rural and under developed areas; (j) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;”

3. I hereby declare under Oath that:

- The Enterprise is ___% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is ___% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = %
 - Black Disabled % = _____%
 - Black Unemployed % = ___%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%

- Based on the Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of _____ DD/MM/YYYY, the annual Total Revenue did not exceed R50,000,000.00 (Fifty Million Rands).
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter

5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature:

Deponent Designation.....

Date:

.....

Commissioner of Oaths

Signature & stamp

Date:.....