

## Tender Response Document - Open Procedure

### Appendix Five - Certificate of Bona Fide Tender

The essence of tendering is that the client shall receive bona fide competitive tenders from all firms proposing. In recognition of this principle, we certify that this is a bona fide tender, intended to be competitive, and that we have not fixed or adjusted the amount of the tender by or under or in accordance with any agreement or arrangement with any other person. We also certify that we have not done and we undertake that we will not do at any time before the returnable time for this letter any of the following acts: -

- a) Communicating to a person other than the person calling for this tender the amount or approximate amount of the proposed tender.
- b) Entering into any arrangement or agreement with any other person that he shall refrain from proposing or as to the amount of any tender to be submitted.
- c) Offering or paying or giving or agreeing to pay or give any sum of money or valuable consideration directly or indirectly to any person for doing or having done or causing or have caused to be done in relation to any other tender or proposed tender for the said work any act or thing of the sort described above.

In this certificate the word "person" includes any person(s) and any body or association, corporate or unincorporated; and "agreement or arrangement" includes any such transaction, formal or informal, and whether legally binding or not, and the plural includes the singular.

Tenders' particular attention is drawn to the application of the Competition Act 2002 (as amended). The Competition Act makes it a criminal offence for Tenders to collude on prices or terms in a public tendering procedure. Should the Contracting Authorities become aware of direct or indirect communications, through trade associations or otherwise, between tenders relating to contract conditions or which might facilitate price collusion, it shall be the policy of the Contracting Authorities to disqualify such tenders and to notify the matter to the Competition Authority with the recommendation that action be taken against the tenderers involved.

Signed:

Mr. R.M. Schippers, Director



Company Name:

Electronic Record Services B.V.

Date:

June 14, 2013