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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

|                                    |                                                                                                                                                                                                                                                                                                               |
|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Description</b>                 | <b>SUPPLY AND DELIVERY ORIENTED POLYVINYL CHLORIDE (PVC-O) PRESSURE PIPES</b>                                                                                                                                                                                                                                 |
| <b>Advert Date</b>                 | 26 November 2024                                                                                                                                                                                                                                                                                              |
| <b>Closing Date and Time</b>       | 03 December 2024 15:00 pm                                                                                                                                                                                                                                                                                     |
| <b>Compulsory Briefing Session</b> | N/A                                                                                                                                                                                                                                                                                                           |
| <b>SCM Enquiries</b>               | Mandisa Madlala<br><b>Tel:</b> 033 341 1325<br><b>Email:</b> Mandisa.madlala@umgeni.co.za                                                                                                                                                                                                                     |
| <b>Technical Enquiries</b>         | Njabulo Kheswa<br><b>Tel:</b> 033 846 1833<br><b>Email:</b> <a href="mailto:Njabulo.kheswa@umgeni.co.za">Njabulo.kheswa@umgeni.co.za</a>                                                                                                                                                                      |
| <b>Contents of RFQ</b>             | 1. Invitation to quote<br>2. Bidders information<br>3. Terms and Conditions<br>4. Undertaking by Bidder<br>5. Terms of Reference/RFQ specifications<br>6. Price Schedule<br>7. Authority to Sign<br>8. Bidders disclosure [SBD 4]<br>9. Preference points claim form (SBD 6.1)<br>10. Contract Form [SBD 7.1] |

| <b>Quotation Submission:</b>                                                                                                                                                         | <b>Tip-Offs Anonymous Hotline:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quotations <b><i>must be submitted:</i></b><br><b>by email to :</b><br><a href="mailto:scmquotes@umgeni.co.za">scmquotes@umgeni.co.za</a> using Quote number<br>as the email subject | Report unethical conduct at uMngeni-uThukela Water on:<br>Toll Free Number: 0800 864 463<br>Email: <a href="mailto:umgeniwater@whistleblowing.co.za">umgeniwater@whistleblowing.co.za</a><br>Toll Free Fax: 0800 212 689<br>Postal: Freeport KZN665, Musgrave, 4062<br>SMS: 33490<br>Online: <a href="http://www.whistleblowing.co.za">www.whistleblowing.co.za</a><br><br><i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i> |

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
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|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

### 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 Water 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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|                                                                                 | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

## 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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|----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
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|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

### 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 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.
  
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.

|                                                                                  |                               |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

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

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

## TERMS OF REFERENCE

### 1. Background

uMngeni-uThukela Water intends to procure pipes to lay an interconnecting pipeline from the Brunville reservoirs to the UMgungundlovu district Municipality reservoir in the Brunville area.

uMngeni-uThukela Water is still operating the old UMDM plant in order to supply the town. uMngeni uThukela Water needs to decommission the old plant and supply with the new infrastructure in order to manage and reduce operating costs, yield benefit from the investment and have a return on investment.

### 2. Description of the services

The service provider is expected to provide services of supply and delivery of 250 mm diameter of oriented polyvinyl chloride (PVC -O) pressure pipe system for the Bruntville Reservoir - Mooi River Town Pipeline Interlink. The pipe system should conform to SANS 966-2 specifications. The pipes must be delivered in the standard 6-meter lengths

- 250 mm diameter PVC - O Pipe CLASS 16 -6m
- 250 mm diameter PVC - O pressure bend with joint 11.25°
- 250 mm diameter PVC - O pressure bend with joint 22.5°
- 250 mm diameter PVC - O pressure bend with joint 45°

### 3. Extent of the services

- The supply included delivery of the pipes to Bruntville Reservoir in Mooi River

### 4. Technical Specification and features

#### **PVC - O (Oriented Polyvinyl Chloride) Pressure pipes and fittings**

Pipes to be manufactured, supplied and delivered to the following standards

- Pipes and fittings for pressure pipe systems: SANS 16422
- Design stress : 36 MPa
- Safety factor : 1.4
- Seal rings – EN 681-1

High Impact strength

Improved fracture toughness

High Pressure rating

Energy efficient (Smooth internal surface)

Chemical resistant

Long service life

Ease of installation

Environmentally friendly (recyclable and production consumes less energy)

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
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|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

#### **5. Applicable national and international standards**

The Manufacturer should be ISO 9001 certified and the product should be SANS 16422 certified.

#### **6. Format of communications**

Communication will be conducted telephonically and via e-mail.

#### **7. Electronic payments**

*State details required / procedures to obtain electronic payments, as relevant.*

#### **8. Site Information Delivery**

Bruntville Reservoir - Mooi River

#### **9. Planning and programming**

The delivery time frames for this delivery is 30 days

#### **10. Software application for programming**

MS Project or Excel

#### **11. Quality management**

The Employer intends to arrange for quality management representatives to be present during the manufacturing process of the appurtenances as well as during the loading and dispatching. Inspection will also be conducted during the offloading and stacking processes.

During manufacturing of the fittings, the Contractor shall enable access to its facility for the purposes of the Employer's staff and/or the Employer's appointed inspectors to inspect the workmanship and materials during the manufacturing process.

All costs incurred by the Employer, (other than the Employer's cost of employing their staff), including, but not limited to, travel to and from the Contractor's manufacturing facility, accommodation, subsistence and any incidentals will be borne by the Contractor and the Employer will reimburse the Contractor for all such costs incurred.

Only appurtenances that have been inspected and accepted shall be transported to site and only appurtenances that have been inspected for transport damage and accepted may be off-loaded at the pipe yards. Each delivery is to be accompanied by the relevant delivery notes and quality control documentation. Deliveries without this documentation will not be accepted at the pipe yard.

All materials will be inspected by the Employer's quality representative upon delivery to the site to ensure that it is acceptable and in compliance with the specification. The appurtenances shall be delivered in acceptable condition without any damage. Any minor damage found once the appurtenances have been offloaded shall be repaired by the Contractor before acceptance by the Engineer on behalf of the Employer. Where unacceptable damage is found the relevant items will not be accepted and will be

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

removed from site immediately.

The Contractor will be responsible for all material supplied until it is accepted by the Employer's representative in writing at the point of delivery on site after stacking, where after the responsibility will pass to the Employer.

All pipes and specials shall be manufactured in accordance with an approved quality control plan and procedure (QCP&P) which shall include details of the application of their linings and coatings. Manufacture shall not commence until such time as the QCP&P has been approved by the Purchaser. The Manufacturer shall, in consultation with the Purchaser or his/her representative, prepare and submit to the Purchaser for his/her approval a draft QCP&P within 14 days of award of the contract. The Purchaser shall approve the QCP&P, subject to amendments if necessary, and advise the Manufacturer accordingly within 14 days of receipt of the draft QCP&P.

The Contractor will be responsible for all material supplied until it is accepted by the Employer's representative in writing at the point of delivery on site after stacking, where after the responsibility will pass to the Employer.

## 12. Format of communications

Communication will be conducted via e-mail or telephonically. |

## 13. Payment Certificates

The contractor may only issue an invoice on completion and verification that the work is complete according to specifications being met.

## 14. Health and safety requirements and procedures (Read with SANS 1921 - 1: 2004 clause 4.18)

The Safety Particular Specification included in this document shall be adhered to in all respects.

It is a requirement of this Contract that the Contractor shall provide a safe and healthy working environment and to direct all his/her activities in such a manner that his/her employees and any other persons, who may be directly affected by his/her activities, are not exposed to hazards to their health and safety. To this end the Contractor shall assume full responsibility to conform to all the provisions of the In terms of Clause 5(1)9(h) of the OHSA 1993 Construction Regulations 2014 (referred to as "the Regulations" hereafter), a Supplier may only be appointed to perform construction work if the Purchaser is satisfied that the Supplier has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHSA 1993 Construction Regulations 2014.

For the purpose of this Contract the Contractor is required to confirm his/her status as mandatory and employer in his/her own right for the execution of the contract by entering into an agreement with the Employer in terms of the Occupational Health and Safety Act by executing the Agreement form included in Section C1: Agreements and Contract Data.

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

#### 15. Mandatory documentation

- CSD Summary report/ B-BBEE Certificate and/or Affidavit
- ISO 9001 Certificate from the pipe manufacturer
- SANS 14622 Certificate from Pipe Manufacturer
- Manufacture registration with The South African Plastic Pipe Manufactures Association (SAPPMA)

#### 16. 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.

#### 17. Evaluation Process

**First stage:** Mandatory/ Administrative Requirements

- SBD 4 – Bidders disclosure
- ISO 9001 Certificate from the pipe manufacturer
- SANS 14622 Certificate from Pipe Manufacturer
- Manufacture registration with The South African Plastic Pipe Manufactures Association (SAPPMA)

#### Second Stage: – Evaluation of Functionality

The purpose of application of qualification criteria is to determine the functionality of each proposal by assessing the quality thereof. Below is a detailed breakdown of the scoring criteria

Bidders from the second stage who have achieved 70 points or more will be eligible to submit to be evaluated on Price and Specific Goals

| Functionality criteria           | Description of requirements                                                                                                                                  | Maximum points |
|----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Tenders Experience               | Company experience in comprising the supply and delivery of PVC and HDPE Pipe to Fittings to diameter sizes of $\geq 80$ mm and to a value of above R200 000 | 100            |
| <b>TOTAL POINTS</b>              |                                                                                                                                                              | <b>100</b>     |
| <b>MINIMUM QUALIFYING POINTS</b> |                                                                                                                                                              | <b>70</b>      |

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

## TENDERER'S EXPERIENCE

The experience of the Tenderer or joint venture partners in the case of an unincorporated joint venture or consortium will be evaluated on the basis of experience in similar projects or similar areas and conditions in relation to the scope of work.

The evaluation will consider experience in relation to the management of programmes and projects and the provision of cost consulting services in relation to programmes of work as opposed to projects where bills of quantities have been used.

Tenderers should very briefly describe his or her experience in this regard relevant to the scope of work and attach this to this schedule.

The description should be put in tabular form with the following headings:

| Description | Period/Year | Value of work inclusive of VAT (Rand) | Size and Type (uPVC/MPVC, HDPE, fittings, and Specials ) | Company (where the pipes, fittings and specials were supplied) | Contact Details |
|-------------|-------------|---------------------------------------|----------------------------------------------------------|----------------------------------------------------------------|-----------------|
|             |             |                                       |                                                          |                                                                |                 |
|             |             |                                       |                                                          |                                                                |                 |
|             |             |                                       |                                                          |                                                                |                 |
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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

Scoring of the Tenderer's experience will be as follows: | 100 |

| DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | MAX POSSIBLE SCORE |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| <p>Company experience in Contract/acquisitions comprising the supply and delivery of PVC, HDPE Pipes, Fitting and Specials <math>\geq</math> 80 mm diameter and to a value of above R200 000</p> <ul style="list-style-type: none"> <li>• &lt;2 Contract/acquisitions – 0 points</li> <li>• 2 Contract/acquisitions – 50 points</li> <li>• 3 Contract/acquisitions – 70 points</li> </ul> <p>10 additional points for every contract/acquisitions more than 3 contract/acquisitions to a maximum <b>100 points</b></p> <p>List of supply of contracts/Purchases for the supply and delivery of PVC, HDPE pipes, fittings and specials: List of contracts/transactions with proof; in form of completion letters/Purchase order/Appointment letters</p> | <p><b>100</b></p>  |

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

## TENDERS EXPERIENCE

(INSERT HERE)

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

**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:
  - 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                                        | 51% Black ownership | 20        | Sworn Affidavit / Valid B-BBEE Certificate |
| <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. Uuw 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 Uuw.
8. Uuw 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 Uuw reserves the right not to accept the lowest financial offer or any offer.

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|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

### 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.

### BILL OF QUANTITIES

| ITEM No | DESCRIPTION                                                                           | UNIT | QTY | RATE | AMOUNT |
|---------|---------------------------------------------------------------------------------------|------|-----|------|--------|
| 1       | 250 mm diameter, Class 16, wall thickness 5.5 mm – 5.95m length PIPE PVC –O (1487 m ) | No.  | 250 |      |        |
| 2       | 250 mm diameter PVC -O pressure bend with joint 11.25°                                | No.  | 3   |      |        |
| 3       | 250 mm diameter MPV-O pressure bend with joint 22.5°                                  | No.  | 3   |      |        |
| 4       | 250 mm diameter MPV-O pressure bend with joint 45°                                    | No.  | 4   |      |        |
| 5       | Delivery to Mooi River - Bruntville                                                   | sum  | 1   |      |        |
|         | <b>SUBTOTAL</b>                                                                       |      |     |      |        |
|         | <b>VALUE ADDED TAX</b> (Add 15 % of Subtotal )                                        |      |     |      |        |
|         | <b>TOTAL CARRIED TO FORM, C1.1, FORM OF OFFER</b>                                     |      |     |      |        |

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

### 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**

|                                                                                   |                               |                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                   | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

## 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.

|                                                                                   |                               |                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                   | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

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.

|                                                                                   |                               |                                                                     |
|-----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                   | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

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

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

## 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

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

## 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:

|                                                             |           |                                                             |
|-------------------------------------------------------------|-----------|-------------------------------------------------------------|
| <b>80/20</b>                                                | <b>or</b> | <b>90/10</b>                                                |
| $P_s = 80 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$ | or        | $P_s = 90 \left( 1 - \frac{P_t - P_{min}}{P_{min}} \right)$ |

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:

|                                                             |           |                                                             |
|-------------------------------------------------------------|-----------|-------------------------------------------------------------|
| <b>80/20</b>                                                | <b>or</b> | <b>90/10</b>                                                |
| $P_s = 80 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$ | or        | $P_s = 90 \left( 1 + \frac{P_t - P_{max}}{P_{max}} \right)$ |

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

|                                                                                  |                               |  |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|--|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  |  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |  |                                                                     |

#### 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 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<br>(80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 51% Black ownership                                         | 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
- ☐ 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;

|                                                                                  |                               |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

- 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 d

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

|                                                                                  |                               |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

## SBD 7.1 CONTRACT FORM - PURCHASE OF GOODS/WORKS

**This form must be filled in duplicate by both the successful bidder (part 1) and the purchaser (part 2). Both forms must be signed in the original so that the successful bidder and the purchaser would be in possession of originally signed contracts for their respective records.**

### PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to uMngeni-uThukela Water in accordance with the requirements and specifications stipulated in the 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 time of 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);
    - Technical Specification(s);
    - 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 goods and/or works 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 \_\_\_\_\_

|                  |       |
|------------------|-------|
| <b>WITNESSES</b> |       |
| 1                | _____ |
| 2.               | _____ |
| DATE: _____      |       |

|                                                                                  |                               |                                                                     |
|----------------------------------------------------------------------------------|-------------------------------|---------------------------------------------------------------------|
|  | <b>REQUEST FOR QUOTATION</b>  | Form No: UW-RFQ-2<br>Version No: 3/2023<br>Effective Date: Jul 2023 |
|                                                                                  | <b>RFQ Number: Q25/492/MM</b> |                                                                     |

## SBD 7.1 CONTRACT FORM - PURCHASE OF GOODS/WORKS

### PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

|                                                                            |  |
|----------------------------------------------------------------------------|--|
| <b>ITEM NO.</b>                                                            |  |
| <b>PRICE<br/>(ALL APPLICABLE TAXES INCLUDED)</b>                           |  |
| <b>BRAND</b>                                                               |  |
| <b>DELIVERY PERIOD</b>                                                     |  |
| <b>TOTAL PREFERENCE POINTS CLAIMED</b>                                     |  |
| <b>POINTS CLAIMED FOR SPECIFIC GOAL 1<br/>-ATLEAST 51% BLACK OWNERSHIP</b> |  |

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

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

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

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

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

OFFICIAL STAMP

WITNESSES

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

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

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