
	<b>REQUEST FOR QUOTATION</b>		Form No: UW-RFQ-2 Version No: 3/2023 Effective Date: Jul 2023
	<b>RFQ Number: Q24/321/MM</b>		

<b>Description</b>	Building Plan Submission for the Durban Heights Sludge Plant Upgrade
<b>Advert Date</b>	11/03/2024
<b>Closing Date and Time</b>	18/03/2024 at 15:00 pm
<b>Compulsory or Non-Compulsory Briefing Session</b>	N/A
<b>SCM Enquiries</b>	Mandisa Madlala Tel: 033 341 1198 Email: Mandisa.madlala@umgeni.co.za
<b>Technical Enquiries</b>	Silondiwe Gumede Tel: 033 341 3617 Email: silondiwe.gumede@umgeni.co.za
<b>Contents of RFQ</b>	1. Invitation to quote 2. Bidders information 3. Terms and Conditions 4. Undertaking by Bidder 5. Terms of Reference/RFQ specifications 6. Price Schedule 7. Authority to Sign 8. Bidders disclosure [SBD 4] 9. Preference points claim form (SBD 6.1) 10. Contract Form [SBD 7.1 or SBD 7.2]

<b>Quotation Submission:</b>	<b>Tip-Offs Anonymous Hotline:</b>
Quotations clearly marked, <b>'RFQ Number and description of the required goods/services'</b> uMngeni-uThukela Water (Head Office) Supply Chain Management Unit 310 Burger Street Pietermaritzburg 3201 <b>Or by email to :</b> <a href="mailto:scmquotes@umgeni.co.za">scmquotes@umgeni.co.za</a> using Quote number as the email subject	Report unethical conduct at uMngeni-uThukela Water on: Toll Free Number: 0800 864 463 Email: <a href="mailto:umgeniwater@whistleblowing.co.za">umgeniwater@whistleblowing.co.za</a> Toll Free Fax: 0800 212 689 Postal: Freepost KZN665, Musgrave, 4062 SMS: 33490 Online: <a href="http://www.whistleblowing.co.za">www.whistleblowing.co.za</a>  <i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i>

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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](mailto:scmquotes@umgeni.co.za) or be deposited in tender box situated as indicated on the quotation request form marked appropriated as directed. (*The applicable submission method is reflected on the cover page*).
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) :  
  



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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.


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5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this quote or any related quotations by completion of the Declaration of Interest Section.
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 / TERMS OF REFERENCE

### 1. Background

The services of a Professional Architecture firm are required for reviewing construction drawings, making corrections/additions to meet necessary requirements and submission to EThekweni Municipality for approval of Building Plans for the Durban Heights Sludge Plant Upgrade.

### 2. Description of goods/ services required

The service provider is to review the drawings already drafted by uMngeni-uThukela Water Engineering services, and obtain statutory approvals. The structure is a multi-storey building with a total size of approximately 110m<sup>2</sup> combined.

#### 1. Building plans preparations:

- Plans approval (including Roof plan, Floor plans, structural plans, door and window schedule, cross sections, positions of building lines, positions of any municipal services, north point confirmation, dimensions of site boundaries.
- Conduct site inspection and inspect the existing building
- 3D Visualisation (if required by the municipality)

#### 2. Applicable National standards:

- NHBRC, DoHS, SANS 10400, OH & S, amongst other standards are applicable to this project.

#### 3. Planning and programming:

- The Architecture is expected to work with the Civil Engineer for the input of any additional information required that needs to be in-cooperated with the structural design to meet approval requirements.
- The timing of the Engineer's additional input is to be co-ordinated by the Architect to meet the overall dates for the approval.
- The Architect to create their programme and ensure that the delivery as planned is achieved.

#### 4. Format of Communications:

- All verbal communication that affects the scope, quality, time, cost or any other material deviation, shall be reduced to writing, within 5 days of such communication.


#### 5. Key Personnel:

- Project Manager – Registered with SACAP as a Professional Architect; a Professional Senior Architectural Technologist or a Professional Architectural Technologist with 10 years' overall working experience or more in the Architecture profession.

### 3. Deliverables/Key Outcomes.

The service provider is expected to undertake the following tasks within this appointment, but not limited to:

- Preparations of building plans for approval by the municipal inspectorate, standard unit typologies shall be utilised in this regard.
- Plans to be submitted shall include structural elements of foundations, floor slab, and roof, this should be done in consultation with the project civil engineer.
- Obtain Municipal building inspectorate approvals for all units.

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- Preparations of construction drawings and specifications to EThekweni Municipality, NHBRC and SANA 10400 standards.

The appointed service provider must comply with the current legislative frameworks within the EThekweni Municipality, such as Land use scheme, National Building Regulations and Building Standards (Act 103 of 1977) in the EThekweni Municipal area of jurisdiction and other policy directives that are applicable to the building sector.

#### 4. **Contract term**

The Contract term is six (06) months.

#### 5. **Format of Communications**

All verbal communication that affects the scope, quality, time, cost or any other material deviation, shall be reduced to writing, within 5 days of such communication.

#### 6. **Key Personnel**

Experience of Key Resources in executing work of similar nature:

Certified copies of Qualifications, CV's, Proof of Registration with the Professional Bodies and Proof of Relevant Required Experience.

##### 6.1 Project Manager –

Education – Bachelor of Architectural Studies/ Bachelor of Architecture/ Bachelor of the Built Environment in Architecture/ Higher Certificate in Architectural Technology

Professional registration – Registered with SACAP as a Professional Architect OR; a Professional Senior Architectural Technologist or a Professional Architectural Technologist

Relevant Required Experience – 10 years or more overall working experience or more in the Architecture profession.

#### 7. **Mandatory documentation/requirements**

- SBD 4 – Bidders disclosure
- UUW's RFQ document
- Proof of Professional Registration
- Key Personnel CVs, and Qualifications

#### 8. **Pricing**


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

#### 9. **Evaluation Process**

The RFQ will be evaluated using a two (02) stage evaluation approach:

##### 9.1 **First stage: Mandatory/ Administrative Requirements**

- Bidder completed all UUW's RFQ Forms

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2. SBD 4 – Bidders disclosure
3. Project Manager – as per 6.1.


## 9.2 Second 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:
  - 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 that is 51% youth owned	10	CSD Report/ CIPC & ID document
RDP	The promotion of an entity that is located in KZN.	10	CSD Report/ Municipal Account statement
<b>Total points for preferential goals</b>		<b>20</b>	

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 (PURCHASES)

### 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 _____
Closing Time _____	Closing date _____

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

### BASIC GOODS PRICE TABLE


Project Inception and Consultation with Client					
Item	Task	Unit	Quantity	Rate (R)	Total (R)
1.	Once off Site Inspection of the existing building	Sum	1		
2.	Receive, appraise, and report on the client's requirement about the clients brief and project programme	Sum	1		
Sub Total (1)					
Concept and viability					
Item	Task	Unit	Quantity	Rate (R)	Total (R)
3.	Review the drawings done by Umgeni Water, and advice on the material used, technical and functional characteristics of the design.	m <sup>2</sup>	110		
4.	Check the conformity of the concept with the rights to use the land by Umgeni Water	Sum	1		
Sub Total (2)					
Document preparation for Local Authority Approval					
Item	Task	Unit	Quantity	Rate (R)	Total (R)
5.	Prepare documentation required for local authority building plan application submission: Complete primary co-ordination sufficient to support building plan submission and obtain client's authority and submit documents for approval at local authority.	m <sup>2</sup>	110		
Sub Total (3)					
Page Subtotal (Carried over to the next page) (Sum of Sub Totals 1 + 2 + 3)					
Page Subtotal (Carried over from the previous page)					

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Additional Services					
Item	Task	Unit	Quantity	Rate (R)	Total (R)
6.	Provisional Sum for Special Management services , special studies and other services	Prov. Sum	1	R 20 000	R 20 000
7.	Mark up	%	R 20 000		
				Sub Total (4)	

<b>SUB TOTAL (Page subtotal + subtotal 4)</b>	
<b>VAT @ 15%</b>	
<b>GRAND TOTAL (price SA Rands with all applicable taxes included)</b>	

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 MAY 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 interest<sup>1</sup> 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:

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<sup>1</sup> 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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2.3 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:

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### 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 consortium<sup>2</sup> 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

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<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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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

DRAFT

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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
<b>TOTAL POINTS FOR PRICE AND SPECIFIC GOALS</b>	<b>100</b>

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:

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

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:

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

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 that is 51% youth owned	10	
The promotion of an entity that is located in KZN.	10	

#### 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
- ☐ 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

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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.

<b>SIGNATURE(S) OF TENDERER(S)</b>	_____
<b>SURNAME AND NAME:</b>	_____
<b>DATE:</b>	_____
<b>ADDRESS:</b>	_____
	_____
	_____
	_____

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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 fulfilment 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)

1. 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).

2. An official order indicating service delivery instructions is forthcoming.

3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

<b>DESCRIPTION OF SERVICE</b>	
<b>PRICE (ALL APPLICABLE TAXES INCLUDED)</b>	
<b>CONTRACT TERM / COMPLETION DATE</b>	
<b>TOTAL PREFERENCE POINTS CLAIMED</b>	
<b>POINTS CLAIMED FOR SPECIFIC GOAL 1</b> An entity that is 51% youth owned	
<b>POINTS CLAIMED FOR SPECIFIC GOAL 2</b> The promotion of an entity that is located in KZN	

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

SIGNED AT \_\_\_\_\_

ON: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

OFFICIAL STAMP

WITNESSES

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

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

DATE: \_\_\_\_\_