



[RFP] - PROVISIONS OF GROUND MAINTENANCE SERVICES AT JOZINI REQUEST FOR PROPOSAL

| | |
|-----------------------------|-----------------------------------|
| RFP CONTRACT NO: | MW/22/11/2022/2023 |
| ISSUE DATE: | 21 NOVEMBER 2022 |
| BRIEFING DATE | 08 DECEMBER 2022 |
| TIME | 10h00 |
| CLOSING DATE: | 24 JANUARY 2023 |
| CLOSING TIME: | 12:00 PM |
| BID VALIDITY PERIOD: | 180 Days from Closing Date |

PRE-QUALIFICATION/ELIGIBILITY CRITERIA AS FOLLOWS.

Only tenderers who have established businesses within the District UMkhanyakude will be eligible to tender (Proof of business location in the form of utility bill, Letter from the Traditional Authority or the Municipal Councillor (not older than 3 months) or active lease agreement.

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PROVISIONS OF INTEGRATED SECURITY SERVICES MHLATHUZE WATER

SCHEDULE OF BID DOCUMENTS

SECTION 1: SBD1 FORM

PART A
INVITATION TO BID

| | | | | |
|---|---|--|--|---|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF INTEGRATED SECURITY SERVICES AT MHLATHUZE WATER. | | | | |
| BID NUMBER: | MW/22/11/2022/2023 | ISSUE DATE: 21 NOVEMBER 2022 | CLOSING DATE 24 JANUARY 2023 | 12H00 |
| DESCRIPTION | PROVISIONS OF GROUND MAINTENANCE SERVICES AT JOZINI | | | |
| PROVISIONS OF GROUND MAINTENANCE SERVICES AT JOZINI | | | | |
| NAME OF BIDDER | | | | |
| POSTAL ADDRESS | | | | |
| STREET ADDRESS | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | |
| CELLPHONE NUMBER | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | |
| E-MAIL ADDRESS | | | | |
| VAT REGISTRATION NUMBER | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE UNIQUE REGISTRATION REFERENCE NUMBER: MAAA |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No |

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[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED FOR PURPOSES OF COMPLIANCE WITH THE B-BBEE ACT]

| | | | |
|--|--|---|---|
| 1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | 2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER QUESTIONNAIRE BELOW] |
|--|--|---|---|

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

| | |
|---|--|
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? YES <input type="checkbox"/> NO | <input type="checkbox"/> |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | <input type="checkbox"/> YES <input type="checkbox"/> NO |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> NO | <input type="checkbox"/> YES |

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 1.3 BELOW.

PART B
TERMS AND CONDITIONS FOR BIDDING

1. TAX COMPLIANCE REQUIREMENTS

- 1.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 1.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER’S PROFILE AND TAX STATUS.
- 1.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 1.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 1.5 IN BIDS WHERE UNINCORPORATED CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 1.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE: _____

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SECTION 2 : NOTICE TO BIDDERS

1 INVITATION TO BID

Responses to this RFP [hereinafter referred to as a **Bid** or a **Proposal**] are requested from persons, companies, close corporations or enterprises [hereinafter referred to as an **entity**, **Respondent** or **Bidder**].

| | |
|-------------------------|---|
| DESCRIPTION | PROVISIONS OF GROUND MAINTENANCE SERVICES AT MHLATHUZE WATER |
| TENDER ADVERT | All Mhlathuze Water tenders are advertised on the National Treasury's e-Tender Publication Portal Should one of these media (i.e. National Treasury's e-Tender Publication Portal or Mhlathuze Water website) not be available, bidders are advised to check on the other media for advertised tenders. |
| COMMUNICATION | Any addenda to the RFP or clarifications will be published on the e-tender portal and Mhlathuze Water website. Bidders are required to check the e-tender portal prior to finalising their bid submissions for any changes or clarifications to the RFP. Mhlathuze Water will not be held liable if Bidders do not receive the latest information regarding this RFP with the possible consequence of either being disadvantaged or disqualified as a result thereof. |
| BRIEFING SESSION | Yes – Compulsory site visit at Jozini Regional Water Works on the 08 December 2022 11:00 PM on Thursday MHLATHUZE WATER HEAD OFFICE: Cnr. South Central Arterial & Battery Bank, Alton, Richards Bay, 3900 |
| CLOSING DATE | 24 January 2023 12:00 PM on Thursday at 12h00 . MHLATHUZE WATER HEAD OFFICE: Cnr. South Central Arterial & Battery Bank, Alton, Richards Bay, 3900. The tender box is 24hours accessible |
| VALIDITY PERIOD | 180 Days from Closing Date Bidders are to note that they may be requested to extend the validity period of their bid, at the same terms and conditions, if the internal evaluation process has not been finalised within the validity period. However, once the adjudication body has approved the process and award of the business to the successful bidder(s), the validity of the successful bidder(s)' bid will be deemed to remain valid until a final contract has been concluded. |

Any additional information or clarification will be published on the e-Tender portal and Mhlathuze Water website, if necessary.

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2 RFP INSTRUCTIONS

- 2.1 Please sign documents [sign, stamp and date the bottom of each page] before uploading them on the system. The person or persons signing the submission must be legally authorised by the respondent to do so.
- 2.2 **All mandatory and essential returnable documents tabled in the Proposal Form must be returned with proposals.**
- 2.3 Unless otherwise expressly stated, all Proposals furnished pursuant to this RFP shall be deemed to be offers. Any exceptions to this statement must be clearly and specifically indicated.
- 2.4 Any additional conditions must be embodied in an accompanying letter. Subject only to clause 15 [Alterations made by the Respondent to Bid Prices] of the General Bid Conditions, paragraph 12 below (Legal Review) of the RFP, alterations, additions or deletions must not be made by the Respondent to the actual RFP documents.

3 FORMAL BRIEFING

A compulsory site meeting and/or RFP briefing will be conducted at Regional Jozini Water Works

on the 08 December 2022 **at 10h30** for a period of \pm 2 hours. The briefing session will start punctually and information will not be repeated for the benefit of meeting attendants joining late the meeting.

- 3.1** A Certificate of Attendance in the form set out must be completed and submitted with your Proposal as proof of attendance is required for a **compulsory** site meeting and/or RFP briefing.
- 3.2 Respondents failing to attend the compulsory RFP briefing will be disqualified.
- 3.3 Respondents are encouraged to bring a copy of the RFP to the site meeting and/or RFP briefing session.

4 JOINT VENTURES OR CONSORTIUMS

Respondents who would wish to respond to this RFP as a Joint Venture [JV] or consortium with B-BBEE entities, must state their intention to do so in their RFP submission. Such Respondents must also submit a signed JV or consortium agreement between the parties clearly stating the percentage [%] split of business and the associated responsibilities of each party. If at the time of the bid submission such a JV or consortium agreement has not been concluded, the partners must submit confirmation in writing of their intention to enter into a JV or consortium agreement should they be awarded business by Mhlathuze Water through this RFP process. This written confirmation must clearly indicate the percentage [%] split of business and the responsibilities of each party. In such cases, award of business will only take place once a signed copy of a JV or consortium agreement is submitted to Mhlathuze Water.

Respondents are to note that for the purpose of Evaluation, a JV will be evaluated based on one consolidated B-BBEE score card (a consolidated B-BBEE Status Level verification certificate) as per the B-BBEE Preferential Procurement Regulations, 2017 preference point scoring.

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5 COMMUNICATION

- 5.1 For specific queries relating to this RFP, an RFP Clarification Request Form should be submitted onto the system and to Sihle Mndaweni, 035 902 1037] **before 12 January 2023 12:00 pm on** substantially in the form set out in RFP hereto. In the interest of fairness and transparency, Mhlathuze Water response to such a query will be published on the e-tender portal and Mhlathuze Water website.
- 5.2 After the closing date of the RFP, a Respondent may only communicate with the name of delegated individual (Mr Sihle Mndaweni), at telephone number 035 902 1037, email tender@mhlathuze.co.za on any matter relating to its RFP Proposal.
- 5.3 Respondents are to note that changes to its submission will not be considered after the closing date.
- 5.4 It is prohibited for Respondents to attempt, either directly or indirectly, to canvass any officer or employee of Mhlathuze Water in respect of this RFP between the closing date and the date of the award of the business.
- 5.5 Respondents found to be in collusion with one another will be automatically disqualified and restricted from doing business with organs of state for a specified period.

6 CONFIDENTIALITY

All information related to this RFP is to be treated with strict confidence. In this regard Respondents are required to certify that they have acquainted themselves with the Non-Disclosure Agreement. All information related to a subsequent contract, both during and after completion thereof, will be treated with strict confidence. Should the need however arise to divulge any information related to this RFP or the subsequent contract, written approval must be obtained from Mhlathuze Water.

7 COMPLIANCE

The successful Respondent [hereinafter referred to as the **PROVISIONS OF PANEL OF GROUND MAINTENANCE AT JOZINI**] shall be in full and complete compliance with any and all applicable laws and regulations.

8 EMPLOYMENT EQUITY ACT

Respondents must comply with the requirements of the Employment Equity Act 55 of 1998 applicable to it including (but not limited to) Section 53 of the Employment Equity Act.

9 DISCLAIMERS

Respondents are hereby advised that Mhlathuze Water is not committed to any course of action as a result of its issuance of this RFP and/or its receipt of Proposals. In particular, please note that Mhlathuze Water reserves the right to:

- 9.1 modify the RFP's Goods/Services and request Respondents to re-bid on any such changes;
- 9.2 reject any Proposal which does not conform to instructions and specifications which are detailed herein;
- 9.3 disqualify Proposals submitted after the stated submission deadline [closing date];
- 9.4 award a contract in connection with this Proposal at any time after the RFP's closing date;
- 9.5 award a contract for only a portion of the proposed Goods/Services which are reflected in the scope of this RFP;

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- 9.6 split the award of the contract between more than one Supplier/Service provider, should it at Mhlathuze Water discretion be more advantageous in terms of, amongst others, cost or developmental considerations;
- 9.7 cancel the bid process;
- 9.8 validate any information submitted by Respondents in response to this bid. This would include, but is not limited to, requesting the Respondents to provide supporting evidence. By submitting a bid, Respondents hereby irrevocably grant the necessary consent to Mhlathuze Water to do so;
- 9.9 request audited financial statements or other documentation for the purposes of a due diligence exercise;
- 9.10 not accept any changes or purported changes by the Respondent to the bid rates after the closing date and/or after the award of the business, unless the contract specifically provided for it;
- 9.11 to cancel the contract and/request that National Treasury place the Respondent on its Database of Restricted Suppliers for a period not exceeding 10 years, on the basis that a contract was awarded on the strength of incorrect information furnished by the Respondent or on any other basis recognised in law;
- 9.12 to award the business to the next ranked bidder, provided that he/she is still prepared to provide the required Goods/Services at the quoted price, should the preferred bidder fail to sign or commence with the contract within a reasonable period after being requested to do so. Under such circumstances, the validity of the bids of the next ranked bidder(s) will be deemed to remain valid, irrespective of whether the next ranked bidder(s) were issued with a Letter of Regret. Bidders may therefore be requested to advise whether they would still be prepared to provide the required Goods/Services at their quoted price, even after they have been issued with a Letter of Regret.

Note that Mhlathuze Water will not reimburse any Respondent for any preparatory costs or other work performed in connection with its Proposal, whether or not the Respondent is awarded a contract.

10 LEGAL REVIEW

A Proposal submitted by a Respondent will be subjected to review and acceptance or rejection of its proposed contractual terms and conditions by Mhlathuze Water Legal Counsel, prior to consideration for an award of business. A material deviation from the Standard terms or conditions could result in disqualification.

11 SECURITY CLEARANCE

Acceptance of this bid could be subject to the condition that the Successful Respondent, its personnel providing the Goods/Services and its subcontractor(s) must obtain security clearance from the appropriate authorities to the level of **CONFIDENTIAL/ SECRET/TOP SECRET**. Obtaining the required clearance is the responsibility of the Successful Respondent. Acceptance of the bid is also subject to the condition that the Successful Respondent will implement all such security measures as the safe performance of the contract may require.

12 NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Respondents are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. Respondents must register on the CSD prior to submitting their bids. Business may not be

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awarded to a Respondent who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD.

For this purpose, the attached SBD 1 form must be completed and submitted as a mandatory returnable document by the closing date and time of the bid.

13 TAX COMPLIANCE

Respondents must be compliant when submitting a proposal to Mhlathuze Water and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

It is a condition of this bid that the tax matters of the successful Respondents be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Respondents tax obligations. The Tax Compliance status requirements are also applicable to foreign Respondents/ individuals who wish to submit bids.

Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database.

**Mhlathuze Water urges its clients, suppliers and the general public to report any fraud or corruption to
TIP-OFFS ANONYMOUS: 0800 204 310**

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SECTION 3: BACKGROUND, OVERVIEW AND SCOPE OF REQUIREMENTS

BACKGROUND:

Mhlathuze Water (MW) is a water board, established in terms of the Water Services Act, 1997 (Act No. 108 of 1997). Its core operations concern the supply of bulk water and the disposal of bulk waste water. It is a State Owned Entity listed in Schedule 3B of the Public Finance Management Act, 1999 (PFMA) (Act No. 1 of 1999).

Mhlathuze Water is calling for interested and suitably qualified service providers to tender for the; Provision of Ground Maintenance Services for a three (3) year period at Jozini Regional Water Works which include a total of eleven (11) areas to be maintained and to ensure that the pipelines is maintained and accessible for the maintenance teams in order to conduct maintenance on the pipeline.

EXECUTIVE OVERVIEW:

The service to be provided is for the ground maintenance at Jozini Regional Water Works area.

A total of eleven (11) workers of which ten (10) will be general workers and one (1) Supervisor shall be employed to undertake this service. The Supervisor will be required to conduct site visits and also ensure that staff and equipment are transported to sites as and when required.

Supervisor to supervise all general workers and teams on this contract on the day to day ground maintenance done.

The service provider will supply these workers with all ground maintenance equipment and materials necessary for the execution of the ground maintenance contract.

The Jozini Regional Water Works include eleven (11) areas to be maintained and to ensure that the pipelines areas are accessible for the maintenance teams in order to conduct work on the pipeline.

The areas to be covered are:

- ✓ Jozini Water Treatment Works
- ✓ Jozini Package Plant
- ✓ Ndlazi Main Reservoirs
- ✓ Rising Main Reservoir
- ✓ Ridge 1 Reservoir
- ✓ Ridge 2 Reservoir
- ✓ Ridge 3 Reservoir
- ✓ Fresh Water Servitudes
- ✓ Ridge Central
- ✓ Ridge North

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✓ Mthonjeni

EQUIPMENT REQUIRED

The service provider must ensure that all suitable equipment is provided to execute the contract.

DESCRIPTION OF WORK

4.1 Jozini Regional Water Treatment works

- a) The lawns shall be mowed once weekly during summer months and once every forth night during winter months or more frequently if necessary.
- b) The contractor shall collect all grass clippings produced and remove them from site
- c) The lawns overgrown on the kerb, paving, fences and all other edges shall be trimmed on regular basis.
- d) Fertilization of the lawns at Jozini Water Works.
 - i) Lawns must be fertilized twice a year; in January and August.
 - ii) All garden beds will be fertilized every three months.
 - iii) Compost will be worked into all top layer of soil in all garden beds and around planted shrubs.
- e) All garden beds must be maintained and irrigated by the contractor.

4.2 Jozini Package Plant

- a) The lawns shall be mowed once weekly during summer months and once every forth night during winter months or more frequently if necessary.
- b) The contractor shall collect all grass clippings produced and remove them from site
- c) The lawns overgrown on the kerb, paving, fences and all other edges shall be trimmed on regular basis.

4.3 Fresh Water Servitudes

- a) The lawns shall be mowed once a month during summer months and once every two months during winter months.
- b) Brush cutters shall be used to mow the grass in servitudes.
- c) All trees and shrubs must be cleared along the pipeline and pruners is to be used for this function.
- d) This servitude is 16km in distance

4.4 Reservoirs (Ndlazi, Rising Main, Ridge 1, Ridge 2 and Ridge 3)

- a) Lawns shall be mowed once every fortnight during the summer months and once a month during the winter month.
- b) Where the access is restricted brush cutters shall be used in mowing the lawns

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- c) All the trees and shrubs overgrowing within 1 metre from the fence must be cleared by the contractor as part of routine maintenance.

4.5 Ridge Central

- a) Lawns shall be mowed once every fortnight during the summer months and once a month during the winter months.
- b) Where the access is restricted brush cutters shall be used in mowing the lawns
- c) All the trees and shrubs overgrown within 1 metre from the fence must be cleared by the contractor as part of routine maintenance.

4.6 Ridge North

- a) Lawns shall be mowed once every fortnight during the summer months and once a month during the winter months.
- b) Where the access is restricted the, the brush cutters shall be used in mowing the lawns
- c) All the trees and shrubs overgrowing within 1 metre from the fence must be cleared by the contractor as part of routine maintenance.

4.7 Mthonjeni

- a) Lawns shall be mowed once every fortnight during the summer months and once a month during the winter months.
- a) Where the access is restricted the, the brush cutters shall be used in mowing the lawns
- b) All the trees and shrubs overgrowing within 1 metre from the fence must be cleared by the contractor as part of routine maintenance.

4.8 Trees / Shrubs / Flower beds

- a) All trees and shrubs must be pruned regularly as part of routine maintenance.
- b) Flower beds are to be aerated weekly by means of light forking and any dead leaves or plants should be removed.
- c) Edges of flower beds will be kept neat and tidy as part of the routine maintenance.
- d) Ponds shall be created around the bases of all trees to facilitate watering.
This must be maintained on regular basis.

4.9 Weeds and Pest Control

- a) All weeds in lawn areas which are not removed through the mowing process and those which occur in flower beds shall be removed by hand or can be eradicated by means of herbicides as part of this routine maintenance.
- b) Weed control of roadways, kerbs, paved, concrete, and gravelled areas within the security area of the complex shall be required as part of this Maintenance.
- c) Weeds removed by hand must be removed from site or taken to the compost.
- d) The use of Herbicides for alien weed control and pesticides for control of pests requires the prior authorization of Health and Safety Specialist.

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- e) The contractor shall provide Mhlathuze Water Health and Safety Specialist with the material safety data sheet prior to using any chemical / substance for the purpose of garden maintenance.

4.10 Replacement of Dead Plants, Trees and Shrubs Jozini Water Treatment Works.

- a) Should the plants, trees or shrubs die for reasons beyond the control of the contractor it shall be replaced by Mhlathuze Water. However should it die as a result of contractor negligence, they must be replaced by / at the cost of the contractor's expense. The contractor shall report any plant, tree or shrub that is dying or showing signs of dying to Mhlathuze Water Facility Manager.
- b) If additional plants are required then these will be supplied as an additional cost to Mhlathuze Water.

4.11 Disposal of Materials

- a) Skips are provided by Mhlathuze in an area dedicated for this purpose and any waste material other than garden refuse from the site may be disposed of into these containers alternatively this waste must be removed and prove provided that it has been disposed of.
- b) To remove all debris due to storm and inclement weather conditions from site by the contractor.

5. CONTRACT DURATION

The contract is for a period of 3 years (36) months.

- a) physical work

- END OF SECTION -

NB: Evaluation of the various stages will normally take place in a sequential manner. However, in order to expedite the process, Mhlathuze Water reserves the right to conduct the different steps of the evaluation process in parallel. In such instances the evaluation of bidders at any given stage must not be interpreted to mean that bidders have necessarily passed any previous stage(s).

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1.1 STEP ONE: Test for Administrative Responsiveness

The test for administrative responsiveness will include the following:

| Administrative responsiveness check | RFP Reference |
|---|--|
| <ul style="list-style-type: none"> Whether the Bid has been lodged on time | <i>Section 2 paragraph 5</i> |
| <ul style="list-style-type: none"> Whether all Returnable Documents and/or schedules [where applicable] were completed and returned by the closing date and time | <i>All section signed and returnable by the closing date</i> |
| <ul style="list-style-type: none"> Verify if the Bid document has been duly signed by the authorised respondent | <i>All sections</i> |

1.2 STEP TWO: Test for Substantive Responsiveness to RFP

The test for substantive responsiveness to this RFP will include the following:

| Check for substantive responsiveness | RFP Reference |
|--|----------------------|
| <ul style="list-style-type: none"> Whether the Bid contains a priced offer as prescribed in the pricing and delivery schedule | <i>Section 4</i> |
| <ul style="list-style-type: none"> Whether the Bid has submitted all technical compulsory returnables | <i>All Sections</i> |
| <ul style="list-style-type: none"> PRE-QUALIFICATION/ELIGIBILITY CRITERIA SET BY MHLATHUZE WATER have been met as follows: Only Tenders who have established Business within uMkhanyakude District Municipality will be eligible to tender. | |

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MANDATORY DOCUMENTS FOR TEST FOR ADMINISTRATIVE RESPONSIVENESS

| Schedule No. | Description | Submitted YES / NO |
|--------------|---|-----------------------|
| 1 | Proof of company registration documents | |
| 2 | Proof of Registration with SARS (Valid PIN from SARS confirming compliance status) | |
| 3 | Certified copies of Identity Documents of Shareholders/Members/Directors of the business (not applicable if a company is a 100 % subsidiary) | |
| 4 | A certified copy of Partnership Agreement(if tenderer is a partnership or JV) | |
| 5 | Proof of registration with National Treasury Central Data Base (CSD) | |
| 6 | Valid Letter of good standing with the Department of Labour for Unemployment Insurance Fund (UIF) and COI | |

Returnable Documents Used for Scoring

| | | |
|---|---|--|
| 7 | Certified valid copy of BBBEE Certificate or a Sworn affidavit if company is an EME or QSE. | |
|---|---|--|

Failure to provide all Returnable Documents used for purposes of scoring a bid, by the closing date and time of this bid will not result in a Respondent's disqualification. However, Bidders will receive an automatic score of zero for the applicable evaluation criterion.

Eligibility Technical Criteria

| | Mandatory Returnable Document for Eligibility Technical Criteria | |
|--|---|--|
| | <ul style="list-style-type: none"> Only Tenders who have established Business within uMkhanyakude will be eligible to tender: (Utility bill, lease agreement, letter from a Councillor or Traditional authority IN THE NAME OF THE BUSINESS/ COMPANY) | |

Failure to provide all these Mandatory Returnable Documents at the Closing Date and time of this RFP will result in a Respondent's disqualification.

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TECHNICAL SCORING:

The technical and maximum score in respect of each of the criteria are as follows and sufficient detail must be provided in experience sheets/support documentation attached to the Tenders for evaluation purposes.

Total Maximum Evaluation Points for the items is 20.

The Minimum number of evaluation points for Functionality shall be 12 (60%) below which value the tender shall be regarded as being non responsive.

Tenderers who will pass functionality, will then be evaluated on price per segment. Tenderers are encouraged to read instructions carefully on Price Schedule , Section 4

The Functionality criteria and maximum score in respect of each of the criteria are as follows:

| Quality (Functionality) Sub criteria Maximum of Points Criteria | SUB CRITERIA | Maximum No |
|---|---|---------------|
| Company Experience in the industry | <p>1. Experience of the company in rendering ground maintenance services for clients within the last 10 years.</p> <ul style="list-style-type: none"> • Greater than 4 years' experience 10 • Between 2 to 4 years' experience 7 • From 1 to 2 years' experience 5 • Less than 1 years' experience 0 <p>2. Experience of the company in managing ground maintenance services contracts within the last 10 years with contract values as per below</p> <ul style="list-style-type: none"> • Contract value of greater than R5 million (5 points per contract) 15 • Contract value of greater than R3 million up to R5 million (3 points per contract) 12 • Contract value of greater than R1 million up to R3 million (2 points per contract) 8 • Contract less than R1 million 0 <p>NB: (Individual value of the contract awarded is sought, not the cumulative value of various contracts awarded to the bidder over years.</p> <p>Tenderers must complete Schedule 12 in full detail, including the above information. Tenderers are to ensure that the referee stamps Schedule 12, or else the Company experience points will not be allocated.</p> <p>Alternately, Positive written reference letters by authorized signatory confirming successful performance on previous similar projects as listed in 1 above must be submitted in order for points to be claimed.</p> <p>Failure to attach positive reference letters will result in points not being allocated. The reference letters must include the period, the value of the contract and a statement that indicate that the project was completed successfully.</p> <p>(Appointment letters will not be accepted as reference letters)</p> | |
| | MAXIMUM SCORE | 25 |

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| | | |
|--|--|-----------|
| Key Personnel Qualifications and or Experience | <p>1. 2 x Supervisors with a valid driver's licence and experience as a Supervisor.</p> <ul style="list-style-type: none"> • Greater than 5 years' relevant experience 10 • Greater than 3 years up to 5 years' relevant experience 7 • From 2 years up to 3 years' relevant experience 5 • Less than 1 years' experience 0 <p>2. Experience as a Contract manager of the company in Ground Maintenance Services Contract.</p> <ul style="list-style-type: none"> • More than 5 years' experience 10 • More than 3 years up to 5 years' experience 8 • From 1 years up to 3 years' experience 5 <p>The organogram or CVs with certified proof of qualification must indicate who will be fulfilling these role. Verification will be conducted to ensure that the key personnel CV prior to appointment is the same or equivalent to the one appointed.</p> | |
| | MAXIMUM SCORE | 20 |
| | TOTAL POINTS | 45 |

-

END OF SECTION –

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1.3 STEP FOUR: Evaluation and Final Weighted Scoring

a) **Price and TCO Criteria** [Weighted score 80 points]:

| Evaluation Criteria | RFP Reference |
|---------------------|---------------|
| • Commercial offer | Section 4 |

Mhlathuze Water will utilise the following formula in its evaluation of Price:

$$PS = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where:

Ps = Score for the Bid under consideration
 Pt = Price of Bid under consideration
 $Pmin$ = Price of lowest acceptable Bid

b) **Broad-Based Black Economic Empowerment criteria** [Weighted score 20 points]

- B-BBEE - current scorecard / B-BBEE Preference Points Claims Form
- Preference points will be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table indicated in Section 4.1 of the B-BBEE Preference Points Claim Form.

1.4 SUMMARY: Applicable Thresholds and Final Evaluated Weightings

| Thresholds | Minimum Threshold |
|---------------------------|-------------------|
| Technical / functionality | 20 |

| Evaluation Criteria | Final Weighted Scores |
|-----------------------------------|-----------------------|
| Price and Total Cost of Ownership | 80 |
| B-BBEE - Scorecard | 20 |
| TOTAL SCORE: | 100 |

1.5 STEP FIVE: Post Tender Negotiations (if applicable)

- Respondents are to note that Mhlathuze Water may not award a contract if the price offered is not market-related. In this regard, Mhlathuze Water reserves the right to engage in PTN with the view to achieving a market-related price or to cancel the tender. Negotiations will be done in a sequential manner i.e.:
 - first negotiate with the highest ranked bidder or cancel the bid, should such negotiations fail,
 - Negotiate with the 2nd and 3rd ranked bidders (if required) in a sequential manner.
- In the event of any Respondent being notified of such short-listed/preferred bidder status, his/her bid, as well as any subsequent negotiated best and final offers (BAFO), will automatically be deemed to remain valid during the negotiation period and until the ultimate award of business.

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- Should Mhlathuze Water conduct post tender negotiations, Respondents will be requested to provide their best and final offers to Mhlathuze Water based on such negotiations. Where a market related price has been achieved through negotiation, the contract will be awarded to the successful Respondent(s).

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Compulsory Returnable

SECTION 4: PRICING AND DELIVERY SCHEDULE

SECTION 4: PRICING AND DELIVERY SCHEDULE

PRICING DATA

The following Schedule must be read in conjunction with the **SCOPE of WORK**.

NB: The Tenderer shall note the Following when pricing:

The service provider shall appoint a minimum ten (10) labourers plus one (1) Supervisor. The employees will receive the following benefits, which must be implemented by the service provider.

- R 30 000.00 funeral cover for employee and spouse.
- Death and Disability cover which is times two of the annual salary.
- Provident Fund Contribution
- Guaranteed thirteen cheque equivalents to monthly salary, paid in the month of December.
- COID cover
- UIF
- Salaries that are determined by Mhlathuze Water.

The following number of persons shall be appointed by the successful Tenderer

| Category | Salary (Rate per Month) | Quantity | Main Responsibilities |
|----------------|-------------------------|----------|---|
| Supervisor | R7,391.00 | 1 | Ensure that the work is carried out as per the scope of work, to Supervise the team whilst they are conducting work in all areas. |
| General Worker | R 4 888.00 | 10 | Operate the lawn mower and brush cutter; remove weeds from the grass and parkings, pruning of tree branches and cleaning of servitude . |

NB: Salary increment shall be based on prevailing CPI+1 for each year for the duration of the contract and increments shall be effected on anniversary of the contract.

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| No | Area | Provisional Area size | Price per month | Price for year one (1) |
|---|---|-----------------------|-----------------|------------------------|
| 1 | Ground maintenance for Jozini Water Treatment Works | 20000 m ² | | |
| 2 | Ground maintenance for Ndlazi Local Main Reservoir | 400 m ² | | |
| 3 | Ground maintenance Rising Main Reservoir | 350 m ² | | |
| 4 | Ground maintenance for Ridge 1 Reservoir | 350 m ² | | |
| 5 | Ground maintenance for Ridge 2 Reservoir | 350 m ² | | |
| 6 | Ground Maintenance for Ridge 3 | 350 m ² | | |
| 7 | Ground maintenance for Package Plant | 400 m ² | | |
| 8 | Ground Maintenance for Fresh Water Servitudes | 16 KM | | |
| 9 | Ground Maintenance for Ridge Central | 350 m ² | | |
| 10 | Ground Maintenance for Ridge North | 350 m ² | | |
| 11 | Ground Maintenance – Mthonjeni pump station | 350 m ² | | |
| Total | | | | |
| Add 15% VAT | | | | |
| Total for Year ONE Inclusive of VAT (This amount must be transferred to the form of offer) | | | | |

| YEAR : | PRICING: |
|---------------------|----------|
| YEAR 1 | |
| YEAR 2 | |
| YEAR 3 | |
| TOTAL EXCLUDING VAT | |
| VAT (15%) | |
| TOTAL INCLUDING VAT | |

NB! 1. Annual Increase

- Annual increment shall be effected on the anniversary of the contract and shall be limited to CPI increase.
- The above pricing schedule must be completed in full detail and no other forms of the pricing schedule will be accepted.
- The amount provided in the pricing schedule is inclusive of all the cost associated to this tender as per the Scope of Work .

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SIGNATURE: _____
(On behalf of the Tenderer)

DATE: _____

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Note 1: The above BOQ must be completed in full detail and No other BOQ will be accepted.

Note 2: The total amount including vat must be transferred to the form of offer.

SIGNATURE

(On behalf of tenderer)

DATE:

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Note:

- The Total Including VAT must be transferred to the Form of Offer.
- No other form of the BOQ will be accepted, all tenderers must complete above BOQ.

1. Pricing Schedule

ii.

- **Definition of unit rates** – the tenderer is required to review the scope of work defined within C3 and to determine all the resources, materials, equipment, etc. required resulting in the unit rates to achieve the work components within the scope.
- **Pricing Schedule** – the tenderer is required to fill in the rates in the Pricing Schedule calculate the prices for each item and complete the pricing calculations set down in C2 Pricing Schedule C2.2, and carry forward the tender amount from the C2 Pricing Schedule to the Offer C1.1.
- **Payment** – the tenderer will be paid the amounts per quantity of each item delivered.
- **Provisional Sum** – Quotations must be submitted for approval prior to utilising the amounts provided in the Provisional Sum.

SIGNATURE:

(On behalf of the Bidder)

DATE: _____

Notes to Pricing:

- a) Respondents are to note that if the price offered by the highest scoring bidder is not market-related, Mhlathuze Water may not award the contract to that Respondent. Mhlathuze Water may-
- (i) Negotiate a market-related price with the Respondent scoring the highest points or cancel the RFP;
 - (ii) if that Respondent does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the second highest points or cancel the RFP;
 - (iii) if the Respondent scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the Respondent scoring the third highest points or cancel the RFP.
- If a market-related price is not agreed with the Respondent scoring the third highest points, Mhlathuze Water must cancel the RFP.
- b) Prices must be quoted in South African Rand inclusive of VAT.
- c) Any disbursement not specifically priced for will not be considered/accepted by Mhlathuze Water.
- d) To facilitate like-for-like comparison bidders must submit pricing strictly in accordance with this pricing schedule and not utilise a different format. Deviation from this pricing schedule could result in a bid being declared non-responsive
- e) Quantities given are estimates only. Any orders resulting from this RFP will be on an “as and when required” basis..
- f) Please note that should you have offered a discounted price(s), Mhlathuze Water will only consider such price discount(s) in the final evaluation stage if offered on an unconditional basis.

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- g) Where a Respondent's price(s) includes imported goods/items, the rate of exchange to be used must be in South African Rands for purposes of determining whether the price is market related or not and must be the currency's rate published by the South African Reserve Bank on the date of the advertisement of the bid:

Currency rate of exchange utilised: _____

- h) Respondents, if awarded the contract, are required to indicate that their prices quoted would be kept firm and fixed a period of 12 months, subject thereafter to adjustment (i.e. after the initial period of 12 months), utilizing the following price index/indices/adjustment formula. [Not to be confused with bid validity period Section 2, clause 1

| | |
|-----|--|
| YES | |
| | |

1. PRICE REVIEW

The successful Respondent(s) [the Supplier/Service provider] will be obliged to submit to an annual price review. Mhlathuze Water will be benchmarking this price offering(s) against the lowest price received as per a benchmarking exercise. If the Supplier/Service provider's price(s) is/are found to be higher than the benchmarked price(s), then the Supplier/Service provider shall match or better such price(s) within 30 [thirty] calendar days, failing which the contract may be terminated at Mhlathuze Water discretion or the particular item(s) or service(s) purchased outside the contract.

Essential Returnable

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise,

employed by the state?

YES/NO

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

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

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

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2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

Essential

TAX COMPLIANCE STATUS LETTER REQUIREMENTS

Respondents must be compliant when submitting a proposal to Mhlathuze Water and remain compliant for the entire contract term with all applicable tax legislation, including but not limited to the Income Tax Act, 1962 (Act No. 58 of 1962) and Value Added Tax Act, 1991 (Act No. 89 of 1991).

It is a condition of this bid that the tax matters of the successful Respondents be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the Respondents tax obligations.

The Tax Compliance status requirements are also applicable to foreign Respondents/ individuals who wish to submit bids.

Where Consortia / Joint Ventures / Sub-contractors are involved, each party must be registered on the Central Supplier Database and their tax compliance status will be verified through the Central Supplier Database.

- Bidder must ensure compliance with their tax obligations
- Bidders are required to submit their unique personal identification number(pin) issued by SARS to enable the organ of state to verify the taxpayers' profile and status
- Application for Tax Compliance Status(TCS) pin may be made via- filling through the SARS www.sars.gov.za
- Bidders may also submit a printed TCS certificate with the bid
- In bids where consortia/ joint ventures/sub-contractors are involved, each party must submit a separate TCS certificate /pin//CSD number
- No bids will considered from person in the services of the state, companies with directors who are person in the service of state, or close corporations with members in the service of state

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

.....

Signature

.....

Date

.....

Position Name of bidder

.....

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Essential Returnable

Authority to submit a Tender

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for his category of organisation or alternatively attach a certified copy of a company / organisation document which provides the same information for the relevant category as requested here.

| A - COMPANY | B - PARTNERSHIP | C - JOINT VENTURE | D - SOLE PROPRIETOR |
|-------------|-----------------|-------------------|---------------------|
| | | | |

A. Certificate for Company

I, _____ chairperson of the board of directors of _____ hereby confirm that by resolution of the board taken on _____ (date), Mr/Ms _____, _____ acting in the capacity of _____, was authorised to sign all documents in connection with this tender offer and any contract resulting from it on behalf of the company.

Signed _____ Date _____

Name _____ Position Chairman of the Board of Directors _____

B. Certificate for Partnership

We, the undersigned, being the **key partners** in the business trading as _____ hereby authorise Mr/Ms, _____ acting in the capacity of _____, to sign all documents in connection with the tender offer for Contract _____ and any contract resulting from it on our behalf.

| Name | Address | Signature | Date |
|------|---------|-----------|------|
| | | | |
| | | | |

C. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms _____, an authorised signatory of the company _____ acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract: _____ and any contract resulting from it on our behalf.

This authorisation is evidenced by the attached power of attorney signed by legally authorised signatories of all the partners to the Joint Venture.

Furthermore we attach to this Schedule a copy of the joint venture agreement which incorporates a statement that all partners are liable jointly and severally for the execution of the contract and that the lead partner is authorised to incur liabilities, receive instructions and payments and be responsible for the entire execution of the contract for and on behalf of any and all the partners.

| Name of firm | Address | Authorising signature, name (in caps) and capacity |
|---------------------|----------------|---|
| | | |
| | | |
| | | |
| | | |

D. Certificate for Sole Proprietor

I, _____ hereby confirm that I am the sole owner of the business trading as _____

| | | | |
|--------|-------|----------|-----------------|
| Signed | _____ | Date | _____ |
| Name | _____ | Position | Sole Proprietor |

Essential

B-BBEE

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

(i)

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);

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

1.2 Points for this bid shall be awarded for:

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

The maximum points for this bid are allocated as follows:

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

1.3 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

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contribution are not claimed.

- 1.4 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 SYSTEMS

A maximum of 80points 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

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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 (80/20 system) |
|---|--|
| 1 | 20 |
| 2 | 18 |
| 3 | 14 |
| 4 | 12 |
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-compliant contributor | 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)

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| | | | |
|-----|--|----|--|
| 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 last 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 | | |
| OR | | |
| 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:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

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COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.6 Total number of years the company/firm has been in business:.....

8.7 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.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
.....

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Essential

Record of Addenda to Tender Documents

We confirm that the following communications received from the *Employer* before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

| | Date | Title or Details |
|---|------|------------------|
| 1 | | |
| 2 | | |
| 3 | | |
| 4 | | |
| 5 | | |
| 6 | | |
| 7 | | |
| 8 | | |
| 9 | | |

Attach additional pages if more space is required.

Signed

Date

Name

Position

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Tenderer

REQUEST FOR RFP CLARIFICATION

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DOCUMENT A: PROOF OF COMPANY REGISTRATION DOCUMENTS

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DOCUMENT B: CERTIFIED COPIES OF IDENTITY DOCUMENTS OF
SHAREHOLDERS/MEMBERS OF THE BUSINESS (NOT
APPLICABLE IF A COMPANY IS A 100 % SUBSIDIARY)

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**DOCUMENT C: PROOF OF REGISTRATION WITH SOUTH AFRICAN
REVENUE SERVICES OR SARS PIN**

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DOCUMENT D: PROOF OF REGISTRATION WITH NATIONAL
TREASURY CENTRAL SUPPLIER DATABASE (CSD)

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DOCUMENT E: CERTIFIED COPY OF PARTNERSHIP OR JOINT
VENTURE AGREEMENT (IF TENDERER IS A

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DOCUMENT F: VALID CERTIFIED COPY OF B-BBEE
CERTIFICATE/SWORN AFFIDAVIT

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DOCUMENT G: REFERENCE ASSERTION OF PERFORMANCE LETTERS
FROM PREVIOUS EMPLOYERS (WITH CONTACTABLE
REFEREES)

**DOCUMENT H: VALID LETTER OF GOOD STANDING WITH THE
DEPARTMENT OF LABOUR FOR UNEMPLOYMENT INSURANCE
FUND (UIF) AND COI**

**DOCUMENT K: REFERENCE LETTERS FROM PREVIOUS
EMPLOYERS / CURRENT EMPLOYERS**

[illegible]

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LOCALITY OF THE BUSINESS

**(Utility bill, lease agreement, letter from a councillor or traditional authority IN THE NAME
OF THE BUSINESS/ COMPANY**

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- a) **AGREEMENTS AND CONTRACT DATA**
- b) **C1.1 Form of Offer and Acceptance**

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FORM OF OFFER AND ACCEPTANCE

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of:

PROVISIONS OF PANEL OF CATERING SERVICES AT MHLATHUZE WATER

The tenderer, identified in the Offer signature block below, has examined the RFP document and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the tenderer offers to perform all of the obligations and liabilities of the Service Provider under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the Contract Data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS

.....
..... (in words); R..... (in figures) and

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the Service Provider in the conditions of contract identified in the Contract Data.

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| | | |
|--|------------------------------------|-------|
| Signatures | <hr/> | <hr/> |
| Name(s) | <hr/> | <hr/> |
| Capacity | <hr/> | <hr/> |
| for the Tenderer | <hr/> | |
| | (Name and address of organisation) | |
| Date | <hr/> | |
| Name & signature of witness | | |
| Signature | <hr/> | <hr/> |
| Name | <hr/> | <hr/> |
| Date | <hr/> | <hr/> |

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the, conditions of contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an agreement, between the Employer and the Tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in

Tendering Procedures

Returnable Documents

Pricing Data

Scope of Work

Deviations from and amendments to the RFP document and any addenda thereto listed in the returnable schedules as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement.

The Tenderer shall within two weeks after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's Agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the, Conditions of Contract identified in the Contract Data at, or just after, the date of this Agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now Service Provider) within five working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signatures

Name(s)

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Capacity _____

for the Employer _____
(Name and address of organisation)

Date _____

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Name & signature of witness

| | | |
|------------------|-------|-------|
| Signature | <hr/> | <hr/> |
| Name | <hr/> | <hr/> |
| Date | <hr/> | <hr/> |

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1. The extent of deviations from the RFP document issued by the Employer prior to the RFP closing date is limited to those permitted in terms of the conditions of tender;
2. A Tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of, offer and acceptance, the outcome of such agreement shall be recorded here;
3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here;
4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract.

1.

.....
Subject:
.....
Details:

2.

.....
Subject:
.....
Details:

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from the amendments to the RFP document and addenda thereto as listed in the Returnable Schedules, as well as any confirmation, clarification or change to the terms of the offer agreed by the Tenderer and the Employer during this process of Offer and Acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

FOR THE TENDERER:

Signatures _____

Name(s) _____

Capacity _____

For the Tenderer _____

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_____ (Name and address of organisation)

Date _____

Name & signature of witness

Signatures _____ _____

Name(s) _____ _____

Date _____ _____

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FOR THE EMPLOYER:

Signatures _____

Name(s) _____

Capacity _____

for the Employer _____

_____ (Name and address of organisation)

Name & signature of witness

Signature _____

Name _____

Date _____

- END OF SECTION -

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