water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

ENQUIRIES: LZ Maswuma
TELEPHONE: 012 336 68784
REFERENCE: WP 11339
WD 393

CHIEF DIRECTOR: SUPPLY CHAIN MANAGEMENT AND ASSET MANAGEMENT

CHAIRPERSON: DEPARTMENTAL BID ADJUDICATION COMMITTEE

REQUEST FOR DEVIATION FROM NORMAL PROCUREMENT PROCEDURES AND APPOINT SOUTH AFRICAN WEATHER SERVICES AS A SOLE SERVICE PROVIDER FOR THE PROVISION OF RAINFALL DATA FOR WATER RESOURCES PLANNING STUDIES, ECOSYSTEMS STUDIES, DAM WATER BALANCE STUDIES AND ANY OTHER WATER RELATED PROJECTS

1. PURPOSE

1.1 Request for approval to deviate from normal procurement processes to appoint the South African Weather Services as a sole service provider for the provision of rainfall data for the Water Resources management ongoing activities which include water resources integrate planning, ecosystems studies, dam balancing calculations and reconciliation studies South Africa's water supply systems including project WP 11339 activities (as per **Annexure A**).

1.2 The Chief Director Supply Chain Management and Asset Management to approve the quotation by SAWS of R 998 130.00 (attached **Annexure B** read with **Annexure A**)

2. BACKGROUND AND DISCUSSION

2.1 Reference is hereby made to DBAC decision dated 11th of August 2022 on project WP 11339, wherein the Chief Directorate: Integrated Water Resource Planning (CD:IWRP) was referred to approach the Chief Directorate: National Water Resources Information Management (CD:NWRIM) to obtain rainfall data required for various water resource studies (**Annexure C**) due to challenges faced in procuring data from SAWS to support these studies.

2.2 A meeting was held between the two Chief Directorates (CD: IWRP & CD: NWRIM) and followed by a high-level meeting between the Chief Executive Officer of SAWS and the Director General of the Department on the 22nd of November 2022. It was agreed that all requests for rainfall data be consolidated and a request be sent to SAWS to obtain rainfall data since August 2012 for updating DWS systems so that all needs be catered for internally without continuously approaching SAWS at a cost.

2.3 The South African Weather Services (SAWS) was established in terms of Act of Parliament (South African Weather Service Act (Act No 8 of 2001)) for the provision of weather and climate data and information. The SAWS is striving "to be the foremost provider of relevant services in respect of weather, climate and related products, which contribute to sustainable development in South Africa and the African continent". It aims to provide useful and innovative weather, climate and related products and services by enhancing observational data and communications networks, and effectively disseminating weather services products to the users, utilising cutting-edge technology to convert data into meaningful products and services for risk mitigation, advancing the science of meteorology, research and relevant

applications, and enhancing fiscal discipline and resource mobilisation to ensure sustainability. This makes SAWS the sole provider and the only institution in South Africa that can provide weather (climate) / rainfall data required by DWS for water resources studies.

2.4 The DWS requested SAWS, as a soled provider, to provide the rainfall data directly to update the DWS systems with all outstanding data sets since August 2012 through completion of Disclosure Statement form (data request form). SAWS served DWS with a Quotation for the datasets requested. The original quotation was R1 160 000-00 for purchasing data related to 1139 rainfall stations. After further analysis, DWS, on the spatial coverage of the 1139 stations, it was found that DWS is interested on approximately 980 rainfall stations. This led to a revised quotation with cost of data required dropping to approximately R998 130.00 which needs the CD: SCM&AM's approval (**Annexure B**).

2.5 In line with DWS SCM processes, the CD:NWRIM requested SAWS to complete SBD forms and to provide SARS Tax Compliance Status in order to facilitate the sole provider approval (**Annexure D**: SBD 1, **Annexure E**: SBD 4, **Annexure F**:Tax Compliance Status, **Annexure G**: BBBEE Certificate).

3. IMPLICATIONS

3.1 Personnel

3.1.1 None.

3.2 Financial

3.2.1 The cost for the acquisition of rainfall data, which now can be obtained by the Department directly from the South African Weather Service, is R998 130-00 (including VAT).

3.2.2 Funds are available under the Sub-program: National Water Resource Planning under Programme 2: Water Resource Management.

Responsibility	Objective	Item	Funds Available	Quotation Amount
Dir: Water Resource Development Planning (30619906)	Integrated Water Res Planning (30113906)	Inf & Pln Ser: Engin Civil Services (1410906)	R4 022 078.68	R 998 130.00

3.3 Legal

3.3.1 The Disclosure statement required by SAWS is attached as **Appendix D**.
3.3.2 Project WP 11339 is on Demand Management Plan
3.3.3 Delegation 24 (1) of Delegations issued Section 63 of the National Water Act, 1998, (Act No. 36 of 1998) dated 23 June 2005 (Attached as **Annexure H**)

3.4 Regulatory Compliance

3.4.1 This submission must be recommended by the Departmental Bid Adjudication Committee (DBAC) and approved by the Chief Director: Supply Chain Management (CD: SCM) in terms of the Finance & SCM delegation of powers, activities and duties of 2021 dated 1 August 2021, page 63, item 216.

3.5 **Communication**

3.5.1 None.

4. OTHER COMPONENTS CONSULTED

4.1 Chief Directorate: National Integrated Water Resource Planning

5. RECOMMENDATIONS

5.1 It is recommended that you approve the deviation from normal procurement procedures for the purchasing of rainfall data directly from the South African Weather Service (SAWS) for the Water Resources management ongoing activities which include water resources integrate planning, ecosystems studies, dam balancing calculations and reconciliation studies in our all the country water supply systems.

5.2 The Chief Director Supply Chain Management and Asset Management to approve the quotation by SAWS of R 998 130.00 (attached **Annexure B** read with **Annexure A)**

NAME: LZMaswuma
ACTING CHIEF DIRECTOR: NATIONAL WATER RESOURCES INFORMATION MANAGEMENT
DATE: 9-12-2022

RECOMMENDATIONS IN PAR. 5.1 SUPPORTED / ~~NOT SU~~PPORTED
RECOMMENDATIONS IN PAR. 5.2 SUPPORTED / NO~~T SUPPO~~RTED

NAME: Mrs C Fouire
CHIEF DIRECTOR: NATIONAL WATER RESOURCES PLANNING (Acting)
DATE: 9 December 2022

RECOMMENDATIONS IN PAR. 5.1 SUPPORTED / ~~NOT SUPPORTED~~
RECOMMENDATIONS IN PAR. 5.2 SUPPORTED / ~~NOT SUPPORTED~~

NAME: Dr Moloko Matlala
DEPUTY DIRECTOR GENERAL: WATER RESOURCE MANAGEMENT (Acting)
DATE: 09 December 2022

FUNDS AVAILABLE / FUNDS NOT AVAILABLE

NAME: F Moatshe
CHIEF FINANCIAL OFFICER
DATE: 2022/12/12

5. RECOMMENDATIONS

5.1 It is recommended that you approve the deviation from normal procurement procedures for the purchasing of rainfall data directly from the South African Weather Service (SAWS) for the Water Resources management ongoing activities which include water resources integrate planning, ecosystems studies, dam balancing calculations and reconciliation studies in our all the country water supply systems.

5.2 The Chief Director Supply Chain Management and Asset Management to approve the quotation by SAWS of R 998 130.00 (attached **Annexure B** read with **Annexure A**)

RECOMMENDATION IN PAR. 5.1 RECOMMENDED / ~~NOT RECOMMENDED~~
RECOMMENDATIONS IN PAR. 5.2 SUPPORTED / ~~NOT SUPPORTED~~

NAME: SD NDHLOVU
CHAIRPERSON: DEPARTMENTAL BID ADJUDICATION COMMITTEE (DBAC)
DATE: 15/12/2022

RECOMMENDATION IN PAR. 5.1 APPROVED / ~~NOT APPROVED~~
RECOMMENDATIONS IN PAR. 5.2 SUPPORTED / ~~NOT SUPPORTED~~

NAME: Seroka Ngwanatau
CHIEF DIRECTOR: SUPPLY CHAIN MANAGEMENT AND ASSET MANAGEMENT
DATE: 04 January 2023

ANNEXURE D

SOUTH AFRICAN WEATHER SERVICE
Eco Glades block 1b, Eco Park
Cnr Olievenhoutbosch and Ribbon Grass Streets
Centurion Gauteng 0157
South Africa

Quote/Proforma Invoice

Quote/Proforma No: #9432
Account No: 93719
Quote Date: 2/12/2022

Bill To

Department of Water and Sanitation
Nemaxwi Phathutshedzo
Ms. Eustathia Bofilatos
185 Francis Baard Street
Pretoria
0001

Reference/Claim /Purchase Order Number
SGD 6.6 (Water Related Ecosystem), External and internal dam balances requests

TOTAL

R998,130.00

Item	Description	Quantity	Amount
Daily	Description: Daily rainfall for SGD 6.6 (Water Related Ecosystem), External and internal dam balances (list provided) by Department No of Stations, Areas, Points, Regions: 980 Date From: 1/8/2012 Date To: 31/8/2022 No of Months, Grid Points, Maps etc.: 120 Rainfall	1	R998,130.00

Subtotal	R998,130.00
Total	R998,130.00

Payment Terms:
No VAT Charged
Valid for 30 days from date of quote. This quote expires on 31/1/2023
Settlement of this account can be done through EFT

Please deposit funds into the following account and using 9432 as the reference:
Account Name: South African Weather Service
Bank Name: Standard Bank
Branch Name: Castle Walk
Branch Code: 014645
Account Number: 411287478
Swift Number: SBZAZAJJ

We trust that this quotation is in order and completed to your satisfaction. Please do not hesitate to contact Dhirusha Raghunandan should you have any further queries.

We look forward to a continued beneficial relationship with you.

ACCEPTED / REJECTED

Signature _____ Date _____

PROTECTION OF PERSONAL INFORMATION ACT (POPIA)

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE *(NAME OF DEPARTMENT/ PUBLIC ENTITY)*					
BID NUMBER:		CLOSING DATE:		CLOSING TIME:	
DESCRIPTION					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*					

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	**Mr Vusi Maditsi**	CONTACT PERSON	**(Ms)Dhirusha Raghunandan**
TELEPHONE NUMBER	**(0)12 367 6264**	TELEPHONE NUMBER	**(032) 436 3820**
FACSIMILE NUMBER		FACSIMILE NUMBER	**(032) 436 3815**
E-MAIL ADDRESS	**vusi.maditsi@weathersa.co.za**	E-MAIL ADDRESS	**dhirusha.raghunandan@weathersa.co.za**

SUPPLIER INFORMATION					
NAME OF BIDDER	**South African Weather Service**				
POSTAL ADDRESS	**Private Bag X097, Pretoria, 0001**				
STREET ADDRESS	**1 Ecoglades, Ecoglades Block B, Cnr Olievenhoutbosch and Ribbon Grass St, Centurion, Pretoria**				
TELEPHONE NUMBER	CODE	**012**	NUMBER	**367 6000**	
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER	**N/A**				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:	**F74B115228**	**OR**	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ **Yes** ✓ ☐ ~~No~~		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] ☐ Yes ☐ No	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ **Yes** ✓ ☐ ~~No~~ [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES /WORKS OFFERED?**	☐ ~~Yes~~ ☐ **No** ✓ [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	✓ ☐ **YES** ☐ ~~NO~~
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	✓ ☐ **YES** ☐ ~~NO~~
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	✓ ☐ **YES** ☐ ~~NO~~
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	✓ ☐ **YES** ☐ ~~NO~~
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	✓ ☐ **YES** ☐ ~~NO~~

PART B
TERMS AND CONDITIONS FOR BIDDING

1.	**BID SUBMISSION:**
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4.	**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**
2.	**TAX COMPLIANCE REQUIREMENTS**
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6	WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER: ....

CAPACITY UNDER WHICH THIS BID IS SIGNED: CLIENT LIAISON OFFICER : KZN.....
(Proof of authority must be submitted e.g. company resolution)

DATE: 31/10/2022.....

SBD4

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.

SAWS is a parastatal under the Department of forestry, Fisheries and the Environment (DFFE)

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? **NO**

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars: **N/A**

.....
.....

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? **NO**

2.3.1 If so, furnish particulars: **N/A**

.....
.....

3 DECLARATION

I, the undersigned, (name)...**Ms Dhirusha Raghunandan**. 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

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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.

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 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.



31/10/2022

.....	.....
Signature	Date
Client Liaison Officer: Durban	**(Ms) Dhirusha Raghunandan on behalf of SAWS**
Position	Name of bidder