



# REQUEST FOR QUOTATION

## RFQ No: Q22/335/NS

Form No: UW-RFQ-2  
Version No: 1.1/2020  
Effective Date: Jul 2020

You are hereby invited to submit a Quotation for the following requirements of  
**UMGENI WATER**

<b>Advert Date:</b>	26 January 2022			
<b>RFQ Ref Number:</b>	Q22/335/NS			
<b>Description Of Services:</b>	<b>WETLAND ASSESSMENT AND REHABILITATION PLAN FOR THE IXOPO HOME FARM DAM WETLAND</b>			
<b>Closing Date:</b>	<b>03 FEBRUARY 2022</b>	THURSDAY	<b>Closing Time:</b>	<b>15H00</b>
<b>Compulsory Briefing / Clarification meeting:</b>	N/A			
<b>Documents Are Obtainable From:</b>	Via email			
<b>SCM Procedure Enquiries may be directed to:</b>	Nozipho Sibiya Tel No. 033 341 1324 Email Address: <a href="mailto:Nozipho.Sibiya@umgeni.co.za">Nozipho.Sibiya@umgeni.co.za</a>			
<b>Submissions:</b>	By email to: <a href="mailto:scmquotes@umgeni.co.za">scmquotes@umgeni.co.za</a> <b>NB:</b> use Q22/335/NS as email subject			
<b>Technical Enquiries: (PM – Details )</b>	Contact Person: Ntombifuthi Vilakazi Email: <a href="mailto:Futhi.Vilakazi@umgeni.co.za">Futhi.Vilakazi@umgeni.co.za</a> Tel : 033 341 1007			

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This RFQ is subject to the general conditions of the RFQ, National Treasury's general conditions of contract (GCC) and, if applicable, any other special conditions of contract (SCC).

## 2. Information about the Tenderer

Name of tenderer	
Registration number	
VAT registration number	
Telephone number	
Cell number	
E-mail address	
Postal address	
Physical address	
CSD Supplier number	
Contact person's name	

I certify that the information furnished on this form is true and correct. I further accept that, in addition to the cancellation of a contract, action may be taken against me should this declaration prove to be false.

\_\_\_\_\_  
Name of tenderer (duly authorised)

\_\_\_\_\_  
Signature of the tenderer

\_\_\_\_\_  
Signature of tenderer

\_\_\_\_\_  
Date

### 3. TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Any alteration made by the tenderer must be initialled.
2. Use of correcting fluid is prohibited
3. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2017; the General Conditions of Contract (GCC) and if applicable any other Special Conditions of Contract.
4. Companies must be registered on the National Treasury's Central Suppliers Database.
5. Suppliers are advised that the 80/20 preference points system shall be applied in the evaluation of this quotation. To qualify for preference points suppliers are required to submit certified copies of valid B-BBEE status Level Verification Certificates to substantiate their B-BBEE rating claims. Refer to SBD 6.1 form.
6. Suppliers must complete the attached **SBD 4** -Declaration of interest form, the **SBD 8** - Declaration of Suppliers past performance form and the **SBD 9** - Certificate of Independent Bid Determination. Failure to complete these documents may result in the quotation being invalidated.
7. Quotations must be in accordance and comply with the specifications/scope of work provided, unless otherwise stipulated.
8. The official Umgeni Water quotation form must be used to tender the offered price. Should the allocated price page be insufficient, the tenderer may supplement the price page with an additional pricing breakdown.
9. The successful supplier may be required to fill in and sign a written Contract Form. (If applicable)
10. This document may contain confidential information that is the property of Umgeni Water.
11. No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ, without prior written permission from Umgeni Water and the Tenderer.
12. All Copyright and Intellectual Property herein vests with Umgeni Water and it's Tenderer.
13. Quotations must be submitted by email [scmquotes@umgeni.co.za](mailto:scmquotes@umgeni.co.za) or be deposited in tender box situated as indicated on the quotation request form marked appropriated as directed. (*The applicable submission method is reflected on the cover page*). Suppliers should ensure that quotations are delivered before closing time and to the correct address.
14. It is the responsibility of the bidder to ensure that its response reaches Umgeni Water on or before the closing date and time of the RFQ.
15. Late and incomplete submissions will not be accepted.
16. Price Declaration must be completed, and should the total RFQ prices differ, the one indicated on the price declaration shall be considered the correct price.
17. Tenderers are required to submit a valid Tax clearance verification PIN.
18. No services must be rendered or goods delivered before an official Umgeni Water Purchase Order form has been received.

The Tenderer accepts the above terms, conditions, and Umgeni Water's Standard Conditions of Tender*.	<b>Accept</b>	<b>Do not accept</b>

\*A full copy of UW's Standard Conditions of Tender are available on Umgeni Water's website.

[http://www.umgeni.co.za/pdf/cm009\\_standard\\_conditions\\_of\\_tender.pdf](http://www.umgeni.co.za/pdf/cm009_standard_conditions_of_tender.pdf)

## CONDITIONS OF QUOTE

1. I/We hereby quote to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to Umgeni Water on the terms and conditions. In accordance with the specifications stipulated in the quotation documents (and which shall be taken as part of and be incorporated into this quote) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/we agree that:
  - (a) the offer herein shall remain binding upon me and open for acceptance by Umgeni Water during the validity period indicated and calculated from the closing time of the quote;
  - (b) this quote and its acceptance shall be subject to the Public Finance Management Act, 1999, Umgeni Water's Supply Chain Management Policy and Procedures, the General and Special Conditions of Contract as may be applicable, with which I/we am fully acquainted;
  - (c) if I/we withdraw my quote within the period for which I/we have agreed that the quote shall remain open for acceptance, or fail to fulfil the contract when called upon to do so. Umgeni Water may, without prejudice to its other rights, agree to the withdrawal of my quote or cancel the contract that may have been entered into between Umgeni Water and I/us. I/we will then pay to Umgeni Water any additional expenses incurred for having either to accept any less favourable quote or, if fresh quote have to be invited, the additional expenditure incurred by the invitation of fresh quotes and by the subsequent acceptance of any less favourable quotes. Umgeni Water shall reserve the right to recover such additional expenditure by set-off against monies which may be due to me under this, or any other tender or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other tender or contract. Pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss Umgeni Water may sustain by reason of my default;
  - (d) if my quote is accepted, the acceptance may be communicated to me by electronic mail, to the email address supplied in my quotation document;
  - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my quote and I choose *domicilium citandi et executandi* in the Republic at (full physical address):  
.....  
.....
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my quote: that the price(s), rate(s) and preference quoted cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this quote or any related quotations by completion of the Declaration of Interest Section.

## **CERTIFICATION OF CORRECTNESS OF INFORMATION SUPPLIED IN THIS DOCUMENT**

I/WE, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE TENDERER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:

- (1) The tenderer will furnish documentary proof regarding any tendering issue to the satisfaction of the Umgeni Water, if requested to do so.
- (2) If the information supplied is found to be incorrect and/or false then Umgeni Water, in addition to any remedies it may have, may: -
  - a) Recover from the contractor all costs, losses or damages incurred or sustained by Umgeni Water as a result of the award of the contract, and/or
  - b) Cancel the contract and claim any damages which Umgeni Water may suffer by having to make less favourable arrangements after such cancellation.

SIGNED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_ AT \_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE OF TENDERER OR DULY  
AUTHORISED REPRESENTATIVE**

\_\_\_\_\_  
**FULL NAME (IN BLOCK LETTERS)**

**ON BEHALF OF (TENDERER'S NAME)** \_\_\_\_\_

**CAPACITY OF SIGNATORY** \_\_\_\_\_

**NAME OF CONTACT PERSON (IN BLOCK LETTERS)** \_\_\_\_\_

\_\_\_\_\_  
**POSTAL ADDRESS** \_\_\_\_\_

\_\_\_\_\_  
**POSTAL CODE** \_\_\_\_\_

**TELEPHONE NUMBER:** \_\_\_\_\_

**FAX NUMBER:** \_\_\_\_\_

**CELLULAR PHONE NUMBER:** \_\_\_\_\_

**E-MAIL ADDRESS:** \_\_\_\_\_

#### 4. ELIGIBILITY AND EVALUATION CRITERIA

##### 4.1 Evaluation method:

The quotation will firstly be evaluated on eligibility. If found to be eligible, it will be further evaluated in two stages i.e.

- Functionality shall be assessed. A minimum functionality score of 70 (seventy) points is required for the tender to be considered further.
- Price & Preference using the 80/20 Preference Point Scoring System in terms of PPPFA

##### Stage 1

Eligibility
<p>Umgeni Water will only consider submissions from tenderers who satisfy the following criteria:</p> <ul style="list-style-type: none"><li>a) the Tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;</li><li>b) the Tenderer has not:<ul style="list-style-type: none"><li>i) abused the Employer's Supply Chain Management System; or</li><li>ii) failed to perform on any previous contract and has been given a written notice to this effect;</li></ul></li><li>c) the Tenderer has completed and signed the Declaration of Interest and there are no conflicts of interest which may impact on the Tenderer's ability to perform the contract in the best interests of the Purchaser or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract;</li><li>d) the Tenderer has completed and signed the Declaration of Independent Tender Determination and has arrived at the accompanying tender independently from, and without consultation, communication, agreement or arrangement with any competitor.</li><li>e) The tender should have a minimum of 5 years of applicable experience.</li><li>f) The Key personnel needs to be registered with the relevant professional registration body i.e. SACNASP (Wetland Scientist / Ecologist) and/or ECSA (Environmental / Soil Conservation Engineer).</li></ul>

##### Stage 2

Functionality	
The minimum qualifying Functionality Evaluation Score shall be seventy (70) points.	
The table below lists the returnable schedules that set out the scoring criteria and sub-criteria, and the percentage weighting for the score achieved against the relevant schedule:	
Returnable Schedule	Weighting %
<ul style="list-style-type: none"><li>Tenderer's Experience</li></ul>	30 points
<ul style="list-style-type: none"><li>Experience of Key Personnel</li></ul>	30 points
<ul style="list-style-type: none"><li>Method Statement</li></ul>	30 points
<ul style="list-style-type: none"><li>Preliminary programme</li></ul>	10 Points

Failure to score a single point in any of the criteria listed above will deem the bid to be non-responsive and the bidder will be disqualified.

The table below lists the returnable schedules that set out the scoring criteria and sub-criteria, and the percentage weighting for the score achieved against the relevant schedule:

Returnable Schedule	Weighting %
• Tenderer's Experience (Tenders experience in corporate copywriting, editing and writing for corporate Annual Reports)	70 Points
• Method Statement (Company's proposed technical approach and methodology)	30 Points

Failure to score a single point in any of the criteria listed above will deem the bid to be non-responsive and the bidder will be disqualified.

**Note: Bidders must achieve a minimum score of 70 points for Stage 2 and the technical criteria, in order to be considered for the next level of the evaluation process i.e. Price and BEE.**

### **Stage 3**

#### **Price Evaluation**

The procedure for the evaluation of responsive tenders is Method 2 (Financial Offer and Preference) will be in accordance with F.3.11.3 using formula 2 in F.3.11.7

## **4.2. FUNCTIONALITY CRITERIA**

### **4.2.1. TENDERER'S EXPERIENCE (30)**

The experience of the Tenderer or joint venture partners in the case of an unincorporated joint venture or consortium will be evaluated based on experience in similar projects or similar areas and conditions with the scope of work. The evaluation will consider the experience concerning the management of programmes and projects and the provision of cost consulting services to programmes of work as opposed to projects where bills of quantities have been used. Tenderers should very briefly describe their experience in this regard relevant to the scope of work and attach this to this schedule.

#### **The bidder should briefly describe company experience (for information use only)**

The experience of the Service Provider or joint venture partners in the case of an unincorporated joint venture or consortium will be evaluated based on experience in surveying projects in relation to the scope of work. Service Providers should very briefly describe their experience in this regard relevant to the scope of work and attach this to this schedule

Description of work (service)	Period / Year	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Company (Where the Service was provided)	Contact details

Scoring of the Tenderer's experience will be as follows: 30

DESCRIPTION	MAX POSSIBLE SCORE
<p><b>Understanding of the UW's requirements:</b></p> <p>Bidders must indicate their understanding of the scope of work, timelines and output for this project and submit proof of their previous experience by listing projects successfully conducted in similar Government entities, State-Owned Enterprises and Private Sector Businesses/organizations.</p> <p><b>Company experience in developing integrated catchment management/action plans including undertaking the associated stakeholder engagement. (Submit proof of previous experience).</b></p> <p>&lt;5 projects – 0 points  5 projects – 35 points,  5 additional points for every project more than 5 projects to a maximum of 50 points</p> <p><b>Company experience in undertaking wetland delineations, assessments and developing wetland rehabilitation strategies. (Submit proof of previous experience).</b></p> <p>&lt;5 projects – 0 points  5 projects – 35 points,  5 additional points for every project more than 5 projects to a maximum of 50 points</p>	<p><b>100</b></p>

**TENDERER'S EXPERIENCE (Continued)**

**INSERT TENDERER'S EXPERIENCE HERE**

#### 4.3. KEY PERSONNEL EXPERIENCE ASSIGNED TO THE WORK

Insert in the table below the key personnel and their proposed function.

##### KEY PERSONNEL SCHEDULE

No.	Proposed Function	Key Person Name
1.	Project Manager: Wetland Ecologist/Scientist/ Practitioner	
2.	Environmental/soil conservation engineer	

##### EXPERIENCE OF KEY PERSONNEL

Provide relevant information as prescribed below for the following Key Persons proposed in the tender to fulfil the following positions:

##### Key Person Positions

**A. Wetland Ecologist/Scientist/Practitioner**

**B. Environmental/Soil Conservation Engineer**

The experience of each key person, relevant to the scope of work, will be evaluated from the following:

- 1) General experience (total duration of activity), level of education and training and positions held by the key person.
- 2) The education, training and experience of the person, in the specific sector, field, subject, etc. which is directly linked to the scope of work.

A CV of each key person of not more than 3 pages should be attached to this schedule.

Each CV should be structured under the following headings:

1. Personal particulars
  - name
  - date and place of birth
  - place (s) of tertiary education and dates associated therewith
2. Qualifications
3. Name of current employer and position in enterprise
4. Overview last 10 years of experience (year, organization, position and projects)
5. Outline of recent assignments/experience that has a bearing on the scope of work

The scoring of the experience of key staff will be as follows: [ 30 ]

<p>The proposed project team should include CV's showing experience in projects of a similar nature. This must include details of the project Leader; backup project Leader and support team proposed for the project and must demonstrate the overall multi-disciplinary capability of the team and internal support structures.</p> <p><b>Experience of the Wetland Ecologist/Scientist/Practitioner in undertaking wetland delineations, assessments, developing wetland rehabilitation strategies and any other related experience.</b></p> <ul style="list-style-type: none"> <li>• &lt;5yrs – 0 points</li> <li>• 5yrs – 35 points</li> <li>• 5 additional points for every year more than 5 years to a maximum of 50 points</li> </ul> <p><b>Experience of the Environmental / Soil Conservation Engineer in wetland management and associated infrastructural interventions experience.</b></p> <ul style="list-style-type: none"> <li>• &lt;5yrs – 0 points</li> <li>• 5yrs – 35 points</li> <li>• 5 additional points for every year more than 5 years to a maximum of 50 points</li> </ul>	100
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**EXPERIENCE OF KEY PERSONNEL (Continued)**

**INSERT KEY PERSONNEL CVs HERE**

#### 4.4. METHOD STATEMENT

The method statement must respond to the Scope of Work and outline the proposed approach/methodology. The method statement should articulate what value the Tenderer will add in achieving the stated objectives for the project.

The Tenderer must as such explain his / her understanding of the objectives of the assignment and the Purchaser's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach. The approach should also include a quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management.

The Tenderer must attach his / her approach paper/proposal to this page. The approach paper/proposal should not be longer than 8 pages.

The scoring of the approach paper/proposal will be as follows: | 30 |

Technical approach and methodology	
<b>No submission (score 0)</b>	No Method Statement submitted
<b>Poor (score 40)</b>	The technical approach and/or methodology is poor / is unlikely to satisfy project objectives or requirements. The Tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.
<b>Satisfactory (score 70)</b>	The approach is generic but tailored to address the general project objectives and methodology. The approach does not deal with the critical characteristics of the project. The quality plan, the manner in which risk is to be managed is very generic.
<b>Good (score 90)</b>	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk is specifically tailored to the critical characteristics of the project.
<b>Very good (score 100)</b>	Besides meeting the "good" rating, the important issues are approached innovatively and efficiently, indicating that the Tenderer has outstanding knowledge of state-of-the-art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.

**METHOD STATEMENT (Continued)**

**INSERT METHOD STATEMENT HERE**

## PRELIMINARY PROGRAMME

The Tenderer shall detail below or attach a preliminary programme reflecting the proposed sequence and tempo of execution of the main work components. The programme shall be in accordance with the information supplied in the Contract, requirements of the Project Specifications and with all other aspects of his Tender.

The contractor should note that the contract is required to be completed, commissioned and handed over to the Purchaser by the date specified in the contract data.

PROGRAMME														
Component / sub component	WEEKS / MONTHS													

**Note:** The programme must be based on the completion time as specified in the Contract Data. No other completion time that may be indicated on this programme will be regarded as an alternative offer, unless it is listed in supported by a detailed statement to that effect, all as specified in the Tender Data.

Scoring of the preliminary programme will be as follows: | 10 |

	Suitability of programme
<b>No submission (score 0)</b>	No preliminary programme submitted
<b>Poor (score 40)</b>	Programme is inadequate and/or considered unrealistic and does not achieve the required completion date
<b>Satisfactory (score 70)</b>	Programme is considered realistic and adequately shows the main components and compliance with completion date
<b>Good (score 90)</b>	Programme is considered realistic and includes the main components and sub subcomponents and compliance with completion date
<b>Very good (score 100)</b>	Programme is considered realistic and includes the main components and subcomponents and linkages and compliance with completion date

**PRELIMINARY PROGRAMME (Continued)**

**INSERT PRELIMINARY PROGRAMME HERE**

**PROFESSIONAL REGISTRATION CERTIFICATE/S**

**INSERT PROFESSIONAL REGISTRATION CERTIFICATES**

**Additional information to be submitted by the bidders**

- 1) Brief company profile, as relevant to the above-mentioned terms of reference.
- 2) Experience in the relevant areas as required by Umgeni Water
- 3) Clientele
- 4) Contact details of at least three references from among recent clients with whom similar work has been conducted in the past 36 months.
- 5) Certificate of incorporation / legal status.
- 6) Financial proposal.

## 5. RFQ SCOPE OF SERVICE REQUIREMENTS:

### 5.1 Background

Umgeni Water operates and manages Ixopo Home Farm Dam on behalf of Harry Gwala District Municipality. The current major challenge with the dam is poor water quality due to nutrient enrichment related to agricultural runoff from the upstream agricultural activities (dairy farm) and sewer infrastructural problems within Ixopo town. The nutrient enrichment makes the conditions at the Home Farm Dam conducive to the proliferation of aquatic alien weeds and algal blooms. This is a major risk to the sustainability of water supply because poor water quality is associated with increased water treatment costs and proliferation of aquatic weeds which is associated with high evapotranspiration rates in the dam resulting in water reduction in the dam, thereby threatening water supply to the Ixopo Town and surroundings. The current challenges affecting water supply at Ixopo call for relevant interventions to be investigated and implemented as a matter of urgency. Located between the upstream dairy farm dam and the Ixopo Home Farm Dam is a wetland ecosystem. This wetland forms part of the larger wetland system that extends through a portion of a township located east of the main town, past a quarry and back into a more confined riparian area further downstream. A number of dams and numerous tributaries are present within this wetland system and this is associated with the extensive agricultural practices within the broader landscape. These dams are likely to be having a significant impact on the hydrological functioning of the affected freshwater ecosystems and this is only one of the many impacts to the wetland systems within the broader landscape.

Research indicates that ecological infrastructure such as intact wetlands located downstream of sources of pollution and upstream of water resource infrastructure have the ability to provide a list of ecosystem services such as water quality enhancement, flood attenuation, sediment trapping and provision of harvestable crops for food and/or crafts. However, as the integrity and functioning of these wetland systems decline as a result of land-use changes and catchment pressures, the ability of the systems to provide these services decreases. Umgeni Water has prioritised the iXopo wetland system for rehabilitation due to the opportunities presented by rehabilitation particularly in terms of water quality enhancement and flood attenuation.

The approach is to appoint a service provider to start by undertaking a wetland assessment to rehabilitate the iXopo Home Farm Wetland and develop a rehabilitation strategy or plan based on the outcomes of the wetland assessment.

### 5.2 Purpose of the Appointment

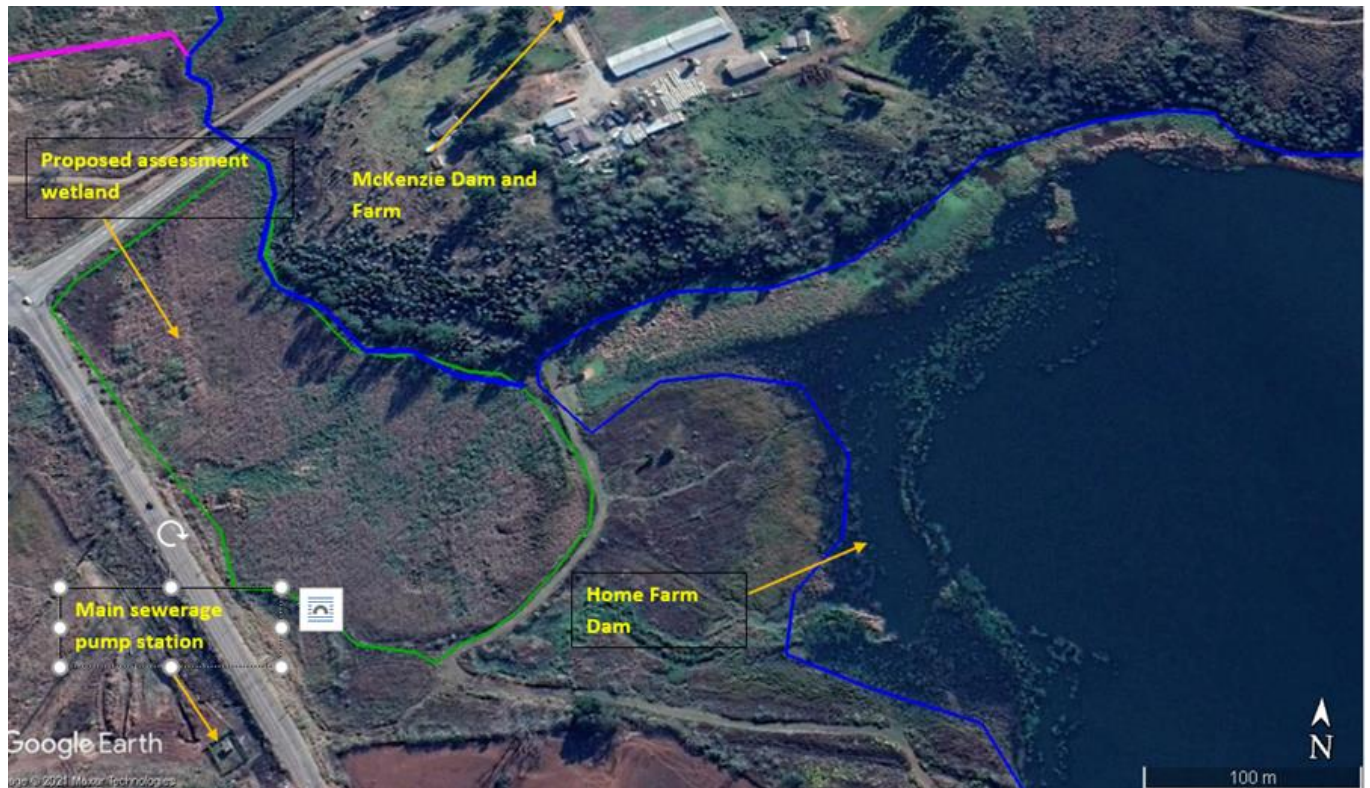
The purpose of this document is the appointment of a competent service provider to undertake a wetland assessment and develop a wetland rehabilitation plan for the Ixopo Home Farm Dam Wetland.

### 5.3 Project Scope

UW wishes to appoint a service provider to conduct a wetland assessment and develop a wetland rehabilitation plan for the iXopo Home Farm Wetland (See **Figure 1** for location).

The appointed service provider will be responsible for the execution of the following scope of work:

- Desktop mapping and wetland delineation;
- Assessment of the Present Ecological State (PES) of the iXopo Home Farm Dam Wetland using the Wet-Health Tool;
- Assess the Ecosystem Importance and Sensitivity (EIS) of the iXopo Home Farm Dam Wetland using the WET-EcoServices Tool;
- Identify and assess the existing land use impacts on;
  - Water resources that support the wetland,
  - Threatened or protected species, and
  - Potential impacts of runoff, stormwater infrastructure and pollution sources.
- Identify rehabilitation interventions and activities. This should include;
  - Identifying appropriate solutions to address the identified impacts and threats to improve the function of the wetland, and
  - determining the possible level of rehabilitation required as well as the associated costs and implementation strategy.
- Develop a wetland rehabilitation strategy; and
- Produce a final draft report in the form of a status quo wetland assessment.



**Figure 1** iXopo Home Farm Dam wetland prioritised for rehabilitation. (Lat: 30° 8'45.30"S; Long: 30° 4'21.18"E)

#### **5.4 Deliverables**

The following deliverables are expected as part of the services that will be provided by the appointed service provider:

- Status Quo wetland assessment report and rehabilitation plan for iXopo Home Farm Dam Wetland. This needs to include:
  - The wetland delineation results;
  - Wetland assessment results for both Wet-Health and Wet-EcoServices;
  - Potential impacts and recommendations for rehabilitation or mitigation of the identified impacts;
  - Wetland rehabilitation plan, associated costs of implementation and timeframes or preliminary programme;
  - Details of the proposed structures and their proposed location; and
  - Post rehabilitation monitoring plan.

#### **5.5 Skills and Competencies Required:**

To fulfil the requirements for the development of the Ixopo Home Farm Dam Wetland assessment and rehabilitation plan the service provider should have the following demonstrable experience, skills, and competencies:

- Excellent analytical, conceptual and writing skills;
- Excellent communication and facilitation skills to conduct workshops and meetings;
- Excellent planning, coordination and organisational skills;
- Ability to conduct wetland delineations and assessment; and
- Ability to develop and implement wetland rehabilitation strategies.

#### **5.6 Reporting Requirements**

Following confirmation of the selection and appointment of the professional service provider, a kick-off meeting shall be held between the PSP and Umgeni Water project team. The purpose of the meeting will be to:

- Confirm the scope of work and any information requirements;
- Obtain additional project background information for Umgeni Water; and
- Confirm the project approach, project scope and design, reporting requirements and schedule.
- The successful service provider will be required to provide monthly progress and monthly progress meetings will be held between the PSP and the Umgeni Water project team.

6. BILL OF QUANTITIES

TENDERER'S NAME AND ADDRESS					DETAILS OF PURCHASING OFFICE			
COMPANY NAME:					<b>UMGENI WATER (PINESIDE)</b> Supply Chain Management Unit 13 Pineside Road New Germany 3620 Enquiries: NOZIPHO SIBIYA Tel no.: 033 341 1324 Email: <a href="mailto:NOZIPHO.SIBIYA@UMGENI.CO.ZA">NOZIPHO.SIBIYA@UMGENI.CO.ZA</a>			
ADDRESS:								
COMPANY REG. NUMBER:								
CONTACT NO.								
CONTACT PERSON								
REFERENCE (REQ NO.)		CLOSING DATE & TIME			VALIDITY PERIOD:		30	DAYS
Q22/335/NS		04 FEBRUARY 2022						
ITEM No	PAYMENT REF	DESCRIPTION	UNIT	QTY	RATE	AMOUNT R-C	A C	
1		WETLAND ASSESSMENT AND REHABILITATION PLAN FOR THE IXOPO HOME FARM DAM WETLAND	1	1				
<b>SUBTOTAL</b>								
C.S.D Reg No.					VAT @ 15%			
<b>GRAND TOTAL INCLUSIVE OF VAT CARRY TO PRICE</b>						<b>R 300 000</b>		
<b>DECLARATION</b>								
<i>Does the offer comply with the specification?</i> If not, furnish details of deviation.								
STATE DELIVERY PERIOD: <i>Definite period/s must be stated e.g. 1 day, 1 week.</i>								

<p><b>COMPANY STAMP OFFICIAL</b></p>	<p><b>Returnable Documents &amp; Evaluation Criteria:</b></p> <ol style="list-style-type: none"> <li>1. Certificate of Incorporation (CIPC Registration Certificate listing company directors/shareholders/owner/s)</li> <li>2. Above R30 000, <b>Tax Clearance, BEE Certificate/ EME affidavit &amp; a CSD summary</b> report not older than 30 days</li> <li>3. The 80/20 preference points system will apply in line with threshold. And compliance to specification.</li> </ol>
<p><b>SIGNATURE OF TENDERER :</b> _____ <b>DATE:</b> _____</p>	<p><b>FULL NAME &amp; SURNAME:</b> _____</p>

### **PRICE DECLARATION**

Please indicate your total RFQ price in words below **(compulsory)**:

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**NB: It is mandatory to indicate your total RFQ price as requested above. This price must be the same as the total RFQ price you submit in your bill of quantities. Should the total RFQ prices differ, the one indicated above shall be considered the correct price.**

### **The following must be noted:**

- All prices must be VAT inclusive and must be quoted in South African Rand (ZAR).
- All prices must be firm and fixed from the quotation closing date and for the duration of the contract
- All prices must have supplied according to the costing template provided, pricing breakdown schedules may be supplied as annexures to the quoted if deemed necessary.
- The cost of delivery, labour etc. must be included in the total quoted price.

## 7. RETURNABLE DOCUMENTS

	<b>Mandatory Requirement</b>	Comply (Yes/No)	Remarks
1	CSD Summary report		
2	B-BBEE Certificate and/or Affidavit		
3	Tax Clearance Certificate and/or TAX Verification PIN		
4	Certificate of Incorporation (CIPC Registration Certificate listing company directors/shareholders/owner/s)		

## 8. DECLARATION OF INTEREST (SBD 4)

1. Any legal person, including persons employed by the state<sup>1</sup>, 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 quote (includes a price quotation, advertised competitive quote, limited quote 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:-
  - a) the bidder is employed by the state; and/or
  - b) 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, shareholder<sup>2</sup>): .....
  - 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.

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"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 presently employed by the state? YES ☐ NO ☐

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 ☐

If yes, did you attached proof of such authority to the quotation document? YES ☐ NO ☐

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the quote.

2.7.2.1 If no, furnish reasons for non-submission of such proof: \_\_\_\_\_

\_\_\_\_\_

2.7.3 Did you or your spouse, or any of the company's directors / trustees / shareholders / members **YES** ☐ **NO** ☐  
or their spouses conduct business with the state in the previous twelve months?

2.7.4 If so, furnish particulars. \_\_\_\_\_

\_\_\_\_\_

2.7.4.1 Do you, or any person connected with the bidder, have any relationship (family, friend, other) **YES** ☐ **NO** ☐  
with a person employed by the state and who may be involved with the evaluation and or adjudication  
of this quote?

2.7.5 If so, furnish particulars. \_\_\_\_\_

\_\_\_\_\_

2.10 Are you, or any person connected with the bidder, aware of any relationship (family, **YES** ☐ **NO** ☐  
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 quote?

2.10.1 If so, furnish particulars. \_\_\_\_\_

\_\_\_\_\_

2.11 Do you or any of the directors / trustees / shareholders / members of the company have **YES** ☐ **NO** ☐  
any interest in any other related companies whether or not they are bidding for this contract?

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT. I ACCEPT THAT THE STATE MAY REJECT THE QUOTATION OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

TEL/ Cell: \_\_\_\_\_ Email: \_\_\_\_\_

COMPANY STAMP

**10. 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? <b>(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 <i>audi alteram partem</i> rule was applied).</b>  The Database of Restricted Suppliers now resides on the National Treasury's website( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) 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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b>	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:		

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

## 10. 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 *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. disregard 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:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> 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 Quotation:

Quote Number: \_\_\_\_\_ Description: \_\_\_\_\_

in response to the invitation for the bid made by: \_\_\_\_\_

(Name of Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

\_\_\_\_\_  
(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 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.

## CERTIFICATE OF INDEPENDENT BID DETERMINATION (Cont....)

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.

<sup>3</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.**

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

## 11. PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

### 1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### 2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **"Broad-Based Black Economic Empowerment Act"** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **"EME"** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **"functionality"** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **"prices"** includes all applicable taxes less all unconditional discounts;
- (h) **"proof of B-BBEE status level of contributor"** means:

- 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) “**QSE**” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE **80/20** PREFERENCE POINT SYSTEM WILL BE APPLIED FOR THIS TRANSACTION

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

**80/20**

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

Where

- $P_s$  = Points scored for price of bid under consideration
- $P_t$  = Price of bid under consideration
- $P_{\min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

### 5. BID DECLARATION

- 5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

#### 6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

- 6.1 B-BBEE Status Level of Contributor: . = ..... (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

## 7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted? (*Tick applicable box*)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE (*Tick applicable box*)

YES		NO	
-----	--	----	--

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME ✓	QSE ✓
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

## 8. DECLARATION WITH REGARD TO COMPANY/FIRM

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

## 9. TYPE OF COMPANY/ FIRM [Tick applicable box]

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Company
- ☐ (Pty) Limited

## 9.1 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

## 9.2 COMPANY CLASSIFICATION [TICK APPLICABLE BOX]

- ☐ Manufacturer
- ☐ Supplier
- ☐ Professional service provider
- ☐ Other service providers, e.g. transporter, etc.

9.3 Total number of years the company/firm has been in business: \_\_\_\_\_

9.4 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution.

<p>WITNESSES (Full Name &amp; Signature)</p> <p>1. _____</p> <p>Signature: _____</p> <p>2. _____</p> <p>Signature: _____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>	<p>Signatory: _____</p> <p>Tenderer's Signature: _____</p> <p>Address: _____</p> <p>_____</p> <p>_____</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Date</p>
--	--

**12. RFQ Number: Q22/335/NS– WETLAND ASSESSMENT AND REHABILITATION PLAN FOR THE IXOPO HOME FARM DAM WETLAND.**

**CERTIFICATE OF ACQUAINTANCE WITH RFQ, TERMS & CONDITIONS & APPLICABLE DOCUMENTS**

By signing this certificate, the **Respondent** is deemed to acknowledge that he/she has made himself/herself thoroughly familiar with, and agrees with all the conditions governing this **RFQ**. This includes those terms and conditions contained in any printed form stated to form part hereof, including but not limited to the documents stated below. As such, **Umgeni Water** will recognise no claim for relief based on an allegation that the **Respondent** overlooked any such condition or failed properly to take it into account for the purpose of calculating tendered prices or any other purpose:

1 Umgeni Water's Standard Conditions of Tender*
2 Umgeni Water's Terms and Conditions of Contract for Services to Umgeni Water's

Should the Tenderer find any terms or conditions stipulated in any of the relevant documents quoted in the RFQ unacceptable, it should indicate which conditions are unacceptable.

The Tenderer accepts that an obligation rests on them to obtain clarity relating to any uncertainties regarding any quote, which they intend to respond on, before submitting an offer. The Tenderer agrees that he/she will have no claim based on an allegation that any aspect of this RFQ was unclear but in respect of which he/she failed to obtain clarity.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

SIGNATURE OF WITNESSES

ADDRESS OF WITNESSES

1 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

2 \_\_\_\_\_

\_\_\_\_\_

Name \_\_\_\_\_

\_\_\_\_\_

SIGNATURE OF TENDERER'S AUTHORISED REPRESENTATIVE:

\_\_\_\_\_

NAME: \_\_\_\_\_ DESIGNATION: \_\_\_\_\_

\*A full copy of UW's Standard Conditions of Tender are available on Umgeni Water's website.

[http://www.umgeni.co.za/pdf/cm009\\_standard\\_conditions\\_of\\_tender.pdf](http://www.umgeni.co.za/pdf/cm009_standard_conditions_of_tender.pdf)

### 13. CONTRACT FORM - RENDERING OF SERVICES

**THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.**

#### **PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)**

1. I hereby undertake to render services described in the attached quotation documents to **Umgeni Water** in accordance with the requirements and task directives specifications stipulated in Quote Number **XXX** at the price/s quoted. The offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the Quote.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Tendering documents, viz
    - Invitation to quote;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations 2017;
    - Declaration of interest;
    - Declaration of bidder's past SCM practices;
    - Certificate of Independent Bid Determination;
    - Umgeni Water's Standard Conditions of Tender;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the quotation documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other quote.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

#### **WITNESSES (Full Name & Signature)**

1. \_\_\_\_\_

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

2. \_\_\_\_\_

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

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

**CONTRACT FORM - RENDERING OF SERVICES**  
**PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I \_\_\_\_\_ in my capacity as \_\_\_\_\_ accept your quote under reference number XXXX dated \_\_\_\_\_ for rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION & CONTENT (if applicable)
WETLAND ASSESSMENT AND REHABILITATION PLAN FOR THE IXOPO HOME FARM DAM WETLAND.				

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT \_\_\_\_\_ ON \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

NAME (PRINT) \_\_\_\_\_ SIGNATURE \_\_\_\_\_

OFFICIAL COMPANY STAMP

**WITNESSES (Full Name & Signature)**

1. \_\_\_\_\_
- Signature: \_\_\_\_\_
2. \_\_\_\_\_
- Signature: \_\_\_\_\_
- Date: \_\_\_\_\_