

	REQUEST FOR QUOTATION	Form No: UW-RFQ-1 Version No: 1/2024 Effective Date: Jul 2024
	RFQ Number: Q25/002/TN	

Description	APPOINTMENT OF A CONSULTANT FOR ORGANIZATIONAL DEVELOPMENT, MENTORSHIPS, COACHING, HUMAN RESOURCE DEVELOPMENT, AND CAPACITY BUILDING FOR UMGENI WATER SERVICES
Advert Date	15 July 2024
Closing Date and Time	31 July 2024 at 15:00 pm
Non-Compulsory Briefing Session	N/A
SCM Enquiries	Thobile Ngcobo Tel: 033 341 1217 Email: Thobile.ngcobo@umgeni.co.za
Technical Enquiries	Mr. Nkosinathi Nkomzwayo Tel: 067 347 1034 Email: Nkosinathi.Nkomzwayo@umgeni.co.za
Contents of RFQ	1. Invitation to quote 2. Bidders information 3. Terms and Conditions 4. Undertaking by Bidder 5. Terms of Reference/RFQ specifications 6. Price Schedule 7. Authority to Sign 8. Bidders disclosure [SBD 4] 9. Preference points claim form (SBD 6.1) 10. Contract Form [SBD 7.1 or SBD 7.2]

Quotation Submission:	Tip-Offs Anonymous Hotline:
Quotations to be submitted by email to : scmquotes@umgeni.co.za using Quote number Q25/002/TN as the email subject.	Report unethical conduct at Umgeni Water Services to: The Office of the Managing Director Attention: The Managing Director Email: uws@umgeni.co.za <i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i>



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BIDDERS INFORMATION

Name of Bidder	
Company Registration number	
VAT registration number	
Contact Person	
Telephone number	
Cell number	
E-mail address	
Postal address	
Physical address	
uMngeni-Uthukela Vendor Number	
CSD Supplier number	

I certify that the information furnished on this form is true and correct. I further accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Name of Representative
(Duly Authorised)

Signature

Date

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TERMS AND CONDITIONS OF REQUEST FOR QUOTATION (RFQ)

1. Any alteration made by the bidder must be initialled.
2. Use of correcting fluid is prohibited
3. Bidders must be registered on the National Treasury's Central Suppliers Database.
4. Tenderers are required to submit a valid Tax clearance verification PIN or CSD MAAA number
5. This quotation is subject to the Preferential Procurement Policy Framework Act and the Preferential Procurement Regulations, 2022; the General Conditions of Contract (GCC) and if applicable any other Special Conditions of Contract.
6. The applicable preference point system for this tender is the 80/20 preference point system, Failure on the part of a tenderer to submit proof or documentation required in terms of this RFQ to claim points for specific goals, will be interpreted to mean that preference points for specific goals are not claimed by the bidder. Kindly refer to SBD 6.1 form for additional information.
7. Suppliers must complete the attached SBD 4 – Bidders disclosure, failure to complete these documents may result in the quotation being invalidated.
8. Quotations must be in accordance and comply with the terms of reference/specifications provided, unless otherwise stipulated.
9. The official Umgeni Water Services quotation form must be used to quote the offered price. Should the allocated price page be insufficient, the tenderer may supplement the price page with an additional pricing breakdown.
10. Price Declaration must be completed, and should the total RFQ prices differ, the one indicated on the price declaration shall be considered the correct price.
11. The successful supplier may be required to fill in and sign a written Contract Form. (If applicable)
12. This document may contain confidential information that is the property of Umgeni Water Services.
13. No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ, without prior written permission from Umgeni Water Services and the Bidder.
14. All Copyright and Intellectual Property herein vests with Umgeni Water Services and its Bidder.
15. Responses to this RFQ must be submitted by email scmquotes@umgeni.co.za or be deposited in tender box situated as indicated on the quotation request form marked appropriated as directed. (*The applicable submission method is reflected on the cover page*).
16. It is the responsibility of the bidder to ensure that its response reaches Umgeni Water Services on or before the closing date and time of the RFQ. Late and incomplete submissions will not be accepted.
17. No services must be rendered or goods delivered before an official Umgeni Water Services Purchase Order form has been received.
18. **Umgeni Water Services reserves the right to appoint more than one supplier/service provider and or to award the quote as whole or in part.**
19. A full copy of General Conditions of Contract (GCC) are available on the National Treasury website (<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>)

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UNDERTAKING BY BIDDER

1. I/We hereby quote to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to Umgeni Water Services on the terms and conditions. In accordance with the specifications stipulated in the quotation documents (and which shall be taken as part of and be incorporated into this quote) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/we agree that:
 - (a) the offer herein shall remain binding upon me and open for acceptance by Umgeni Water Services during the validity period indicated and calculated from the closing time of the quote;
 - (b) this quote and its acceptance shall be subject to the Public Finance Management Act, 1999, Umgeni Water Services' Supply Chain Management Policy, the General and Special Conditions of Contract as may be applicable, with which I/we am fully acquainted;
 - (c) if I/we withdraw my quote within the period for which I/we have agreed that the quote shall remain open for acceptance, or fail to fulfil the contract when called upon to do so. Umgeni Water Services may, without prejudice to its other rights, agree to the withdrawal of my quote or cancel the contract that may have been entered into between Umgeni Water Services and I/us. I/we will then pay to Umgeni Water Services any additional expenses incurred for having either to accept any less favourable quote or, if fresh quote have to be invited, the additional expenditure incurred by the invitation of fresh quotes and by the subsequent acceptance of any less favourable quotes. Umgeni Water Services shall reserve the right to recover such additional expenditure by set-off against monies which may be due to me under this, or any other tender or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other tender or contract. Pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss Umgeni Water Services may sustain by reason of my default;
 - (d) if my quote is accepted, the acceptance may be communicated to me by electronic mail, to the email address supplied in my quotation document;
 - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my quote and I choose *domicilium citandi et executandi* in the Republic at (full physical address) :

3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my quote: that the price(s), rate(s) and preference quoted cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
5. I/we agree that any action arising from this contract may in all respects be instituted against me and

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I/we hereby undertake to satisfy fully any sentence or judgement, which may be pronounced against me as a result of such action.

6. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this quote or any related quotations by completion of the Declaration of Interest Section.
7. **I/WE, THE UNDERSIGNED, WHO WARRANT THAT I AM DULY AUTHORISED TO DO SO ON BEHALF OF THE TENDERER, CERTIFY THAT THE INFORMATION SUPPLIED IN TERMS OF THIS DOCUMENT IS CORRECT AND TRUE, THAT THE SIGNATORY TO THIS DOCUMENT IS DULY AUTHORISED AND ACKNOWLEDGE THAT:**
 - (1) The tenderer will furnish documentary proof regarding any tendering issue to the satisfaction of the Umgeni Water Services, if requested to do so.
 - (2) If the information supplied is found to be incorrect and/or false then Umgeni Water Services, in addition to any remedies it may have, may: -
 - a) Recover from the contractor all costs, losses or damages incurred or sustained by Umgeni Water Services as a result of the award of the contract, and/or
 - b) Cancel the contract and claim any damages, which Umgeni Water Services may suffer by having to make less favourable arrangements after such cancellation.

Name of Representative
(Duly Authorised)

Signature

Date

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SCOPE OF WORK

APPOINTMENT OF A CONSULTANT FOR ORGANIZATIONAL DEVELOPMENT, MENTORSHIPS, COACHING, HUMAN RESOURCE DEVELOPMENT, AND CAPACITY BUILDING FOR UMGENI WATER SERVICES

1. OBJECTIVE

Umgeni Water Services (UWS) seeks to enhance its organizational efficiency and employee development through comprehensive consultancy services in Organizational Development, Mentorships, Coaching, Human Resource Development, and Capacity Building. The consultant will provide strategic guidance and practical support to improve organizational structures, foster leadership skills, and promote a culture of continuous learning and development.

2. SCOPE OF SERVICES

2.1 ORGANIZATIONAL DEVELOPMENT, MENTORSHIPS, AND COACHING

2.1.1 ORGANIZATIONAL DEVELOPMENT

- Conduct organizational assessments to identify areas for improvement.
- Develop and implement change management strategies to support organizational growth.
- Design and facilitate team-building activities to enhance collaboration and performance.
- Assist in the development and implementation of strategic plans.

2.1.2 MENTORSHIPS

- Develop and implement a structured mentorship program to support employee career development.
- Provide guidance and training to mentors and mentees to ensure effective mentoring relationships.
- Monitor and evaluate the mentorship program to ensure it meets its objectives.
- Offer one-on-one mentorship sessions to selected employees.

2.1.3 COACHING

- Provide executive coaching to senior management to enhance leadership capabilities.
- Offer personalized coaching sessions to employees to address specific developmental needs.
- Develop and deliver coaching workshops and training sessions.
- Evaluate the effectiveness of coaching interventions and adjust as necessary.

2.1.4 ADVICE ON SALARY ADMINISTRATION

- Annual salary equity and inflation budget.
- Develop and advise on UWS salary structure.
- Make and review recommendations for salary adjustments.
- Formulate job reclassification and salary adjustment recommendations, as necessary.
- Review, revise, and compose staff and administrative job profiles as needed.



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- Consult with (managing director) MD and Divisional Heads regarding employee pay increases and cost of living adjustments.

2.1.5 EMPLOYEE RELATIONS AND COMMUNICATIONS

- Revision of organizational policies, procedures, and corresponding manuals.
- Counsel employees and managers regarding UWS policies and procedures.
- Lead all staff-related disciplinary processes.
- Advise on wellness initiatives.
- Handle employee grievances – educate, accept written grievances, and assist in investigations.
- Provide representation at CCMA hearings, as requested.

2.1.6 RECRUITING AND DEVELOPMENT

- Development and advice on workforce planning/projection.
- Support the organization's structural evolution based on job design/duties, matching strategic strengths and culture during times of growth or change.
- Develop/review employee performance review forms and processes.
- Advise on professional and leadership development outside of UWS content expertise.
- Develop employee engagement processes.
- Assist in scheduling and coordination of interviews.
- Assist in the design of the interview process, including existing staff in the selection process.
- Manage the new hire process: draft offer letters, run pre-employment screens such as criminal background checks, motor vehicle reports, reference checks, and credit reports.
- Coordinate and/or conduct new employee orientation and induction programs for all new hires.

2.1.7 TRAINING

- Develop employee training initiatives, including but not limited to: Supervisory Training, Performance Evaluations, Interviewing, and Policy Interpretation.
- Advise on staff continuous development initiatives.
- Conduct training workshops and seminars as requested.

2.1.8 HUMAN RESOURCES ADMINISTRATION

- Provide immediate support consultation in resolving employee conflicts.
- Provide employee compliance training (harassment, diversity, etc.).
- Support the administration of policies and procedures, ensuring compliance with local labor laws and international standards.
- Provide input to UWS's Senior Leadership Team as needed, especially regarding strategic input, culture building, training, and development.
- Support the Head of Shared Services on all people-matters as needed for reporting to the MD and Board.
- Remain updated with the ever-changing legal environment of the human resources profession – BCEA, EE, LRA, SDA, and Leave Management.

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7. Contract term

The Contract will be for 12 months, with an option to extend some of the contract terms based on the decision by UWS.

8. Other information

- a) Payment will be processed monthly on invoice based on the deliverables of milestones.

9. Mandatory documentation/requirements

Consultants are required to submit the following:

- A detailed proposal outlining their approach to fulfilling the scope of work.
- A schedule of professional resources, including their experience and qualifications.
- A detailed pricing schedule.
- References from previous clients/ employers.
- Evidence of past performance in similar projects.

10. Pricing

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

11. Evaluation Process

The RFQ will be evaluated using a three (03) evaluation approach:

11.1 First stage: Mandatory/ Administrative Requirements

Mandatory Requirements

- SBD 4 – Bidders disclosure
- List of qualifications for key personnel required:
 1. The Director, the Senior HR Manager and Human Resources Specialist need to have Degree's in Human Resources or qualification related to HR
 2. The Director needs to be Registration with professional Human Capital Professional bodies

Administrative Requirements

- Bidder completed all RFQ Forms
- Bidder registered on National Treasury CSD
- HDI preferential points claim: BBBEE Affidavit/ CIPC/CSD
- RDP preferential points claim: Municipal Account/ Lease Agreement/CSD



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11.2 Second Stage: Functionality

- Bidders will be evaluated based on the following criteria, with a maximum total score of 100 points. Only bidders with a score of 70% and above will be considered further for price evaluation.
- The table below lists the returnable schedules that set out the scoring criteria and sub-criteria, and the percentage weighting for the score achieved against the relevant schedule

Returnable Schedule	Weighting %
Tenderer's Experience	30
Experience of Key Personnel	50
Method Statement	20

FAILURE TO SCORE A SINGLE POINT IN ANY OF THE CRITERIA LISTED ABOVE WILL DEEM THE BID TO BE NON-RESPONSIVE AND THE BIDDER WILL BE DISQUALIFIED.

11.2.1 TENDERER'S EXPERIENCE

- The score allocated by each evaluation member for this RFQ shall be the sum of the scores relevant to each of the above listed returnable schedules multiplied by the percentage weighting for each as shown above.
- Tenderers should briefly summarize their company's experience (and that of any specialist sub-consultants, joint venture partners or consortium members) relevant to the scope of work.
- The summary table below may be used. If a separate table is prepared, it shall be put in tabular form with the same headings.

Project name and location	Duration and Year Completed	Rand Value of work incl. VAT (Fee not project value)	Internal / External Project (Please indicate)	Client/Employer (If external project)	Client reference Contact Details



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Scoring of the Tenderer's Company experience will be as follows: | 30 |

DESCRIPTION	MAX POSSIBLE SCORE
Company Experience; Number of years' of operating experience in all of the following human resources functions/ disciplines Organizational Development, Mentorships, and Coaching; Salary Administration; Employee Relations and Communications; Recruitment; Training and Development; Human Resources Administration. 1 - 2 years : 0 points 3 - 4 years : 35 points 5 - 6 years : 55 points 7 years and above : 75 points References Minimum three references from organizations for successfully implementing human resources programmes - Less than three – 0 points - Between four to five references for permanent placement –15 points - More than five references for permanent placement – 25 points	100

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11.2.2 KEY PERSONNEL SCHEDULE

No.	Designation	Key Person Name
1.	Director	
2.	Senior Human Resources Manager	
3.	Human Resources Specialist	

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11.2.3 EXPERIENCE OF KEY PERSONNEL

Provide relevant information (CV's) as prescribed below for each of the Key Personnel proposed in from the table above and below

For the purpose of functionality evaluation, the Employer regards the experience of the following Key Personnel as critical to project success and these personnel will be scored for functionality. The scoring criteria are outlined in the table below.

Director
Senior Human Resources Manager
Human Resources specialist

The experience of each key person, relevant to the scope of work, will be evaluated from the points below:

- 1) General experience (total duration of activity), level of education and training and positions held by the key person.
- 2) The education, training and experience of the person, in the specific sector, field, subject, etc which is directly linked to the scope of work.

A CV (**not more than 3 pages**) in the required format below, shall be provided for each key person should be attached to this schedule.

Each CV should be structured under the following headings:

1. Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
2. Qualifications
3. Name of current employer and position in Company
4. Overview of experience (year, organization, position and projects)
5. Outline of recent assignments / experience that have a bearing on the scope of work for this tender **and the scoring criteria below**. The outline shall include start and finish dates of the assignments



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The scoring of the experience of Key Personnel shall be as follows: [50]

The proposed study team for the study including CV's showing experience in projects of a similar nature.

Organizational Development Specialist

- A. Experience of **Director**** - describing number of years' (operating experience) - in all of the following disciplines: Organizational Development, Mentorships, and Coaching; Salary Administration; Employee Relations and Communications; Recruitment; Training and Development; Human Resources Administration.
- <3yrs – 0 points
 - 3yrs – 30 points
 - 4yrs - 35 points
 - 5 additional points for every year more than 4 years to a maximum of 40 points
- B. Experience of **Senior Human Resources Manager**** - describing number of years' (operating experience) - in all of the following disciplines: Organizational Development, Mentorships, and Coaching; Salary Administration; Employee Relations and Communications; Recruitment; Training and Development; Human Resources Administration.
- <3yrs – 0 points
 - 3yrs – 20 points
 - 4yrs - 25 points
 - 5 additional points for every year more than 4 years to a maximum of 30 points
- C. Experience of **Human Resources Specialist**** - describing number of years' (operating experience) - in all of the following disciplines: Organizational Development, Mentorships, and Coaching; Salary Administration; Employee Relations and Communications; Recruitment; Training and Development; Human Resources Administration.
- <3yrs – 0 points
 - 3yrs – 20 points
 - 4yrs - 25 points
 - 5 additional points for every year more than 4 years to a maximum of 30 points

100

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METHOD STATEMENT | 20 |

- The method statement must respond to the Scope of Work and outline the proposed approach / methodology. The method statement should articulate what value the Tenderer will add by in achieving the stated objectives for the project.
- The Tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies which are to be adopted, demonstrate the compatibility of those methodologies with the proposed approach.
- The approach should also include a quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements and indicate how risks will be managed and what contribution can be made regarding value management.

The Tenderer must attach his / her approach paper to this page. The approach paper should not be longer than 4 pages.

The scoring of the approach paper will be as follows:

Technical approach and methodology	
No submission (score 0)	No Method Statement submitted
Poor (score 40)	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The Tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.
Satisfactory (score 70)	The approach is generic but tailored to address the general project objectives and methodology. The approach does not deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed is very generic.
Good (score 90)	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk is specifically tailored to the critical characteristics of the project.
Very good (score 100)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the Tenderer has outstanding knowledge of state-of-the- art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.

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11.3 Third Stage: Price and Preference goals

- Subsequent to the evaluation of mandatory/ administrative requirements, the second stage of evaluation of the bids will be in respect of price and preferential procurement only.
- Tenderer is tax compliant
- In compliance with the Preferential Procurement Regulations 2022, the 80/20 preference point system is applicable: points for this bid shall be awarded for:
 - Price; and (80) and Preference as defined in SBD 6.1 (20)
- The Preference Goals that have been identified for this bid is stipulated in SBD 6.1
- Preferential goals and applicable points for this tender in terms of Preferential Procurement Regulations 2022, are indicated in the table below:

	Description	80/20	Evidence to be provided
HDI	AN ENTERPRISE AT LEAST 51 % OWNED BY BLACK PEOPLE	15	BBBEE Affidavit/CIPC/CSD
RDP	A SOUTH AFRICAN OWNED ENTERPRISE	05	CIPC/ CSD
Total points for preferential goals		20	

- Failure on the part of a bidder to submit proof or documentation required in terms of this RFQ to claim points for specific goals, will be interpreted to mean that preference points for specific goals are not claimed by the bidder.
- UW reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by UW.
- UW reserves the right to conduct negotiations with the qualifying bidder/s regarding any terms and conditions, including price(s), of a proposed contract where applicable UW reserves the right not to accept the lowest financial offer or any offer.



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PRICING SCHEDULE (PROFESSIONAL/CONSULTING SERVICES)

Name of bidder _____ RFQ Number _____
Closing Time _____ Closing date _____

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

NO	CONSULTANT ROLE/POSITION	HOURLY RATE (A)	EST. HOURS(B)	NO OF RESOURCES (C)	TOTAL (R) (A x B x C)
1.	Director				
2.	Senior Human Resources Manager				
3.	Human Resources Specialist				
4.	Organizational Development Specialist				
5.	Mentorships, and Coaching;				
6.	Employee Relations and Communications Specialist				
7.	Training and Development Specialist;				
8.	Human Resources Administration Specialist				
DISBURSEMENTS (IF APPLICABLE) (Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices)					
Sub-total (VAT Excl.)					
VAT @15%					
Total (VAT Incl.)					
TOTAL ALL INCLUSIVE PRICE					
Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all disbursements/expenses inclusive of all applicable taxes for the project.					
I (full name) _____, in my capacity as _____, the duly authorized representative of _____ (business name) hereby declares that the offer is in accordance with the attached specification, notes to suppliers & accepts all conditions/clauses contained in the said documents					
Signature of duly authorized representative		_____		DATE: _____	



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AUTHORITY TO SIGN

RFQ NO: _____

Description: _____

Close Corporation / Company / Partnership / Trust /Sole proprietor or Sole trader

Company Name: _____

Registration Number: _____

Resolution Of The Directors Of The Company etc. resolved that _____, in his/her capacity as _____, is authorized to make applications on behalf of the Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader for:

Any documentation relating to the business (which is not necessarily a change of ownership). The nominated person will also have access to webpage for the business. Signature(s) for Close Corporation / Company / Partnership / Trust/ Sole proprietor or sole trader.

(Sole member still must sign this resolution)

Signature of members:

Name	Signature	Date
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____
5. _____	_____	_____
6. _____	_____	_____

NB: FAILURE TO COMPLETE, SIGN AND DATE THE RESOLUTION AS OUTLINED ABOVE WILL RESULT IN THE TENDERER RENDERED INCOMPLETE, ALTERNATIVELY THE TENDERER MAY ATTACH A SIGNED COMPANY RESOLUTION ON A COMPANY LETTERHEAD

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SBD 4 - BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling 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:

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.

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2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

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.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted

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.

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from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signature

Date

Position

Name of bidder

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PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)

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

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

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

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
AN ENTERPRISE AT LEAST 51% OWNED BY BLACK PEOPLE	15
A SOUTH AFRICAN OWNED ENTERPRISE	05
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
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{min} = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

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

Where

- P_s = Points scored for price of tender under consideration
- P_t = Price of tender under consideration
- P_{max} = Price of highest acceptable tender

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4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
AN ENTERPRISE AT LEAST 51% OWNED BY BLACK PEOPLE	15	
A SOUTH AFRICAN OWNED ENTERPRISE	05	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm _____

4.4. Company registration number:

TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

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

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

SIGNATURE(S) OF TENDERER(S) _____

SURNAME AND NAME: _____

DATE: _____

ADDRESS: _____

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SBD 7.2 CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to Umgeni Water Services in accordance with the requirements and task directives / proposals specifications stipulated in above-mentioned RFQ Number at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Proof of tax compliance status;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
 - Bidder's Disclosure form;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) _____

CAPACITY _____

SIGNATURE _____

NAME OF TENDERER _____

DATE _____

WITNESSES	
1.	_____
2.	_____
DATE:	_____

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CONTRACT FORM - RENDERING OF SERVICES (SBD 7.2)

PART 2 (TO BE FILLED IN BY THE PURCHASER)

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

DESCRIPTION OF SERVICE	
PRICE (ALL APPLICABLE TAXES INCLUDED)	
CONTRACT TERM / COMPLETION DATE	
TOTAL PREFERENCE POINTS CLAIMED	
POINTS CLAIMED FOR AN ENTERPRISE AT LEAST 51% OWNED BY BLACK PEOPLE	
POINTS CLAIMED FOR A SOUTH AFRICAN OWNED ENTERPRISE	

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

SIGNED AT _____

ON: _____

NAME (PRINT): _____

SIGNATURE: _____

OFFICIAL STAMP

WITNESSES

1. _____

2. _____

DATE: _____