



REQUEST FOR QUOTATION

RFQ Number: Q24/490/NS (A)

Form No: UW-RFQ-2
Version No: 3/2023
Effective Date: Jul 2023

Description	Provision Hydrographic Surveys for Dams and Weirs Managed by uMngeni-uThukela Water Board
Advert Date	08 April 2024
Closing Date and Time	10 May 2024 @ 15h00 pm
Compulsory or Non-Compulsory Briefing Session	N/A
SCM Enquiries	<i>Nozipho Sibiya</i> Tel: 033 341 1324 Email: Nozipho.sibiya@umgeni.co.za
Technical Enquiries	<i>Mlungisi Shabalala</i> Tel: 033 341 1251 Email: mlungisi.shabalala@umgeni.co.za
Contents of RFQ	<ol style="list-style-type: none">1. Invitation to quote2. Bidders information3. Terms and Conditions4. Undertaking by Bidder5. Terms of Reference/RFQ specifications6. Price Schedule7. Authority to Sign8. Bidders disclosure [SBD 4]9. Preference points claim form (SBD 6.1)10. Contract Form [SBD 7.2]

Quotation Submission:	Tip-Offs Anonymous Hotline:
<p>by email to : scmquotes@umgeni.co.za using Q24/490/NS (A) as the email subject</p>	<p>Report unethical conduct at uMngeni-Uthukela Water on: Toll Free Number: 0800 864 463 Email: umgeniwater@whistleblowing.co.za Toll Free Fax: 0800 212 689 Postal: Freepost KZN665, Musgrave, 4062 SMS: 33490 Online: www.whistleblowing.co.za</p> <p><i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i></p>



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BIDDERS INFORMATION

Name of Bidder	
Company Registration number	
VAT registration number	
Contact Person	
Telephone number	
Cell number	
E-mail address	
Postal address	
Physical address	
uMngeni-Uthukela Vendor Number	
CSD Supplier number	

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

Name of Representative
(Duly Authorised)

Signature

Date

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TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Any alteration made by the bidder must be initialled.
2. Use of correcting fluid is prohibited
3. Bidders must be registered on the National Treasury's Central Suppliers Database.
4. Tenderers are required to submit a valid Tax clearance verification PIN or CSD MAAA number
5. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2022; the General Conditions of Contract (GCC) and if applicable any other Special Conditions of Contract.
6. The applicable preference point system for this tender is the 80/20 preference point system, Failure on the part of a tenderer to submit proof or documentation required in terms of this RFQ to claim points for specific goals, will be interpreted to mean that preference points for specific goals are not claimed by the bidder. Kindly refer to SBD 6.1 form for additional information.
7. Suppliers must complete the attached SBD 4 – Bidders disclosure, failure to complete these documents may result in the quotation being invalidated.
8. Quotations must be in accordance and comply with the terms of reference/specifications provided, unless otherwise stipulated.
9. The official uMngeni-Uthukela Water quotation form must be used to quote the offered price. Should the allocated price page be insufficient, the tenderer may supplement the price page with an additional pricing breakdown.
10. 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.
11. The successful supplier may be required to fill in and sign a written Contract Form. (If applicable)
12. This document may contain confidential information that is the property of uMngeni-Uthukela Water.
13. 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 uMngeni-Uthukela Water and the Bidder.
14. All Copyright and Intellectual Property herein vests with uMngeni-Uthukela Water and its Bidder.
15. Responses to this RFQ must be submitted by email 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*).
16. It is the responsibility of the bidder to ensure that its response reaches uMngeni-Uthukela Water on or before the closing date and time of the RFQ. Late and incomplete submissions will not be accepted.
17. No services must be rendered or goods delivered before an official uMngeni-Uthukela Water Purchase Order form has been received.
18. **uMngeni-Uthukela Water reserves the right to appoint more than one supplier/service provider and or to award the quote as whole or in part.**
19. A full copy of General Conditions of Contract (GCC) are available on the National Treasury website (<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>)



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UNDERTAKING BY BIDDER

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 uMngeni-Uthukela 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 uMngeni-Uthukela 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, uMngeni-Uthukela 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. uMngeni-Uthukela 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 uMngeni-Uthukela Water and I/us. I/we will then pay to uMngeni-Uthukela 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. uMngeni-Uthukela 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 uMngeni-Uthukela 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.



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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.
7. **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 uMngeni-Uthukela Water, if requested to do so.
 - (2) If the information supplied is found to be incorrect and/or false then uMngeni-Uthukela Water, in addition to any remedies it may have, may:
 - a) Recover from the contractor all costs, losses or damages incurred or sustained by UMngeni-Uthukela Water as a result of the award of the contract, and/or
 - b) Cancel the contract and claim any damages which uMngeni-Uthukela Water may suffer by having to make less favourable arrangements after such cancellation.

Name of Representative
(Duly Authorised)

Signature

Date



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SCOPE OF WORK

Hydrographic Surveys for Dams and Weirs Managed by uMngeni- uThukela Water Board

1. Project Objectives

To procure a specialist Surveyor to conduct hydrographic surveys for water resources infrastructure (dams, lakes and weirs) which supply water to water treatment plants operated by uMngeni-uThukela Water Board by means of direct abstractions, transfers or releases for downstream abstraction. Where possible, the Service Provider should identify an ideal position to install a remote flow measuring meter upstream the dam/weir (inflow), and conduct a survey for the identified cross section. At the Nagle Dam, specifically, the existing dam inflow weir should be surveyed. In addition, the Service Provider should develop/recommend a methodology for maintenance of the Nagle Dam inflow weir. The methodology should be included in the final report. At Lake Nsezi, the Service Provider should identify a potential point to monitor outflow via a stream channel. In addition, the Service Provider should survey the weir downstream the iNanda Dam and identify a suitable position for the reinstallation of the 2 m plate, as well as installation of gauge plates for levels greater than 2 m. uMngeni-uThukela Water will provide the material and human resources to assist with the installation. The weirs have a ponding area where some steady flow may exist; therefore, the Service Provider will be expected to develop stage-volume/area-volume relationships for these weirs by undertaking bathymetric surveys. In addition, the Service Provider will be expected to survey and develop stage/discharge relationships for the dam/weir overflow weirs. Last, the Service Provider should provide all relevant mathematical relationships developed (e.g. ratings tables and stage-area-volume tables for weirs and dams/lakes, respectively) to uMngeni-uThukela Water.

2. Description of Services

The service is based on the use of hydrological and surveying tools/skills/reasoning to produce deliverables. The details of the dams to be surveyed are shown below:

Dam	Volume ($\times 10^6 \text{ m}^3$)	Area (ha)	Nearest town	Date of Last Survey (Year)
Mearns Weir	5.1	236.9	Mooi River	2016
Nagle Dam	23.2	156.1	Pietermaritzburg	2015
iNanda Dam	241.7	1 463.4	Hillcrest	2010
Home Farm Dam	0.56	20.1	Ixopo	1999
Goedertrouw Dam	301.2	1 193.5	Eshowe	2010
Lake Nsezi	2.4	-	Richards Bay	2012

The location of the various sites can be seen in the attached Google Earth file.



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Hydrographic Surveys 2023.kmz



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3. Extent of Services

The Service Provider will undertake the following tasks:

- Inspect the sites to be surveyed before conducting the survey.
- Conduct hydrographic surveys for the aforementioned lake, dams and weirs, up to 1 m above the full supply level. The lake, dam and weir level increments of the hydrographic survey should be represented in centimetre intervals.
- Identify potential sites for installation of automated streamflow (inflow) monitoring equipment and conduct surveys at these cross-sections.
- Identify a potential site to monitor streamflow at the Lake Nsezi outflow channel.
- Conduct a survey for the Nagle Dam inflow weir and develop a methodology for maintenance, e.g. recommended methodology, tools needed and frequency.
- Develop ratings tables for spillway sections in the respective dams (should conform to DWS standards)
- Develop ratings tables for the river flow gauging weirs (should conform to DWS standards).
- Develop stage-volume/area-volume relationship tables and curves for weirs and dams.

The deliverables from the hydrographic surveys should include the following:

- A report summarising the methodology undertaken in the hydrographic survey process, results and any points of interest from the field survey for all dams and weirs (e.g. challenges experienced during the surveys). Individual reports should be submitted for the different sites.
- A storage drive (physical or internet-based) containing the GIS information, including the elevation model from the hydrographic survey for all sites. The PSP should submit any photographs taken during the survey in a format compatible with Windows Explorer applications (e.g. JPEG, PNG, etc.).
- The tables from the hydrographic survey, which includes; (i) the dam level (m) to volume (10^6m^3) and dam level (m) to surface area (ha) relationship for all dams; (ii) stage (m)-discharge (m^3/s) relationships for the weirs (including spillway weirs) and identified inflow sites and (iii) the ratings tables for the weirs (including spillway weirs).
- All relevant equations and assumptions taken into consideration to arrive at the final stage-discharge and stage-volume relationships (and any other curve developed).
- Recommended methodology for maintenance of the Nagle Dam inflow weir.



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- Upon appointment, the Service Provider should, through an inception meeting, produce a detailed work plan with potential dates/deadlines for each deliverable. This work plan should be accepted by the Clients Project Manager before implementation.
- Any potential delays should be communicated in advance, i.e. at least 5 working days before the initially-agreed deliverable deadline.
- Payments will be made at the completion of each deliverable.
- Invoices and the required supporting documents for each deliverable (as specified in the contract document) should be submitted by the 25th day of each month and payment is made by UJW by the end of the following month.
- **All deliverables (e.g. Field Survey, Calculations, Final Survey Project Report, etc.) should comply with DWS Survey Standards and Requirements.**
- The supplier should be prepared to assume work within two weeks after the appointment date.

4. Co-operation with other Service Providers

N/A

5. Reference data

The service provider should base the work on hydrological and surveying data/facts and on the reliable/accredited historical data.

6. Use of reasonable skill and care

- The Service Provider should make use of specialised hydrological and surveying skills/reasoning to produce the deliverables.
- The Service Provider is expected to make use of robust, calibrated dam surveying equipment (attach calibration certificates), recognising the importance of accuracy in bulk water related infrastructure.
- The Service Provider should have a Professional Surveyor registered with South African Geomatics Council overseeing the project. In addition, the Service Provider should be in possession of a valid Skippers Licence (in line with the South African Maritime Safety Authority requirements).
- The Service Provider should have at least five (5) years' experience in conducting hydrographic surveys for dams or lakes and weir structures used for bulk water supply reasons. Experience in working with one or more of the DWS-owned large dams will be advantageous. The Service Provider's experience report/resume should be submitted together with the quotation, with traceable referees.

7. Applicable national and international standards

The hydrographic survey should comply with Dam Survey standards by the Department of Water and Sanitation, as well as other recognized national and international standards.

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1. Pricing

- a) The bidder shall provide the price proposal as detailed in SBD 3.1
- b) The bidders's price must be fully inclusive, and each item must be clearly specified.
- c) All additional costs must be clearly specified and included in the total quotation price, (e.g. transport, labour, etc.).
- d) All prices must be VAT inclusive.
- e) The bidder is responsible for all the cost that they shall incur related to the preparation and submission of the quotation.

2. Evaluation Process

The RFQ will be evaluated using a three (03) stage evaluation approach:

2.1 First stage: Administrative Requirements

1. Bidder completed all RFQ Forms
2. Bidder registered on National Treasury CSD

Mandatory Requirements

3. SBD 4 – Bidders disclosure
4. Professional Surveyor registered with South African Geomatics Council
5. A valid Skippers Licence (in line with the South African Maritime Safety Authority requirements)
6. Calibration certificates for equipment

2.2. Second Stage: Functionality

Returnable Schedule	Weighting %
Company Experience:	50
a) in conducting Hydrographic Surveys	30
b) in surveying dams used for bulk water supply purposes	10
c) in surveying DWS-owned large dams	10
Experience of Surveyor in Hydrographic Surveys	30
Company Method Statement	20

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

Tenderer's Experience

Tenderer's Experience in undertaking hydrographic surveys will be evaluated based on the Tables below

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The tenderer must include comprehensive details (additional to the table below) of the listed projects in support of the points claim.

- a) The company should list their experience in the form relevant projects, i.e.
Hydrographic/Bathymetric Surveys

Project Name	Year(s)	Name of Dam(s) surveyed	Client Name	Contact Details

- b) The Bidder should list their experience in the form relevant projects, i.e.
Hydrographic/Bathymetric Surveys conducted in bulk water supply dams

Project Name	Year(s)	Name of Dam(s) surveyed	Client Name	Contact Details

- c) The Bidder should list their experience in the form relevant projects, i.e.
Hydrographic/Bathymetric Surveys conducted in DWS-owned dams.

Project Name	Year(s)	Name of Dam(s) surveyed	Client Name	Contact Details

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Scoring of the Tenderer's Company experience will be as follows: **50**

DESCRIPTION	MAX POSSIBLE SCORE
<p>Company Experience (40):</p> <p>a) in undertaking hydrographic survey projects (30):</p> <ul style="list-style-type: none"> • 1 Project – 10 points • 2 Projects – 30 points • 3 Projects – 50 points • 4 Projects – 70 points • 5 Projects – 100 points <p>b) in undertaking Hydrographic/Bathymetric Surveys conducted in bulk water supply dams (10):</p> <ul style="list-style-type: none"> • 1 Project – 50 points • 2 Project – 70 points • 3 Projects – 100 points <p>c) in Hydrographic/Bathymetric Surveys conducted in DWS-owned dams will be as follows (10):</p> <ul style="list-style-type: none"> • 1 Project – 70 points • 2 Projects – 100 points 	100



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3. Key Personnel Experience

Acknowledging the fact that the Surveyor may have been involved with the current bidding or different companies over his/her career, their experience will be assessed independently. Therefore, the Surveyor should list their experience in the form relevant projects, i.e. Hydrographic/Bathymetric Surveys. These can include projects conducted with current bidding company.

Surveyor Name

SAGC Registration Number

Project Name	Year(s)	Name of Dam surveyed	Client Name	Contact Details

Provide relevant information (CV's) as prescribed below

A CV (**not more than 3 pages**), shall be provided and a copy of Professional Registration Certificates.

The scoring of the experience of the Surveyor shall be as follows: **30**

<p>Experience of a Surveyor:</p> <ul style="list-style-type: none"> • 1 project– 10 points • 2 projects – 30 points • 3 projects– 50 points • 4 projects – 80 points • 5 projects – 100 points 	100
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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 by 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 Employer'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 bidding company should submit a brief statement (max 5 pages) detailing the methodology to be followed to complete the project, including the tools to be used, equations for developing stage-discharge relationships, as well as any other relevant information. Scoring will be based on the quality, as well as the clarity of the method statement.

Scoring of the Method Statement will be as follows: **20**

Technical approach and methodology	
No submission (score 0)	No Method Statement submitted
Poor (score 40)	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.
Satisfactory (score 70)	The approach is generic but tailored to address the general project objectives and methodology.
Good (score 90)	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.
Very good (score 100)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, 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.

3.1 Third Stage: Price and Preference goals

1. Subsequent to the evaluation of mandatory/ administrative requirements, the second stage of evaluation of the bids will be in respect of price and preferential procurement only.
2. Tenderer is tax compliant
3. In compliance with the Preferential Procurement Regulations 2022, the 80/20 preference point system is applicable: points for this bid shall be awarded for:

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- a) Price; and (80) and Preference as defined in SBD 6.1 (20)
4. The Preference Goals that have been identified for this bid is stipulated in SBD 6.1
 5. Preferential goals and applicable points for this tender in terms of Preferential Procurement Regulations 2022, are indicated in the table below:

	Description	80/20	Evidence to be provided
HDI	An entity which is at least 51% owned by black people	20	Valid BBBEE certificate or sworn affidavit
Total points for preferential goals		20	

6. Failure on the part of a bidder to submit proof or documentation required in terms of this RFQ to claim points for specific goals, will be interpreted to mean that preference points for specific goals are not claimed by the bidder.
7. UW 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 UW.
8. UW reserves the right to conduct negotiations with the qualifying bidder/s regarding any terms and conditions, including price(s), of a proposed contract where applicable UW reserves the right not to accept the lowest financial offer or any offer.

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PRICING SCHEDULE – FIRM PRICES

NOTE:

- a) Only firm prices will be accepted. Non-Firm prices (including prices subject to rates of exchange variations) will not be considered
- b) In cases where different delivery points influence the pricing, a separate pricing schedule must be submitted for each delivery point

Name of bidder _____	RFQ number Q24/490/NS (A)
Closing Time 15h00 p.m.	Closing date 10 MAY 2024

OFFER TO BE VALID FOR _____ CALENDER DAYS FROM THE CLOSING DATE OF QUOTE.

Item no.	QUANTIY	DESCRIPTION	UNIT PRICE	TOTAL
1	1	Hydrographic Surveys		
2	1	Survey Reports (including Area-Capacity Tables)		
Total Amount Excl. VAT				
Contingencies @10%				
VAT @15%				
GRAND TOTAL (price SA Rands with all applicable taxes included)				
I (full name) _____, in my capacity as _____, the duly authorized representative of _____(business name) hereby declares that the offer is in accordance with the attached specification, notes to suppliers & accepts all conditions/clauses contained in the said documents.				
Signature of duly authorized representative				DATE:

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AUTHORITY TO SIGN

RFQ NO: _____

Description: _____

Close Corporation / Company / Partnership / Trust /Sole proprietor or Sole trader

Company Name: _____

Registration **Number:**
Resolution Of The Directors Of The Company etc. resolved that _____, in his/her capacity as _____, is authorized to make applications on behalf of the Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader for:

Any documentation relating to the business (which is not necessarily a change of ownership). The nominated person will also have access to webpage for the business. Signature(s) for Close Corporation / Company / Partnership / Trust/ Sole proprietor or sole trader.

(Sole member still must sign this resolution)

Signature of members:

Name	Signature	Date
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

NB: FAILURE TO COMPLETE, SIGN AND DATE THE RESOLUTION AS OUTLINED ABOVE WILL RESULT IN THE TENDERER RENDERED INCOMPLETE AND WILL BE DISQUALIFIED/ ALTERNATIVELY THE TENDERER MAY ATTACH A SIGNED COMPANY RESOLUTION ON A COMPANY LETTERHEAD.

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SBD 4 - 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

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

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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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.
- 3.5 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.
- 3.6 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.
- 3.7 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.

² 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.

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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

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PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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 To be completed by the organ of state

The applicable preference point system for this tender is the **80/20** preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state

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2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
\mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & \mathbf{or} & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)
\end{array}$$

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

$$\begin{array}{ccc}
\mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\
P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) & \mathbf{or} & P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)
\end{array}$$

- Where P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{max} = Price of highest acceptable tender

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4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.
(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
An entity which is at least 51% owned by black people	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm _____

4.4. Company registration number:

TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company

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- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

4.5. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering 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 tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted 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, if deemed necessary.

SIGNATURE(S) OF TENDERER(S)	_____
SURNAME AND NAME:	_____
DATE:	_____
ADDRESS:	_____

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SBD 7.2 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 bidding documents to uMngeni-Uthukela Water in accordance with the requirements and task directives / proposals specifications stipulated in above mentioned RFQ Number at the price/s quoted. My 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 bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Proof of tax compliance status;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
 - Bidder's Disclosure form;
 - Special Conditions of Contract;
 - (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 bidding 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 bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) _____

CAPACITY _____

SIGNATURE _____

NAME OF TENDERER _____

DATE _____

WITNESSES	
1.	_____
2.	_____
DATE:	_____

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CONTRACT FORM - RENDERING OF SERVICES (SBD 7.2)

PART 2 (TO BE FILLED IN BY THE PURCHASER)

- I _____ in my capacity as accept your quotation under reference number _____ dated _____ for the rendering of services indicated hereunder and/or further specified in the annexure(s).
- An official order indicating service delivery instructions is forthcoming.
- 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)	
CONTRACT TERM / COMPLETION DATE	
TOTAL PREFERENCE POINTS CLAIMED	
POINTS CLAIMED FOR SPECIFIC GOAL 1- AN ENTITY WHICH IS AT LEAST 51% OWNED BY BLACK PEOPLE	

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

SIGNED AT _____

ON: _____

NAME (PRINT): _____

SIGNATURE: _____

OFFICIAL STAMP

WITNESSES

1. _____

2. _____

DATE: _____