

**YOU ARE HEREBY INVITED TO SUBMIT
QUOTATIONS FOR SITING, DRILLING, YIELD
TESTING, WATER QUALITY TESTING, EQUIPPING
AND COMMISSIONING OF A BOREHOLE WATER
INFRASTRUCTURE WITHIN THE PORT ST JOHNS
LOCAL MUNICIPALITY IN OR TAMBO DISTRICT
MUNICIPALITY IN THE EASTERN CAPE PROVINCE
– TEKWINI BOREHOLE**



RFQ NUMBER	MISA/RFQ/TEKWINIBOREHOLE/2026/27	
DESCRIPTION OF GOODS/ SERVICES	APPOINTMENT OF A SERVICE PROVIDER FOR SITING, DRILLING, YIELD TESTING, WATER QUALITY TESTING, EQUIPPING AND COMMISSIONING OF A BOREHOLE WATER INFRASTRUCTURE WITHIN THE PORT ST JOHNS LOCAL MUNICIPALITY WITHIN OR TAMBO DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE – TEKWINI BOREHOLE	
Conditions of Contract	Tenderers should have a CIDB contractor grading of 2CE or higher. Contracts will be based on the NEC3 Engineering and Construction Contract (Option B: Priced Contract with Bill of Quantities).	
PUBLISH/ ADVERTISEMENT DATE	23 JULY 2026	
CLOSING DATE & TIME	30 JULY 2026 @ 11:00	
COMPULSORY REQUIREMENTS		Tick Applicable box
	Proof of CIDB grading.	
	National Central data base registration Details.	
	Valid copy of BEE Certificate.	
COMPULSORY BRIEFING SESSION/ SITE MEETING	N/A	
ENQUIRIES	SCM Enquiries must be addressed to: anele.ndamase@misa.gov.za Tech. Enquiries must be addressed to: mlamli.mabulu@misa.gov.za	
QUOTE VALIDITY SUBMISSION:	90 Days (commencing from the RFQ closing date) Proposals clearly marked with the RFQ number and description, must be submitted to the following address: Letaba House, Riverside Office Park, 1303 Heuwel Avenue, Centurion, 0046, Private Bag X105, Centurion	
DELIVERY ADDRESS WHERE GOODS/ SERVICES/ WORKS ARE REQUIRED	Tekwini Village Ward 20 Port St Johns Local Municipality, OR Tambo District Municipality Eastern Cape. <i>Please confirm with provincial MISA official before delivery;</i>	

1. INTRODUCTION AND SPECIFICATIONS

1.1 Purpose

The purpose of this RFQ is to invite service providers (hereinafter referred to as “Bidders”) to submit a response for the items/products/services as detailed under point number 1.3.

1.2 Objective

Based on the RFQ’s submitted and the outcome of the evaluation process according to the set evaluation criteria, MISA intends to select a preferred Bidder/s with the view of concluding a service level agreement (SLA) where applicable with such successful Bidder. The Bid shall be evaluated in terms of the PPPFA (80/20) evaluation criteria depending on value.

1.3 Scope of works/ goods/ services required

1.3.1. This project comprises the following items of work, to be carried out in accordance with the Drawings and this Project Specification, all to the satisfaction of the MISA:

- Hydrogeological Services 1
- Drilling of Production Borehole per meter to Maximum of 350 meters
- Equipping (Borehole, Submersible Pumps, Water pipework and standpipes and electrical Power Supply) including fencing)

The Contractor’s attention is drawn to the need for exercising extreme caution when excavating and when constructing the footings due to the presence of major services near the northern footing location. as shown on the Drawings, which include the following:

The Contractor’s attention is also drawn to the need to survey the site prior to any construction, and the need for a high level of accuracy in the placing of the holding-down bolts, with regard to the relative positions of the bolts within their groups and of the groups themselves, as the Tenderer will be responsible for ensuring the correctness of the final position, clearance and alignment of the equipment erection.

DRILLING AND EQUIPPING OF BOREHOLE:

METHODOLOGY AND SPECIFICATIONS

Based on the proposed groundwater Programme the following methodologies will be employed.

a) Preliminary and General

For work to be executed by the Contractor and Quality control test, Establishment of facilities on site and the De-establishment of facilities on site. Leaving the site with only the infrastructure and no debris. This shall include traveling to the borehole point during construction.

b) Hydrogeological Survey

- Site Assessment and Desk Study

Existing borehole information from in-house database and previous studies conducted by the municipality within the defined project area will be assessed to compare yields, water levels and water quality in order to determine whether the aquifers are stable or deteriorating. Aerial photos and other data obtained from previous groundwater investigations will be studied and extrapolated to identify geological structures such as dykes, faults and lineaments that can be used for water balances sheet.

- Siting

The borehole will be installed within the Towns/Villages of EMAMFENGWINI (DUMEZWENI JSS) IN WARD 20 (1 x Borehole) and Tekwini (1 x Borehole) in Port St Johns LM. The appointed Service Provider will be required to use available and appropriate methods to site a borehole to ensure that it produces adequate yield. The decision to drill more than one borehole will depend on the yield of the first borehole. The location of boreholes, should more than one be required, must be at least 30-50 m away from a potential pollution source such as on-site toilets, cattle kraals or cemeteries, but as close to the village as possible.

- Hydro-census

Borehole verification within a 1 km radius of the identified location will be conducted to verify the use of groundwater in the area. Existing boreholes and springs in the defined areas will be the direction of groundwater in the area.

- Geophysical Investigation

A geophysical survey must be conducted to identify and accurately position any structural features and lithology changes which could influence groundwater movement. The geophysical survey to accurately define the positions of structural features, weathering zones and other features of significance to groundwater occurrence will comprise Electro Magnetic 34(EM-34) and magnetic profiling supported by Vertical Electrical Resistivity Soundings (VES) if required. The survey will assist in selecting sites for the drilling of groundwater boreholes.

A proton precision magnetometer (G-856 Memory-Mag.) manufactured by Geometrics will be used for the magnetic surveys as well as EM 34 manufactured by Geonic. The Magnetic and EM survey method are useful in identifying intrusive dykes and geological contact zones. A station spacing of 10 m will be used during the survey. Data from the magnetic survey will be processed and presented as profiles using spread sheets (MS Office Excel).

The magnetic traversing will be done using a proton fluid magnetometer, the magnetic survey will be run in conjunction with the EM-34 survey.

- Drilling Supervision/ Testing Supervision

The Hydrogeological service will include the supervision of the drilling and advise the municipality and MISA on the possibility of striking water of an expectable yield. Also included will be the supervision of the yield test to confirm the sustainable yield of the borehole.

- Drilling of Production Borehole

- Only one borehole will be equipped, per site (two in total), and be at least 165 mm in diameter. The municipality and MISA together with the Service Provider, to ensure and secure a sustainable yield borehole.
- A total of 350 m of drilling will be accepted in order to strike water. This can potentially be spread over three boreholes, depending on whether water has been obtained or not. MISA together with the driller, will decide to stop drilling, and equip or move to the next site. No borehole should be deeper than 150 m.

- The Drilling Contractor will only be paid for meters drilled and meters of casing installed in the borehole.
- All groundwater boreholes will be drilled in order to facilitate aquifer parameter testing and groundwater sampling. The borehole will be drilled using down the hole air percussion equipment.
- The drilling will be drilled according but not limited to the DWS minimum standards and guidelines:
 - a) The development of a production boreholes shall entail hydrogeological investigations, siting, drilling of new boreholes, and test pumping.
 - b) The Municipality and MISA will inform the service provider based on the yield test and water quality which borehole to equip.
 - c) The Borehole development shall further entail the removal of drilling fines from aquifer pores, removal of drilling foam/mud, and establishing a gravel pack filter around the borehole-aquifer interface.
 - d) Borehole development method for use shall be determined by the hydrogeological investigation's recommendations.
 - e) The Borehole diameter shall be determined by the findings of the hydrogeological investigations and site conditions, but not smaller than 165 mm.
- All installations shall make use of a electricity supply system and any alternate method of energy supply must be approved by the municipality and MISA. The selection of the pump type and capacity shall be based on:
 - a. Maximum required/available capacity and safe yield
 - b. Total pumping head
 - c. Maximum pumping rate feasible
- The borehole is to be fully screened (from the water table to bedrock) with a 0.5 m sump. A fine screen (5 mm long and 0.6 mm wide) is to be used to prevent sediment entry into the borehole and fine gravel pack is to be installed in the borehole annulus around the screen. The size of the gravel pack particles should be larger than slot/screen sizes. A bentonite pellet seal is to be installed above the depth at which the water table occurs. The borehole should be sleeved all the way.

- **Pump Test of the Production Borehole**

Only the borehole agreed between the Municipality and MISA and the Driller, will be subjected to aquifer testing. This will be done with the aid of positive displacement pumps, and it will entail step drawdown test to determine borehole efficiencies and constant rate test to determine the aquifer parameters and yield estimates. It is anticipated that a 24 to 48-hour constant discharge tests will be done in the respective boreholes.

- **Step Tests**

Step drawdown tests will be performed to more clearly define the optimum yield at which the constant discharge test can be run. The tests will involve pumping the agreed boreholes at four sequentially higher pumping rates each maintained for an equal length of time, generally not less than 60 minutes. The magnitude of drawdown of the water level in the borehole in response

to each of these pumping rates will be measured and recorded on a time schedule as well as the actual pumping rate maintained during each step.

- **Constant Discharge Tests**

Once the step drawdown tests have been completed the agreed borehole will be subjected to a constant discharge test over 24 to 48 hours in order to obtain aquifer parameters such as transmissivity and Distribution.

The constant discharge tests will be performed to assess the productivity of the aquifer according to its response to the abstraction of water. This response can be analyzed to provide information in regard to the hydraulic properties of the aquifer. These tests will require the boreholes to be pumped at a single pumping rate which is kept constant for the duration of the test. The pumping rates will be set at yields which will be considered to be sustainable for the duration of the tests. The drawdown in water level in the boreholes will be measured during the course of the tests and recorded against a time schedule. Should there be any boreholes within close proximity to pumped borehole, the drawdown in water level will be measured and recorded on the same time schedule as the pumped borehole. Water level measurements will be recorded during the recovery period following the end of pumping of the agreed borehole.

- **Borehole water Sampling**

A borehole water sample must be collected from the tested borehole at the end of pumping test exercise in order to obtain a representative elementary volume of the aquifer.

These samples must be submitted to an accredited analytical laboratory for the analyses of major cation and anion distribution, pH, electrical conductivity, total alkalinity and the water quality be classified according DWA Drinking Standards as well as SANS 241-1:2015.

If treatment is required, see "Water Purification Systems 11 April 2020" document.

- **Protecting Ground Water**

The site conditions and layout shall determine the feasible measures to be put in place to protect the groundwater from contamination and equipment from theft and damage.

The following guidelines shall be followed when determining the feasibility of protecting the borehole:

- The borehole and pump must be protected in a concrete ring and with a lockable manhole for inspections and to do Maintenance to the pump installation.
- The supply installation should be protected with razor wire to prevent theft. (each site)
- The PVC stand with 1 X 20 000 litre tank should be protected with razor wire to prevent theft. (each site)
- electrical equipment must be in a steel lockable box, secured to the ground and should be protected with razor wire to prevent theft.

- **Equipping Borehole**

- The borehole collar is to be below ground surface.
- A section of steel casing with a lockable cap should be installed around the borehole collar
- The Borehole shall be fitted with a Flow meter
- All Boreholes shall be fitted with a conduit pipe to facilitate monitoring of groundwater test levels.

- Borehole shall be disinfected where the water chemical analysis recommends action.
- A Borehole cap shall be used to seal the borehole.
- The site at each borehole is to be cleaned after completion of the borehole.
- Submersible pump
 - Submersible borehole pump complete with steel manhole cover.
- Pump Size
 - The pump will be determined as per 4 above
- Storage
 - 1 x 20 000 litres water PVC tank
- Water pipework and standpipes
 - The water stand with the 1X 20 000 l tanks will not be more than 50 m from the borehole. The outlet of the tanks will be connected. Excavation in all materials for trenches for up to including 75 mm nominal diameter pipes and smaller, up to 1 m deep. Pipes and cables to have a minimum cover of 800 mm. Relevant pipes should be DN Class 9 and 25 DN Class 9. For the two Standpipes, the two-standpipe installation, complete with in-situ constructed concrete trough. Rates include backfill, compact and disposal of surplus and unsuitable material. All the necessary pipework, connections, standpipes and ancillary works shall be implemented by the contractor even when they are not expressly mentioned in the BOQ.
- Electrical Power Supply
 - It is expected that the current electricity supply will be from solar panels. The sizing of the solar panel installation will also be dependent on the borehole pump size and related electrical system needs. The SOLAR panels must be installed on a stand and secured against theft.
 - Commissioning
 - Once the borehole is completed and functional, commissioning must be done on site with representatives of the respective Local Municipality and MISA.
 - If the MISA and the Local Municipality is satisfied with the operations of the installed borehole, the final payment will be authorized.

2.The successful bidder will be required to undertake the following:

- **2.1 Hydrogeological and Geophysical Services**
- Conduct hydrogeological surveys to determine optimal borehole locations.

- Carry out geophysical investigations, including resistivity profiling and vertical electrical sounding.
- Produce borehole siting reports.
- **2.2 Borehole Drilling**
- Drill up to **350 metres cumulative depth** across a maximum of **three boreholes** (no borehole deeper than 150 m).
- Supply and install appropriate casing, gravel pack, sanitary seal, and bentonite sealing.
- Ensure borehole construction complies with **SANS 10299** and **Department of Water and Sanitation (DWS)** guidelines.
- **2.3 Pumping and Water Quality Testing**
- Conduct pumping tests (step drawdown and 24-hour constant discharge).
- Perform water quality testing in compliance with **SANS 241:2015** standards.
- Provide detailed test reports.
- **2.4 Equipping of Boreholes**
- Each of the **two boreholes** must be equipped with:
 - Submersible solar pump with protective features.
 - Solar panel system (adequately sized for borehole yield).
 - Lockable pump housing with anti-theft measures.
 - 20,000 L galvanised storage tank mounted on a 4.5 m stand.
 - Flow meters, air valves, and all pipework.
 - Two standpipes with concrete aprons.
 - Concrete drinking troughs for livestock.
 - Razor wire perimeter fencing around the installation.
- **2.5 Commissioning and Handover**
- Fully commission the boreholes and demonstrate functionality.
- Provide as-built documentation, including:
 - Borehole completion records
 - Water test certificates
 - Pumping test reports
 - Operation and maintenance manuals
- Hand over completed boreholes to MISA and the Local Municipality.
- Ensure site rehabilitation and clean-up.

3. Deliverables

The service provider shall deliver the following:

1. **Two fully equipped and solar-powered boreholes** (one in Tekwini Village, one in Emamfengwini Village).
2. Water quality and pumping test reports.
3. As-built documentation (drawings, manuals, and test results).
4. Commissioning certificate signed off by MISA and the Municipality.

4. Mandatory Requirements

Bidders must submit the following with their proposals:

- Registration of **CIDB grading of 2CE or higher**.
- CV of **one (1) qualified civil/water engineer**, registered with **ECSA**, with experience 5 years post registration in water infrastructure projects.
- One reference letter for the completed project and the completion certificate.

Failure to submit any of the above documents will lead to automatic disqualification.

5. Submission and Enquiries

- Proposals must be submitted in hard copy to the address specified in the RFQ invitation.
- **No late or emailed submissions will be accepted.**
- All enquiries should be directed to:
 - **SCM Enquiries:** [\[anele.ndamase@misa.gov.za\]](mailto:anele.ndamase@misa.gov.za)
 - **Technical Enquiries:** [\[mlamli.mabulu@misa.gov.za\]](mailto:mlamli.mabulu@misa.gov.za)

6. Evaluation Process

The evaluation will be conducted in the following stages:

Stage 1: Compliance

- Verification of all mandatory requirements listed in Section 4.

Stage 2: Price and Specific goals (80/20 Preference Point System)

- Price = 80 points
- Specific goals = 20 points
Evaluation will be in line with the Preferential Procurement Policy Framework Act (PPPFA), 2000 and its regulations

7. Queries

- 7.1 For a Bidder to obtain clarity on any matter arising from or referred to in this document, please refer queries, in writing, to the contact details provided below. Under no circumstances may any other employee within MISA be approached for any information. Any such action might result in a disqualification of a response submitted in competition to this RFQ.
- 7.2 All enquiries regarding this RFQ must be forwarded only to the person above as per the contact details provided above.
- 7.3 Under no circumstances will MISA allow enquiries from Bidders one (1) day prior the closing date of this RFQ and during the subsequent evaluation processes.

8. GENERAL CONDITIONS AND REQUIREMENTS

ALL QUOTATION CONDITIONS MUST BE STRICTLY ADHERED TO, FAILING WHICH THE PROPOSAL MAY BE REJECTED OR DECLARED NON-RESPONSIVE

8.1 MISA reserves the right in its sole discretion to:

- withdraw, suspend or cancel this RFQ or the RFQ process at any time and without providing reasons;
- not provide reasons for its rejection or the failure of any Bidder or Proposal;
- change any of its requirements as set out in this RFQ;
- change any condition, procedure or rule of the RFQ;
- amend, vary, or supplement any of the information, terms or requirements contained in this RFQ, any information or requirements delivered pursuant to this RFQ, or the structure of the RFQ process;
- re-advertise for RFQ responses; and
- provide further information in respect of, and modify the provisions of, this RFQ at any time prior to the Closing Date by notice to all prospective Bidders.
- cancel this RFQ without notifying the prospective Bidders.
- to disqualify any person who is a provider (Bidder) or prospective provider of goods or services, or a recipient or prospective recipient of goods disposed of or be disposed of, who directly or indirectly influence or interfere with the work of any of our officials involved in the procurement process in order, inter alia, to:
 - influence the process and/or outcome of a bid;
 - influence the process and/or outcome of a bid;
 - incite breach of confidentiality and/or the offering of bribes
 - cause over- or under-invoicing;
 - influence the choice of procurement method or technical standards
 - influence any of our officials in any way which may secure an unfair advantage during or at any stage of the procurement process.

8.2 Ensure that all relevant documentation are completed in full and submitted

8.3 Standard Bidding Documents (SBD's), namely: SBD4, SBD6.1

8.4 BEE requirements – preferably the BBEE certificate from an accredited institution.
MISA reserves the right to; cancel or reject any quote and not to award the tender to the lowest Bidder or award parts of the RFQ to different Bidders, or not to award the RFQ at all.

• PRICING

The Bidder must take the following into consideration when pricing:

- Detailed deliverables as per specifications under point 1.3 above.
- Price must be based on a fixed price basis for the duration of the contract. Rates are to include for labour, material, overheads, profit, etc.
- To ensure that all rates include for all costs deemed necessary as no additional costs will be admitted later.
- All rates and extended prices must include Value Added Tax (VAT).
- We may require breakdown of rates on any of the items priced and the Service Provider is to provide same without any additional cost.

STAGE 2– PRICE AND SPECIFIC GOALS

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

b) The 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.

The evaluation of the quotation/ proposal shall be based on the 80/20 PPPFA principle and the points for evaluation criteria are as follows:

- The 80/20 system for requirements with a Rand value of up to R1 000 000.00;

Adjudication Criteria	Points Allocation
Price Evaluation	80 points
Specific goals	20 points
TOTAL	100 points

- An 80/20 price/preference points system will be applied to the evaluation of responsive Proposals, whereby the order(s) will be placed with the vendor(s) scoring the highest total number of adjudication points.

Price shall be scored as follows:

$$P_s = 80 \times (1 - (P_t - P_{min}) / P_{min})$$

Where: P_s is the number of points scored for price;

P_t is the comparative price of the Proposal under consideration;

P_{min} is the comparative price of the lowest responsive Proposal.

SPECIFIC GOALS

The Employer reserves the right to apply other specific goals in accordance with PPR Regulations 2022 as contemplated in section 2(1)(d)&(e) of the PPPFA Act No 5 of 2000 which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 November 1994.

The Specific goals will be allocated as per the table below:

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system)
Who are women (51% or more)	5
Who is a youth (18 to 35 years) (51% or more owned)	5
Location of enterprise (local equals province)	5
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	5
Total scored points	20

Definitions

“Specific goals” means specific goals as contemplated in section 2(1)(d) of the PPPFA Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 date 23 November 1994

“Ownership” means the percentage ownership and control, exercised by individuals within and enterprise.

“Disability” means, in respect of a person, a permanent impairment of a physical, intellectual, or sensory function, which results in restricted, or lack of, ability to perform and activity in the manner, or within the range, considered normal for a human being.

Means of Verification (Specific Goals)

Procurement Requirement	Required Proof Documents
Women	Identity document
Youth	Identity document
Location	Municipal bill/ Lease agreement/ Letter from local authority.
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	Valid certificate/ sworn affidavit Consolidated BEE certificate in cases of Joint Venture Full CSD Report

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

EVALUATION AND SELECTION

The total number of adjudication points (NT) shall be calculated as follows:

$$NT = Ps + NP$$

Where: Ps is the number of points scored for price
NP is the total number of BBBEE points obtained

6.1 Process after Closing Date

After the Closing Date:

- 6.1.1 MISA may request additional information, clarification or verification in respect of any information contained in or omitted from a Bidder's Proposal, which MISA may do either in writing or at a meeting convened with the Bidder for that purpose;
- 6.1.2 MISA may conduct a due diligence exercise on any Bidder or its Subcontractor, which may include interviewing customer references or other activities to verify a Bidder's submitted or other information and capabilities (including visiting the Bidder's or Subcontractor's premises, sites and facilities to verify certain stated facts or assumptions) and in which regard the Bidder will be obliged to grant MISA with all such access, assistance and/or information as MISA may reasonably request and to respond within the timeframes set by MISA;
- 6.1.3 no amendment may be made to a Proposal, unless specifically permitted or requested by MISA;
- 6.1.4 MISA may shortlist Bidders and may request presentations from short-listed Bidders;
- 6.1.5 MISA will enforce whatever measures it considers necessary to ensure the confidentiality and integrity of the contents of the RFQ responses;
- 6.1.6 MISA will evaluate the RFQ responses with reference to MISA's Evaluation Criteria detailed in paragraph 6.3. MISA reserves the right to employ subject matter experts to assist in performing such evaluations.

6.2 MISA's Pre-qualification Criteria

- 6.2.1.1 MISA has defined **minimum pre-qualification** criteria that must be met by the Bidder in order for MISA to accept a RFQ response for evaluation. In this regard a pre-evaluation verification will be carried out by MISA in order to determine whether a Proposal complies with the provisions of paragraphs
- 6.2.1.2 Where there is a failure to comply fully with any of the pre-qualification criteria or MISA is for any reason unable to verify whether the pre-qualification criteria are fully complied with, MISA will have the right to either:
 - 6.2.1.2.1 entirely reject the Proposal in question and not to evaluate it at all;
 - 6.2.1.2.2 give the Bidder an opportunity to supplement the information provided by it under its Proposal so as to achieve full compliance with the pre-qualification criteria within a period prescribed by MISA;
 - 6.2.1.2.3 require the Bidder to provide MISA with such information as MISA

may request within a period prescribed by MISA in order to enable MISA to properly verify whether there is full compliance; or

6.2.1.2.4 in any event permit the Proposal to be evaluated.

6.3 MISA's Evaluation Criteria

6.3.1 MISA's evaluation criteria provide for the accumulation of points for a Bidder's Proposal based on the extent to which it:

6.3.1.1 Provides a technical solution and services that meet MISA's requirements. In this regard the Bidder is directed to examine the requirements set out in this Business Requirements Specification and in particular to those requirements which are essential to the Bidder's Proposal being acceptable as a technical solution;

6.3.1.2 Enables MISA to contain its risks, which will include an evaluation of the effect of any mark-up made by a Bidder to the proposed contract and a financial analysis of the Bidder's audited or reviewed financial statements;

6.3.1.3 Achieves MISA's Broad Based Black Economic Empowerment ("BBBEE") objectives read with the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) Regulations and National Treasury guidelines; and

6.3.1.4 Is financially competitive and offers value for money.

MISA's evaluation of RFQ responses includes functionality as a criterion and hence the evaluation of RFQ responses will be conducted in a two stage process.

6.3.2 In the **first stage (IF APPLICABLE)**, an assessment of compliance will be performed in terms of the following criteria:

In order to be considered for a contract in terms of this tender, tenderers must comply with the capability requirements stated below.

The description of the capability compliance requirements is shown in the table below.

Tenderers not complying will be considered as non-responsive.

Criteria (Key personnel)	Description of requirements	Indicate Yes	Indicate No
Skills and Capacity	Team composition – one (1) civil engineer with Water service experience. Provide ECSA registration (B.Tech or BEng Engineering minimum) and CV of technical personnel. The CV must demonstrate the experience required.		

Number of sheets appended by the tenderer to this Schedule (If nil, enter NIL).

SIGNED ON BEHALF OF TENDERER:

In the **second stage** of the evaluation, RFQ responses selected from the first stage will be evaluated in terms of the 80/20 preference points system under section 2 of the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000), read with the Preferential Procurement Policy Framework Regulations and National Treasury guidelines.

Criterion	Points Allocation
BBBEE status	20
Price	80

Points for the BBBEE criterion will be allocated in accordance with the Bidder's BBBEE status level, and those of its subcontractors in proportion to their expected revenue allocations.

Points for the Price criterion will be calculated in accordance with the formula in the Preferential Procurement Regulations. The Price of the Bidder's RFQ response will be calculated over the anticipated term of the Agreement. Any additional costs that will be incurred by MISA in implementing or receiving the solution from the Bidder will be taken into account during evaluation.

The electronic version of the Pricing template completed by the Bidder and submitted with the Bidder's Proposal will be used for the calculation of price. In this regard:

- 6.3.2.1 The Bidder must ensure the accuracy of the pricing figures provided in the template.
- 6.3.2.2 The Bidder's authorised signatory warrants that the electronic copy submitted, and the hardcopy contain the same information.
- 6.3.2.3 The Bidder's RFQ response may be regarded as non-responsive if the electronic Pricing template response contains omissions.

MISA, in its sole discretion, may regard the Bidder's RFQ response as non-responsive if one or more of the pricing components of the Pricing response template provided in the RFQ are: not firm; subject to negotiation; subject to variation other than by mechanisms contemplated in the proposed contract; dependant on assumptions not provided by MISA in the RFQ; or not reasonably determinable at the time of evaluation for any other reason.

The points accumulated for BBBEE status criterion will be added to the points accumulated for the Price criterion.

6.4 Process following evaluation

6.4.1 Following MISA's evaluation of the RFQ responses in this RFQ, MISA has the right to, inter alia, in its sole discretion:

- 6.4.1.1 Consider the business case for the award of the RFQ based on the RFQ responses received;
- 6.4.1.2 Undertake a Bidder clarification or Best and Final Offer (BAFO) process with respect to some or all of the items;

- 6.4.1.3 Short list one or more Bidders in for award;
 - 6.4.1.4 MISA may conduct a due diligence exercise on any Bidder or its Subcontractor, which may include interviewing customer references or other activities to verify a Bidder's submitted or other information and capabilities (including visiting the Bidder's or Subcontractor's premises, sites and facilities to verify certain stated facts or assumptions) and in which regard the Bidder will be obliged to grant MISA with all such access, assistance and/or information as MISA may reasonably request and to respond within the timeframes set by MISA; or
 - 6.4.1.5 Take any other action it deems appropriate.
- 6.4.2 MISA reserves the right to revise the points accorded to a Bidder in respect of all or any of the criteria at any time in the event of further information being obtained by MISA (including but not limited to under sub-paragraphs 6.3.1.1 to 6.3.1.4 foregoing), which in MISA opinion justifies such revision.
Upon completion of its evaluations, MISA may select one or more preferred Bidders for award as a single supplier or to form a panel of service providers MISA will be under no obligation to select the Bidder with the highest number of points.
- 6.4.3 Upon an award, the successful Bidder will be required to enter into the Agreement with MISA. In this regard:
- 6.4.3.1 MISA may require the Bidder to enter into an interim agreement under which the transition services would commence;
 - 6.4.3.2 MISA will enter into negotiations with the Bidder with a view to concluding the Agreement;
 - 6.4.3.3 MISA will be entitled to cease negotiating with a Bidder and negotiate with another Bidder if MISA, in its sole discretion, is of the opinion that: the Bidder has made misrepresentations in its RFQ response; the Bidder is attempting to withdraw from positions or commitments made in its Proposal; the Bidder is not negotiating in good faith; or an agreement may not be expeditiously concluded with the Bidder for any other reason.

7 General Conditions of Contract

7.1 Acceptance of RFQ conditions

The Bidder's participation in the RFQ process is deemed to constitute acknowledgement and acceptance by the Bidder of the terms and conditions contained in this RFQ.

7.2 Service Conditions.

7.2.1 Acceptance, Contract Commencement and Purchase Orders

The vendor's offer will be accepted by the Employer when an official purchase order is issued to the vendor, who then becomes the Contractor in terms of this contract. The date of issue of the purchase order shall be the commencement date of the contract. The vendor undertakes work and incurs expenses prior to the issuing of a purchase order entirely at its own risk. The Employer shall only incur liability for payment in terms of this contract if a valid purchase order has been issued to the vendor.

7.2.2 Duties of the Contractor

The Contractor is to provide all labour, material, workmanship, machinery, and everything which is or may be necessary in and for the execution and entire completion

of the contract in accordance with the General Conditions of Contract, Project Specification

7.2.3 Contractor to Appoint a Competent Representative

The Contractor shall appoint a competent representative to administer and control the Works on site and shall inform the Employer of the name of such representative. A contract instruction given to the Contractor's representative shall be deemed to be given to the Contractor.

7.3 Validity of information

MISA has made reasonable efforts to ensure accuracy in compiling this RFQ. However, neither MISA, nor its employees, officers, advisers or agents will be liable to the Bidder or any third party for any inaccuracy or omission in the RFQ or in respect of any additional information MISA may provide to the Bidder as part of the RFQ process.

The Bidder is deemed to have examined this RFQ and any other information supplied by MISA to the Bidder and to have satisfied itself as to the correctness and sufficiency of such before submitting its Proposal.

7.4 RFQ not an offer

This RFQ does not constitute an offer to do business with MISA but merely serves to facilitate a requirements-based decision process.

Nothing in this RFQ or any other communication made between MISA (including its officers, directors, employees, advisers and representatives) is a representation that MISA will offer, award or enter into a contract.

7.5 Preparation Costs

The Bidder will bear all its costs in preparing, submitting and presenting any response or Proposal to this RFQ and all other costs incurred by it throughout the RFQ process. Furthermore, no statement in this RFQ will be construed as placing MISA, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the Bidders in the preparation of their response or Proposal to this RFQ.

7.6 Indemnity

If a Bidder breaches any condition of this RFQ and, as a result of that breach, MISA incurs costs or damages (including, without limit, the cost of any investigations, procedural impairment, repetition of all or part of the RFQ process and enforcement of intellectual property rights or confidentiality obligations), then the Bidder indemnifies and holds MISA harmless from any and all such costs which MISA may incur and for any damages or losses MISA may suffer.

7.7 Responsibility for subcontractors and Bidder's personnel

A Bidder is responsible for ensuring that its subcontractors, personnel (including officers, directors, employees, advisors and other representatives of a Bidder) and personnel of its subcontractors comply with all terms and conditions of this RFQ and in particular the provisions of paragraph 7.8 below.

7.8 Confidentiality

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this RFQ or a Bidder's Proposal(s) may be disclosed by any Bidder or other person not officially involved with MISA's examination and evaluation of a Proposal.

No part of the RFQ may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Proposal. This RFQ and any other documents supplied by MISA remain proprietary to MISA and must be promptly returned to MISA upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived there from.

Throughout this RFQ process and thereafter, Bidders must secure MISA's written approval prior to the release of any information that pertains to (i) the potential work or activities to which this RFQ relates; or (ii) the process which follows this RFQ. Failure to adhere to this requirement may result in disqualification from the RFQ process and civil action.

After the Closing Date, no confidential information relating to the process of evaluating or adjudicating RFQ responses or appointing a Bidder will be disclosed to a Bidder or any other person not officially involved with such process.

7.9 Governing Law

South African law governs this RFQ and the response process of the RFQ. The Bidder agrees to submit to the exclusive jurisdiction of the South African courts in any dispute of any kind that may arise out of or in connection with the subject matter of this, the itself and all processes associated with the .

RETURNABLE ANNEXURE 1 FORM OF OFFER

BIDDER (also referred to as "Contractor")	
NAME of Company/ Close Corporation/Partnership/ Sole Proprietor	_____ (legal name) trading as _____
Company REGISTRATION NO: <i>(If applicable)</i>	_____
CENTRAL DATABASE REGISTRATION No: <i>(Compulsory)</i>	_____
CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION No: <i>(for HDI/preference points)</i>	_____
PHYSICAL/ STREET ADDRESS <i>(Chosen domicilium citandi et executandi/address where legal notices will be served)</i>	_____
CONTACT DETAILS:	Tel: _____ Fax: _____ _____ Cell: _____ Email: _____
INCOME TAX/VAT REGISTRATION No	_____
DAYS TO COMMENCEMENT OF WORK AND DURATION <i>(From date of receipt of official purchase order)</i>	_____
PERIOD OF COMPLETION	_____

By signing this *Form of Offer*, the vendor offers to render the services described in this quotation document in full compliance with:

- the Specification, the General and Special Conditions of Contract, and at the price reflected in table below (in the case of a once off, fixed price) or as brought forward from Pricing Schedule (Returnable Schedule 2)

Price	_____
ADD: 15% VAT	_____
TOTAL QUOTATION PRICE (INCL. VAT)	_____

SIGNED at(place) on the day of(month) 2024.....

.....
Signature
Name (PRINT).....
(For and on behalf of the Bidder, duly authorised)

RETURNABLE ANNEXURE 2 PRICE SCHEDULE

ITEM	DESCRIPTION	UNIT	QUANTITY	RATE (Excl. VAT)	PRICE (R)
1	Preliminary and General	Sum per borehole	1		
2	Hydrogeological Services sitting of boreholes	Sum per borehole	1		
3	Compliance with OHS Act, Construction Regulations & Occupational Health & Safety Particular Specification	Sum per borehole	1		
4	Compliance with all the parts of the Environmental Management	Sum per borehole	1		
5	Allow for CLO and PSC meeting and compensation	Prov. Sum	Sum	R 25,000.00	R 25,000.00
6	Design for identified yield and water supply	Sum per borehole	1		
7	Drilling of Production Borehole per meter to Maximum of 350 meters	Per m Drilled	350		
8	Pump test of production Borehole	Sum per borehole	3		
9	Water quality analysis (chemical and biological)	Sum per borehole	3		
10	Protection of Borehole, pole mounted pvc stand and electrical supply	Sum per borehole	1		
11	Equipping (Borehole, Submersible Pumps, Water pipework and standpipes and electrical Power Supply)	Sum per borehole	1		
12	Pipeline water unit purification	Prov Sum	1	R 20 000.00	R 20 000.00
13	Handling cost in respect of Item 10	%	15%		
14	Commissioning	Sum per borehole	1		
	SUB-TOTAL				
				VAT @ 15%	
TOTAL PRICE (INCLUDING VAT)					

Pricing Instructions:

- 2.1 The quotation will be declared invalid if a fully completed Price Schedule is not submitted with the quotation.
- 2.2 If the word "*Item*" appears in the Quantity column or if the Quantity column is blocked or crossed out, a lump sum rate is required which covers all aspects of the work set out in the Description column for that item.
- 2.3 By signing the *Form of Offer*, a bidder warrants that the relevant quotation:
 - 2.3.1 is correct and valid
 - 2.3.2 that the price(s) and rate(s) quoted cover all the work/-item(s) specified in the quotation document;
 - 2.3.3 that the price(s) and rate(s) cover all the bidder's obligations under a resulting contract including all disbursements; and
 - 2.3.4 that any mistakes regarding price(s) and calculations will be at the bidder's risk.
- 2.4 Vat-registered companies must price exclusive of VAT and show VAT payable separately on the *Form of Offer*.
- 2.5 The quotation price as per the *Form of Offer* will take precedence in the event of any discrepancy between the *Form of Offer* and the *Price Schedule*. However, if the bidder has made a mathematical and/or calculation error in the Price Schedule, MISA reserves the right, in its sole discretion, to correct the error. The corrected total will be carried forward to the *Form of Offer*.

ANNEXURE 3

SPECIFICATIONS

1. Background

MISA's objective is to appoint a service provider for siting, drilling, yield testing, water quality testing, equipping and commissioning of a borehole water infrastructure within the Port St Johns Local Municipality within OR Tambo District Municipality in the Eastern Cape Province – Tekwini Borehole.

Overview of the Works

The summary of works involves the following.

- Siting
- Drilling
- Yield Testing
- Water Quality Testing
- Equipping
- Commissioning

Location of the Works

Tekwini Village Ward 20 Port St Johns Local Municipality, OR Tambo District Municipality Eastern Cape.

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (MUNICIPAL INFRASTRUCTURE SUPPORT AGENT)					
BID NUMBER:	MISA/RFQ/TEKWINIBOREHOLE/2026/27	CLOSING DATE:	30 JULY 2026	CLOSING TIME:	11:00
DESCRIPTION	APPOINTMENT OF A SERVICE PROVIDER FOR SITING, DRILLING, YIELD TESTING, WATER QUALITY TESTING, EQUIPPING AND COMMISSIONING OF A BOREHOLE WATER INFRASTRUCTURE WITHIN THE PORT ST JOHNS LOCAL MUNICIPALITY WITHIN OR TAMBO DISTRICT MUNICIPALITY IN THE EASTERN CAPE PROVINCE – TEKWINI BOREHOLE				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
1303 Heuwel Avenue Road, Riverside Office Park					
Letaba House, First Floor					
0046					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Katlego	CONTACT PERSON			
TELEPHONE NUMBER	012 848 5300	TELEPHONE NUMBER			
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	Katlego.maredi@misa.gov.za	E-MAIL ADDRESS			
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VATREGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES 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	
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

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, 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:

(Proof of authority must be submitted e.g. company resolution)

.....

DATE:

.....

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 RFQ 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

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? **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:

.....
.....

3 **DECLARATION**

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

3.1 I have read and I understand the contents of this disclosure,

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect,

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 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.

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.

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 Quotations and contracts, Quotations 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.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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

Inconvenience

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**

(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) **“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:

80/20	or	90/10	
$Ps = 80 \left(1 + \frac{Pt - Pmin}{Pmin} \right)$	or	$Ps = 90 \left(1 + \frac{Pt - Pmin}{Pmin} \right)$	

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:

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

Where

- Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of lowest 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 tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Who are women (51% or more)	5	
Who has disability	5	
Who is a youth (18 to 35 years) (51% or more owned)	5	
B-BBEE status level contributors from level 1 to 2 which are QSE or EME	5	
Total scored points	20	

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 as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....