

REQUEST FOR QUOTATION FOR:

Execution of a Contract Instruction to Rectify Defects and/or Complete Outstanding Works on an Existing Contract TMT-LPDE-2019/20- LPCL17A Bahananwa Circuit.

REQUEST FOR QUOTATION

1. Background and Purpose

On behalf of the Department of Basic Education (the “Principal and Project Funder”), The Mvula Trust (the “Employer” or “Implementing Agent”), invites suitably qualified contractors to submit quotations for the execution of a **contract instruction** issued pursuant to **Clause 17.1.8[list for Works Completion]** of the Principal Building Agreement, Edition 4.1 March 2005 (“JBCC”) for the completion of outstanding works on an existing contract (**Contract No. TMT-LPDE-2019/20- LPCL17A**) between The Mvula Trust (“Employer”) and others (the “Contractor”). The existing contract is for, inter alia, the construction of sanitation facilities and the attendant external works at Bahanawa Circuit (the “Site”) whose GPS Co-ordinates are 22°53’55.2”S and 28°49’45.9”E

2. Scope of Works

The scope of works to be executed entails the water connections and repairs as measured in the Bill of Quantity below. The works are pursuant to the provisions of Clause 17.4 of the JBCC which gives the Employer the right to procure the services of a third party to cure the Contractor’s default in cases where the Contractor does not address a Contract Instruction as contemplated and/or obliged in the contract.

3. Construction Period:

The works must be completed within **7 days** from the date of appointment.

4. Standard Form of Contract

The Principal Building Agreement Edition 4.1 March 2005 (“JBCC”).

NB: State Provisions [Clause 41.0 of the JBCC] are applicable.

5. Preconditions

A written quotation will not be considered unless the service provider who submits the quotation provides the following with their quotation

- Central Supplier Database Registration Report not older than three (3) months.
- CIDB registration print out (CIDB registration will be verified on the CIDB website). 1GB or higher.
- Certificate of Good Standing with Workman Compensation Commissioner. (COIDA)/ Letter to Tender
- Record of Addenda to RFQ Documents.
- Compulsory Questionnaire (must be fully completed).
- Resolution for signatory (must be submitted otherwise the tender will not be considered)
- Authority of JVs (JV agreement must be attached, If applicable)
- SBD 4 Declaration of Interest.

6. Requirements to submit quotations

- a) All schedules in this document must be populated and will form part the quotation

7. Contact Person

The contact details are:

For Technical Queries

Contact: Vongani Chauke

E-mail address: vongani@themvulatrust.org.za

For Supply Chain Queries

Contact: Moshe Maphoru

E-mail address: maphoru@themvulatrust.org.za

8. **Closing Date**

- a) The closing date for the RFQ is **05-September-2024; Time 12:00 pm.**
- b) Submission of the RFQ must be submitted in a sealed envelope and marked clearly with the RFQ number at The Mvula Trust Office, ROP 6 Rhodesdrift Office Park, 25 Rhodesdrift Street, Bendor, Polokwane

9. **Pricing**

- Price must include VAT
- Only VAT Registered Vendors may charge VAT
- All cost related to the service required must be included Bids must be valid for 12 weeks

10. **Compulsory Pricing Schedule**

PRICING SCHEDULE

<u>ITEM NO</u>	<u>DESCRIPTION</u>	<u>UNIT</u>	<u>QUANTITY</u>	<u>RATE</u>	<u>AMOUNT</u>
	<u>PRELIMINARIES AND GENERAL</u>				
	<u>BUILDING AGREEMENT AND PRELIMINARIES</u>				
	The JBCC"® Principal Building Agreement (March 2005 edition 4.1) prepared by the Joint Building Contracts Committee "® - shall be the applicable building agreement, amended as hereinafter described, together with the associated documentation as prepared by the Joint Building Contracts Committee (JBCC)				
	The JBCC"® General Preliminaries (May 2005 edition) prepared by the Joint Building Contracts Committee "® - for use with the JBCC Principal Building Agreement shall be deemed to be incorporated in these bills of quantities				
	The Contractor is deemed to have referred to the above-mentioned documents for the full intent and meaning of each clause thereof				
	The Bills of Quantities have been drawn up in accordance with the "Standard System of Measuring Building Work Seventh Edition (Revised 2015)" published by The South African Association of Quantity Surveyors				
	The quantities or specifications contained in these bills of quantities are not to be used for the calculation or ordering of materials				

PREAMBLES FOR TRADES

-
The General Preambles for Trades (2017 edition) as published by The Association of South African Quantity Surveyors shall be deemed to be incorporated in these bills of quantities and no claims arising from brevity of description of items fully described in the said Model Preambles will be entertained

Supplementary preambles are incorporated in these bills of quantities to satisfy the requirements of this project. Such supplementary preambles shall take precedence over the provisions of the said General Preambles

The Contractor's prices for all items throughout these bills of quantities must take account of and include for all of the obligations, requirements and specifications given in the said General Preambles and in any supplementary preambles, drawings and/or specifications

PRICING OF PRELIMINARIES

Should the Contractor select Option A in terms of clause B10.3.1 in the Contract Data for the purpose of adjustment of these preliminaries, the amount entered into the amount column in these preliminaries is to be divided into one or more of the three categories provided, namely:

F - An amount which shall not be varied (Fixed)

V - An amount which shall be varied in proportion to the contract value as compared with the contract sum (Value)

T - An amount which shall be varied in proportion to the construction period as compared to the initial construction period excluding revisions to the construction period for which the Contractor is not entitled to adjustment of the contract value in terms of the agreement (Time)

1	Summary of Preliminaries		
	Fixed Related	Item	1
	Value Related	Item	1
	Time Related	Item	1
2	Health and Safety, OHS File, Safety officer and PPE compliance	Item	1
3	Additional Items identified by tenderers	Item	1

	4.1.....	Item	1	
	4.2.....	Item	1	
	4.3.....	Item	1	
	4.4.....	Item	1	
	4.5.....	Item	1	
	SECTION 1			
	BILL NO. 1			
	DESLUDGING			
	PREAMBLES			
	The General Preambles for Trades (2017 edition) as published by the Association of South African Quantity Surveyors shall be deemed to be included in these bills of quantities and no claims arising from brevity of description of items fully described in the said General Preambles will be entertained The following "Supplementary Preambles" are incorporated in this bill to satisfy the requirements of the project and shall take precedence over the provisions of the said General Preambles			
	SUNDRIES			
1	Clean out septic tank by desludging including removal of all debris and waste including solid waste and make good on completion including disposing of all debris and waste at an authorised municipal waste disposal facility. Contractor to price per seat	No	1	
	<u>SECTION NO. 2</u>			
	<u>BILL NO.1</u>			
	<u>PLUMBING AND DRAINAGE (PROVISIONAL)</u>			
	<u>PREAMBLES</u>			

The General Preambles for Trades (2017 edition) as published by the Association of South African Quantity Surveyors shall be deemed to be incorporated in these bills of quantities and no claims arising from brevity of description of items fully described in the said General Preambles will be entertained

The following "Supplementary Preambles" are incorporated in this bill to satisfy the requirements of the project and shall take precedence over the provisions of the said General Preambles

SUPPLEMENTARY PREAMBLES

Sealing of edges:

Outer edges of sinks, basins, baths, urinals, etc are to be sealed against adjacent surfaces with approved mildew resistant silicone sealant and prices must include therefor

uPVC pipes and fittings:

Sewer and drainage pipes and fittings shall be jointed and sealed with butyl rubber rings Soil, waste and vent pipes and fittings shall be solvent weld jointed or sealed with butyl rubber rings²⁵

uPVC pressure pipes and fittings:

Pipes of 50mm diameter and smaller shall be plain ended with solvent welded uPVC loose sockets and fittings Pipes of 63mm diameter and greater shall have sockets and spigots with push-in type integral rubber ring joints. Bends shall be uPVC and all other fittings shall be cast iron, all with similar push-in type joints

High density polyethylene (HDPE) pipes and fittings:

Pipes shall be type IV and of the class specified with "Plasson" or "Alprene" compression fittings

"Polycop" polypropylene pipes:

Polypropylene pipes 54mm diameter and smaller shall be seamless copper coloured Class 16 pipes jointed with "Fast-fuse" heat welded thermoplastic or where so described "Polylock" compression fittings Pipes shall be firmly fixed to walls, etc with coloured nylon snap-in pipe clips with provision for accommodating thermal movement and jointed and fixed strictly in accordance with the manufacturer's instructions

Copper pipes:

Pipes shall be hard drawn and half-hard "Maksal" pipes of the class described. Class 0 (thin walled hard drawn) pipes shall not be bent. Class 1 (thin walled half-hard), Class 2 (half-hard) and Class 3 (heavy walled half-hard) pipes shall only be bent with benders with inner and outer formers. Fittings to copper waste, vent and anti-syphon pipes, capillary solder fittings and compression fittings shall be "Cobra Watertech" type. Capillary solder fittings shall comply with ISO 2016. Only compression fittings shall be used in walls or in ground

Copper pipes are to be installed in accordance with the latest revision of the Code of Practice for Copper Plumbing soldering techniques. Flux, solder, etc to be strictly in accordance with the manufacturer's requirements with special attention to copper flux composition

Reducing fittings:

Where fittings have reducing ends or branches they are described as "reducing". In the case of pipes with diameters not exceeding 60mm, only the largest end or branch size is given. Should the Contractor wish to use other fittings and bushes or reducers he may do so on the understanding that no claim in this regard will be entertained. In the case of pipes with diameters exceeding 60mm, all sizes are given and no claims for extra bushes, reducers, etc will be entertained

Fixing of pipes:

Unless specifically otherwise stated, descriptions of pipes shall be deemed to include fixing to walls, etc casting in, building in or suspending not exceeding 1m below suspension level

Paper wrapping to pipes:

Pipes chased into brickwork must be wrapped with two layers of stout brown paper tied with wire. Rates are to include for wrapping around joints and fittings

Disinfection of water pipework:

Water pipework is to be disinfected at completion in accordance with SANS 1200L (provision for disinfection elsewhere)

"Densyl" petrolatum anti-corrosion tape as manufactured by Denso SA (Pty) Ltd.:

Pipes to be taped shall be coated with the appropriate primer and the tape shall be applied in the appropriate widths and with suitable overlaps Couplings and fittings to pipes shall be taped in strict accordance with the manufacturer's instructions including mastic, tape, "Lay flat" sheeting, securing of same, etc

Prices for wrapping of pipes shall include for all work as described to couplings in the length

Laying, backfilling, bedding, etc of pipes:

Pipes shall be laid and bedded in accordance with manufacturers' instructions and trenches shall be carefully backfilled

Where no manufacturers' instructions exist, pipes shall be laid in accordance with Clauses 5.1 and 5.2 of each of the following:
SANS 1200L : Medium-pressure pipelines SANS 1200LD : Sewers SANS 1200LE : Stormwater drainage Pipe trenches, etc shall be backfilled in accordance with Clauses 3, 5.5, 5.6, 5.7 and 7 of SANS 1200DB : Earthworks (Pipe trenches) Pipes shall be bedded in accordance with Clauses 3.1 to 3.4.1, 5.1 to 5.3 and 7 of SANS 1200LB : Bedding (Pipes) Unless otherwise described, bedding of rigid pipes shall be Class B bedding

General:

Descriptions of cast iron roof outlets shall be deemed to include joints to pipes and casting into concrete (adaptors for joints to PVC pipes, etc are given separately) Descriptions of overflow pipes where measured in number, shall be deemed to include joints to cisterns and splay cut ends

Descriptions of pipes laid in and including trenches and of inspection chambers, catchpits, etc shall be deemed to include excavation, bedding, backfilling, compaction to a minimum of 98% Mod AASHTO density and disposal of surplus material on site

Descriptions of service pipes and flexible connecting pipes shall be deemed to include connections to taps, cisterns, etc and to steel pipes (adaptors for connections to copper pipes, etc are given separately)

Descriptions of WC pans, slop hoppers, etc shall be deemed to include for joints to soil pipes (pan connectors are separately measured) and shall have straight or side outlets and "P" or "S" traps as necessary

Description of waste unions shall be deemed to include rubber or vulcanite plugs and chains fixed to fittings.

WATER SUPPLIES

Fire Hose and employees accomodation connection

Class 6 HDPE type IV pipes

1	32mm Pipes laid in and including trenches not exceeding 1m deep	m	30		
	<u>Extra over Class 10 HDPe type IV pipes for "Plasson" fittings:</u>				
2	32mm Reducer	No	3		
3	50mm pipes	m	20		
4	50mm fittings	No	5		
5	32mm Bend	No	3		
6	32mm Threaded adaptor	No	1		
7	32mm 4 crossway	No	1		
8	32mm Tee	No	2		
9	32mm end cap	No	1		
	<u>Galvanised steel pipes</u>				
10	25mm Pipes chased into brick walls	m	10		
	<u>Extra over galvanised steel pipes for steel fittings</u>				
11	25mm Fittings	No	5		
	<u>SANITARY FITTINGS</u>				
	<u>Flushing System</u>				
12	Supply and replace waterborne flushing system kits	No	4		
	<u>Traps ect</u>				
	- <u>Marley</u>				
	<u>fix basin leak</u>				
13	Supply and replace 40mm flexi butyl rubber trap with reseal P trap	No	1		
	<u>"Cobra Watertech"</u>				

14	Supply and replace 32mm 303 CP basin waste union and 309CP anti-theft plug	No	1		
15	cobra ref 232/350 angle regulating valve	No	1		
	<u>TESTING</u>				
16	Provide all necessary apparatus water, etc for and test the whole of the Sanitary Plumbing and Water Supply installation	Item	1		
	Sub Total 1				
	Add: Contingencies @ 5% of Sub Total 1				
	Sub Total 2				
	Add: VAT @ 15% of Sub Total 2				
	Total (Carried to offer to tender)				

The procedure for the evaluation of responsive tenders is Price and Preference.

NB: Only the Price & Specific Goals points will determine the highest point scoring bidder to be awarded the contract.

T 2.2. B - Compulsory Enterprise Questionnaire

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|---|
| ☐ a member of any municipal council | ☐ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| ☐ a member of any provincial legislature | ☐ a member of an accounting authority of any national or provincial public entity |
| ☐ a member of the National Assembly or the National Council of Province | ☐ an employee of Parliament or a provincial legislature |
| ☐ a member of the board of directors of any municipal entity | |
| ☐ an official of any municipality or municipal entity | |

If any of the above boxes are marked, disclose the following:

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|--|---|
| ☐ a member of any municipal council | ☐ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| ☐ a member of any provincial legislature | ☐ a member of an accounting authority of any national or provincial public entity |
| ☐ a member of the National Assembly or the National Council of Province | ☐ an employee of Parliament or a provincial legislature |
| ☐ a member of the board of directors of any municipal entity | |
| ☐ an official of any municipality or municipal entity | |

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- authorizes The Mvula Trust to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed		Date	
Name		Position	
Enterprise name			

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

- 2.2.1 If so, furnish particulars:

.....

- 2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

YES/NO

- 2.3.1 If so, furnish particulars:

.....

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

.....

3 DECLARATION

SBD4

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

- 3.1 I have read, and I understand the contents of this disclosure.
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect.
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2022/23 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF 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

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “**RFQ**” 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:

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

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = 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:

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

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

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 RFQ:
- 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 RFQ for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable RFQ 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)
Black People	3	
Youth	5	
Women	5	
Person with Disability	3	
Small, Medium and Micro Enterprises (SMMEs)	2	
Enterprises located in rural or underdeveloped areas	2	

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct.
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form.
- iii) In the event of a contract being awarded because 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 because of that person's conduct.
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

.....

C1.1 Form of Offer and Acceptance

C1: AGREEMENT AND CONTRACT DATA

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

EXECUTION OF A CONTRACT INSTRUCTION TO RECTIFY DEFECTS AND/OR COMPLETE OUTSTANDING WORKS ON AN EXISTING CONTRACT AT BAHANANWA CIRCUIT IN THE LIMPOPO PROVINCE.

The tenderer, identified in the offer signature block, has examined the documents listed in the Tender Data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the Service Provider under the Contract including compliance with all its terms and conditions according to their true intent and meaning for remuneration to be determined in accordance with the conditions of Contract identified in the Contract Data.

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

R (in figures)

..... **Rand** (in words)

This offer may be accepted by the Employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the Tender Data, whereupon the tenderer becomes the party named as the Service Provider in the conditions of Contract identified in the Contract Data.

Signature <i>Of person authorised to sign the tender</i>	
Name <i>Of signatory in capitals</i>	
Capacity <i>Of signatory</i>	
Name <i>Of Organisation</i>	
Address <i>Physical address</i>	
Telephone no	
Name <i>Of witness</i>	
Signature <i>Of witness</i>	

Failure of the Tenderer to sign this form shall invalidate the RFQ.

Acceptance

By signing this part of this form of offer and acceptance, The Mvula Trust identified below accepts the tenderer's offer. In consideration thereof, The Mvula Trust shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between The Mvula Trust and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Part C1 Agreements and contract data, (which includes this agreement)

Part C2 Pricing data

Part C3 Scope of work.

Part C4 Site information

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the returnable schedules as well as any changes to the terms of the offer agreed by the tenderer and The Mvula Trust during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this form of offer and acceptance. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall deliver the securities in terms of, Clause 5.4.1 Standard Professional Services Contract (July 2009) third edition, within the period stated in the Contract Data, and after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact The Mvula Trust's agent (whose details are given in the contract data) to arrange the delivery of any other bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data, within 21 days of the date on which this Agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any).

Signature <i>Of person authorised to sign the tender</i>	
Name <i>Of signatory in capitals</i>	
Capacity <i>Of signatory</i>	
Name <i>Of Organisation</i>	
Address <i>Physical address</i>	
Telephone no	

Fax number	
Name <i>Of witness</i>	
Signature <i>Of witness</i>	

By the duly authorized representatives signing this agreement, The Mvula Trust and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the returnable schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and The Mvula Trust during this process of offer and acceptance.

Signature <i>Of person authorised to sign on behalf of The Mvula Trust</i>	
Name <i>Of signatory in capitals</i>	
Capacity <i>Of signatory</i>	
Name <i>Of Organisation</i>	The Mvula Trust
Address <i>Physical address</i>	25 Rhodesdrift Street Rhodesdrift Office Park ROP 6, Bendor Ext 30 0699
Telephone no	(015) 291 2405
Fax number	
Name <i>Of witness</i>	
Signature <i>Of witness</i>	