



REQUEST FOR QUOTATION

RFQ Number: Q24/562/TN

Form No: UW-RFQ-2
Version No: 3/2023
Effective Date: Jul 2023

Description	PROVISION OF CONSULTATION OF MARKET ANALYSIS FOR WATER TREATMENT CHEMICALS
Advert Date	03 April 2024
Closing Date and Time	24 April 2024 at 15:00 pm
Compulsory Briefing Session	<p>Venue : Durban Heights Training Centre 88 Dunkeld Rd, Reservoir Hills, Durban, 4091</p> <p>Date: 10 April 2024 Time: 10:00 am</p> <p>Alternative teams meeting : Meeting ID: 352 258 809 881 Passcode: Gzbs79</p> <p>Bidders must ensure that they bring their documents to the clarification meeting for signing purposes. No concessions will be made for bidders who do not have their bid documents in their possession</p>
SCM Enquiries	<p><i>Thobile Ngcobo</i> Tel: 033 341 1217 Email: Thobile.Ngcobo@umgeni.co.za</p>
Technical Enquiries	<p><i>Bavana Maharaj</i> Tel: 031 268 7123 Email: Bavana.Maharaj@umgeni.co.za</p>
Contents of RFQ	<ol style="list-style-type: none">1. Invitation to quote2. Bidders information3. Terms and Conditions4. Undertaking by Bidder5. Terms of Reference/RFQ specifications6. Price Schedule7. Authority to Sign8. Bidders disclosure [SBD 4]9. Preference points claim form (SBD 6.1)10. Briefing session certificate11. Contract Form [SBD 7.1 or SBD 7.2]



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Quotation Submission:	Tip-Offs Anonymous Hotline:
<p>Quotation to be submitted by email to : scmquotes@umgeni.co.za using Quote number Q24/562/TN as the email subject</p>	<p>Report unethical conduct at uMngeni-UThukela Water on: Toll Free Number: 0800 864 463 Email: umgeniwater@whistleblowing.co.za Toll Free Fax: 0800 212 689 Postal: Freepost KZN665, Musgrave, 4062 SMS: 33490 Online: www.whistleblowing.co.za</p> <p><i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i></p>



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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 uMngeni-Uthukela Water quotation form must be used to quote the offered price. Should the allocated price page be insufficient, the tenderer may supplement the price page with an additional pricing breakdown.
10. Price Declaration must be completed, and should the total RFQ prices differ, the one indicated on the price declaration shall be considered the correct price.
11. The successful supplier may be required to fill in and sign a written Contract Form. (If applicable)
12. This document may contain confidential information that is the property of uMngeni-Uthukela Water.
13. No part of the contents may be used, copied, disclosed or conveyed in whole or in part to any party in any manner whatsoever other than for preparing a proposal in response to this RFQ, without prior written permission from uMngeni-Uthukela Water and the Bidder.
14. All Copyright and Intellectual Property herein vests with uMngeni-Uthukela Water and its Bidder.
15. Responses to this RFQ must be submitted by email scmquotes@umgeni.co.za or be deposited in tender box situated as indicated on the quotation request form marked appropriated as directed. (*The applicable submission method is reflected on the cover page*).
16. It is the responsibility of the bidder to ensure that its response reaches uMngeni-Uthukela Water on or before the closing date and time of the RFQ. Late and incomplete submissions will not be accepted.
17. No services must be rendered or goods delivered before an official uMngeni-Uthukela Water Purchase Order form has been received.
18. **uMngeni-Uthukela Water reserves the right to appoint more than one supplier/service provider and or to award the quote as whole or in part.**
19. A full copy of General Conditions of Contract (GCC) are available on the National Treasury website (<https://www.treasury.gov.za/divisions/ocpo/sc/generalconditions/general%20conditions%20of%20contract.pdf>)

UNDERTAKING BY BIDDER

1. I/We hereby quote to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to uMngeni-Uthukela Water on the terms and conditions. In accordance with the specifications stipulated in the quotation documents (and which shall be taken as part of and be incorporated into this quote) at the prices and on the terms regarding time for delivery and/or execution inserted therein.

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

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.



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

Name of Representative
(Duly Authorised)

Signature

Date

SCOPE OF WORK

1. Background

uMngeni Water Services requires the provision of consultation of market analysis for water treatment chemicals for its subsidiary uMngeni Water Services.

2. Description of goods/ services required

PROVISION OF CONSULTATION OF MARKET ANALYSIS FOR WATER TREATMENT CHEMICALS

3. Deliverables/Key Outcomes.

3.1 CLIENT'S OBJECTIVE

uMngeni Water Services (UWS) is a 100 % subsidiary of uMngeni-UThukela Water (UUW), the largest supplier of bulk potable water in the province of KwaZulu-Natal in South Africa. UWS seeks the expertise of a consultant to conduct a comprehensive market analysis of the following water treatment chemicals:

- Polydiallyldimethylammonium chloride (polyDADMAC)
- Polyamine: epichlorhydrin-dimethylamine (EPI-DMA)
- Polyaluminium chloride (PAC)
- Aluminium chlorohydrate
- Chlorine dioxide
- Sodium hypochlorite
- Chlorine liquid/gas

UWS aims to split the project into two phases as follows:

- Phase 1 – Market analysis on a domestic scale (South Africa)
- Phase 2 – Market analysis extended to other countries in Southern Africa

The consultant's role will be to conduct market analysis of the abovementioned chemicals for Phase 1 of the project only. The consultant must have relevant experience with conducting market research in the industrial sector and clear understanding of manufacturing/synthesis of the abovementioned chemicals.

3.2 DESCRIPTION OF REQUIRED SERVICES

The consultant's objectives of the market analysis includes, but is not limited to, the following:

- Conduct a comprehensive analysis of the chemicals including evaluation of:
 - ✓ Market size
 - ✓ Growth trends
 - ✓ Key players/competitors
 - ✓ Distribution channels
 - ✓ Consumer preferences

- Identify and analyse the major competitors; assess their market share, product offerings, patent analysis, pricing strategies, and positioning.
- Report on domestic production and consumption.
- Highlight factors impacting the availability and pricing of the chemicals.
- Forecast market growth for the chemicals for the next seven years (2023 – 2030).
- Conduct qualitative analysis with regards to supply chain of the chemicals, including growth drivers, risk drivers, challenges, restraints opportunities and trends.
- Compare the landed cost of importing the products in 100 ton batches on the basis of Delivered duty paid (DDP) to 251 Wiggins Road Cato Manor, Durban, South Africa
- Conduct PESTLE and PORTER's Five Forces analyses.

3.3 APPROACH AND RESEARCH METHODOLOGY

The consultant must provide a research methodology for the market analysis to be conducted.

The methodology must include:

- How they identify key players in industry for quantitative and qualitative data collection
- What quantitative and qualitative inputs are considered
- How they obtain market opinions from key players – what methodology/techniques are used to conduct research interviews/questionnaires
- How do they consolidate and verify consistency and accuracy of data collected
- What methodology/techniques are used to analyse historical market trends as well as forecast market trends
- What assumptions are applied when conducting the market research study

3.4 PRESENTATION OF RESEARCH FINDINGS

The consultant must produce a comprehensive market analysis in a report format as a minimum requirement. The report structure must include the following as a minimum:

- Value Chain and Stakeholder Assessment
- Quantitative Analysis of Market Supply
- Market Demand Assessment
- Competitor Assessment
- Key Findings and Opportunities

3.5 DELIVERABLES AND TIMEFRAMES

The consultant shall provide the following deliverables within the specified timeframe of 8 weeks:

- Interim deliverable (report/presentation format).

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- To be submitted within 4 to 5 weeks from project initiation.
- Draft market analysis report.
 - To be submitted within 7 weeks from project initiation.
- Comprehensive market analysis report (final).
 - To be submitted within specified project timeline of 8 weeks.

3.6 PROCUREMENT PROCESS

Standard procurement procedures would be followed to procure the services of the consultant. UWS reserves the right to award this RFQ for Phase 1 in part or full. UWS reserves the right to not award a contract for Phase 2 of the project at this stage.

3.7 LEGAL REQUIREMENTS

To ensure confidentiality, the recommended/successful bidder must sign a legally binding NDA that outlines the terms and conditions of confidentiality and the consequences of breach.

3.8 SUBMISSION REQUIREMENTS

The consultant should submit the following:

- Company profile and relevant experience in the industrial sector – preferably in the chemical or water treatment sectors.
- Qualifications and experience of assigned researcher(s).
- Proposed approach and methodology for conducting market research analysis.
- Projected timeline.
- Samples of previous market analysis studies conducted in the industrial sector (case studies) – preferable in the chemical or water treatment sectors.
- Detailed budget proposal.

3.9. PREFERENTIAL PROCUREMENT

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

Points for this RFQ shall be awarded for price and preference:

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

UWS reserves the right to require of a consultant, either before the RFQ is adjudicated or at any time subsequently, to substantiate any claim in regard to preference points claimed, in any manner required by UWS.

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Specific goals for this RFQ and points claimed are indicated per the table below.

SPECIFIC GOALS ALLOCATED POINTS FOR THIS RFQ	NUMBER OF POINTS
The promotion of South African owned enterprises	10
An entity that is at least 51 % owned by black people	10
TOTAL POINTS SPECIFIC GOALS	20

3.10 CONCLUSION

The selected consultant will provide a comprehensive market analysis that will assist UWS in understanding the market potential of the mentioned water treatment chemicals.

4 Contract term

The Contract will be 8 weeks.

5 Other information

5.1 Invoicing and Payment

The monthly measurement and payment will be according to the following guideline:

- a) Submission of payment certificate by the Service Provider– by 25th of each month, or the nearest previous working day.
- b) Payment to the Service Provider – on the last day of the following month;

6 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.

7 Evaluation Process

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

7.1 First stage: Mandatory/ Administrative Requirements

7.1.1 Mandatory Requirements

- SBD 4 – Bidders disclosure
- Bidder attended compulsory briefing session

7.1.2 Administrative Requirements

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

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- RDP preferential points claim: CIPC/CSD

7.2 Second Stage: Functionality

7.2.1 Evaluation of Functionality

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

Bidders from the second stage who have achieved 70 out of a total of 100 points or more will be eligible to submit to be evaluated on Price and Specific Goals

Functionality criteria	Description of requirements	Maximum points
Company's relevant experience	Number of years of experience in conducting market analysis studies in the water and chemicals manufacturing industries: <ul style="list-style-type: none"> • < 1 year: <i>5 points</i> • 1 – 4 years: <i>10 points</i> • 4 – 8 years: <i>15 points</i> • 8 – 10 years: <i>20 points</i> • > 10 years: <i>25 points</i> 	25
	Number of projects in conducting market analysis for water treatment chemicals with specific relation to feasibility of establishing a chemical manufacturing plant: <ul style="list-style-type: none"> • 1 – 2 projects: <i>5 points</i> • 3 – 5 projects: <i>10 points</i> • 6 or more projects: <i>15 points</i> 	15
Expertise of company's team	Project Manager's Experience: Number of market analysis studies undertaken as Project Manager, focused on exploring business opportunities in the chemical manufacturing industries: <ul style="list-style-type: none"> • 1 project: <i>2 points</i> • 2 projects: <i>4 points</i> • 3 projects: <i>6 points</i> • 4 projects: <i>8 points</i> • > 4 projects: <i>10 points</i> 	10
	Research Analyst's Experience: Number of market analysis studies undertaken as Market Research Analyst, focused on exploring business opportunities in the chemical manufacturing industries:	10

	<ul style="list-style-type: none"> • 1 project: <i>2 points</i> • 2 projects: <i>4 points</i> • 3 projects: <i>6 points</i> • 4 projects: <i>8 points</i> • > 4 projects: <i>10 points</i> 	
Project plan	<p>Project plan provided by company must respond to requirements for deliverables and timeframes as specified in the scope of work:</p> <ul style="list-style-type: none"> • No submission of project plan: <i>0 points</i> • Response is incomplete and non-compliant; company fails to meet minimum requirements: <i>1 point</i> • Company fails to provide adequate evidence that all minimum requirements can be satisfied: <i>3 points</i> • The company meets all the milestone requirements with a firm evidence base and is well justified in their solution to achieve the project objectives. The bidder has highlighted the project risks and provided a risk mitigation plan that can minimise further delays: <i>7 points</i> • The company's response exceeds the minimum requirements stipulated in the scope of work. The company has shown the ability to add value and is innovative in presenting their solution to the project timeline submission: <i>10 points</i> 	10
Technical proposal submission	<p>Company submits Technical Proposal to conduct a market analysis study that responds to the scope of work and outlines their proposed approach/methodology:</p> <ul style="list-style-type: none"> • No technical proposal submission: <i>0 points</i> • Response to technical proposal submission is incomplete and/or company has misunderstood certain aspects of the scope of work. Company fails to provide adequate evidence that requirements can be satisfied: <i>10 points</i> • The technical proposal submission meets the requirements as stipulated in the scope of work. The approach/methodology is generic but tailored to address the general objectives of the market analysis study: <i>15 points</i> • The technical proposal submission meets all the requirements as stipulated in the scope of work and the proposed approach/methodology was structured in a logical manner. The company 	30

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	<p>has demonstrated a broad understanding of the objectives for the market analysis study: 25 <i>points</i></p> <ul style="list-style-type: none"> The technical proposal submission exceeds the requirements as stipulated in the scope of work. The company has shown the ability to add value and is logical as well as innovative in presenting their approach/methodology. In addition, the company has demonstrated an in depth knowledge on their understanding of the objectives of the market analysis study: 30 <i>points</i> 	
TOTAL POINTS		100
MINIMUM QUALIFYING POINTS		70

7.3 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	10	BBBEE Affidavit/CIPC/CSD
RDP	A SOUTH AFRICAN OWNED ENTERPRISE	10	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.

CONSULTANTS MUST NOTE THAT THE PRICE QUOTED IS A TOTAL INCLUSIVE PRICE TO COMPLETE THE EXPECTED SCOPE OF WORK IN FULL, INCLUSIVE OF ALL APPLICABLE TAXES AND DISBURSEMENTS FOR THE PROJECT.

NO	CONSULTANT ROLE/POSITION	HOURLY RATE (A)	EST. HOURS(B)	NO OF RESOURCES (C)	TOTAL (R) (A x B x C)
1.					
2.					
3.					
4.					
5.					
DISBURSEMENTS (IF APPLICABLE) (Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices)					
Sub-total (VAT Excl.)					
VAT @15%					
Total P/M (VAT Incl.)					
TOTAL ALL INCLUSIVE PRICE X NUMBER HRS					
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



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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. _____	_____	_____

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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	10
A SOUTH AFRICAN OWNED ENTERPRISE	10
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:

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

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:

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

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	10	
A SOUTH AFRICAN OWNED ENTERPRISE	10	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm _____

4.4. Company registration number:

TYPE OF COMPANY/ FIRM [TICK APPLICABLE BOX]

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

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



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- 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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OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE

Q24/562/TN - PROVISION OF CONSULTATION OF MARKET ANALYSIS FOR WATER TREATMENT CHEMICALS

THIS IS TO CERTIFY THAT (NAME)

ON BEHALF OF

ATTENDED THE COMPULSORY BRIEFING SESSION AT UMNGENI-UTHUKELA WATER AS FOLLOWS:

TIME: 10:00 am

DATE: 10 April 2024

VENUE: Durban Heights Training Centre

88 Dunkeld Rd, Reservoir Hills,

Durban, 4091

Alternative teams meeting attendance: Meeting ID: 352 258 809 881

Passcode: Gzbs79

AND IS THEREFORE FAMILIAR WITH THE CIRCUMSTANCES AND THE SCOPE OF THE SERVICE TO BE RENDERED.

TENDERER'S SIGNATURE /REPRESENTATIVE

DATE: _____

UMNGENI-UTHUKELA WATER SCM REPRESENTATIVE

(PRINT NAME)

SIGNATURE



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UMNGENI-UTHUKELA WATER'S STAMP

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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 uMngeni-Uthukela Water 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 fulfillment 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)

- 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).
- An official order indicating service delivery instructions is forthcoming.
- 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 CLAIM FOR AN ENTERPRISE AT LEAST 51% OWNED BY BLACK PEOPLE	
POINTS CLAIM FOR A SOUTH AFRICAN OWNED ENTERPRISE	

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

SIGNED AT _____

ON: _____

NAME (PRINT): _____

SIGNATURE: _____

OFFICIAL STAMP

WITNESSES

1. _____

2. _____

DATE: _____