



**REQUEST FOR QUOTATION (RFQ)**

**RFQ NO. 201-23/24**

**BID DESCRIPTION**

**HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED.**

**CLOSING DATE**

**TUESDAY 23<sup>rd</sup> APRIL 2024 AT 11H00AM**

**TO BE SUBMITTED ON THE FOLLOWING EMAIL ADDRESS:  
[awrfq@amatolawater.co.za](mailto:awrfq@amatolawater.co.za)**

**BIDDER TO COMPLETE**

<b>COMPANY NAME</b>	
<b>CSD NUMBER</b>	

ISSUED AND PREPARED BY: AMATOLA WATER

PRIVATE BAG X3

VINCENT

5217

Tel: +27 43 707 3700

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## **SECTION A**

# **TENDERING INVITATION, CONDITIONS OF TENDER AND SPECIFICATION**

**YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF AMATOLA WATER-AMANZI**

BID NUMBER:	RFQ NO. 201-23/24	CLOSING DATE:	23 APRIL 2024	CLOSING TIME:	11:00am
DESCRIPTION	<b>HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED</b>				

**BID RESPONSE DOCUMENTS TO BE SUBMITTED ON THE FOLLOWING EMAIL ADDRESS:**

[awrfq@amatolawater.co.za](mailto:awrfq@amatolawater.co.za)

**BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO**

**TECHNICAL ENQUIRIES MAY BE DIRECTED TO:**

CONTACT PERSON	<b>Mandla Mhini</b>	CONTACT PERSON	<b>Dumisani Mtimkulu</b>
TELEPHONE NUMBER	<b>043 707 3700</b>	TELEPHONE NUMBER	<b>060 584 9341</b>
FACSIMILE NUMBER	<b>n/a</b>	FACSIMILE NUMBER	<b>n/a</b>
E-MAIL ADDRESS	<a href="mailto:mmhini@amatolawater.co.za">mmhini@amatolawater.co.za</a>	E-MAIL ADDRESS	<a href="mailto:dmtimkulu@amatolawater.co.za">dmtimkulu@amatolawater.co.za</a>

**SUPPLIER INFORMATION**

NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

**QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS**

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
<b>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.</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."

**3. TOTAL BID PRICE:**

ITEM	REQUIRED GOODS & SERVICES	TOTAL AMOUNT INCL VAT (Amount in figures) R	TOTAL AMOUNT INCL. VAT (Amount in words) R
	HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED	(Carried from SBD3.1)	(Carried from SBD3.1)

**NB: FAILURE TO PROVIDE 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 .....

## **TENDER CONDITIONS**

### **1. DEFINITIONS**

The word "Bidder/Tenderer" in these conditions shall mean and include any firm of Professional. Service Providers or any company or body incorporated or unincorporated.

### **1. BID PUBLICATION**

RFQ document will be available from **16 April 2024** at Amatola Water website at [www.amatolawater.co.za](http://www.amatolawater.co.za)

### **2. BID SUBMISSION**

The original completed bid documents must be **SUBMITTED ON THE FOLLOWING EMAIL ADDRESS:** [awrfq@amatolawater.co.za](mailto:awrfq@amatolawater.co.za) not later than the time and date specified on the cover page and SBD 1 of this bid. **RFQ Evaluation Criteria**

**This bid will be evaluated in Two (2) phases:**

**Phase One: Mandatory requirements**

**Phase Two: Bidders passing all stages above will thereafter be evaluated on PPPFA and specific goals.**

#### **Phase One: Mandatory Requirements**

- Bidders' proposals must meet the following minimum requirements and the required supporting documents must be submitted with the completed quotation document, non-erasable ink, no tippex or correctional fluid used, **submitted on the email address** at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration:
- Bids must be submitted in its original format and bids which are late will not be accepted.
- FORM A: AUTHORITY TO SIGN - must be fully completed and signed.
- SBD1: INVITATION TO BID – must be completed and signed.
- SBD4: BIDDERS DISCLOSURE - must be completed and signed.
- **SBD4 must be dully completed and signed.** Does the bidder or any of its directors/trustees /shareholders /members/partners must 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, such interest must be disclosed on question 2.3.1 of SBD 4.
- **Bidders must ensure 2.3 of SBD 4 (Bidders Disclosure) is duly completed, in all aspects.**  
SBD 3.1: PRICING SCHEDULE - Firm Prices – must be completed.
- If the Bid Sum (amount in words) as per the SBD.1 differs from the SBD 3.1, it will automatically invalidate the offer submitted.
- SBD 3.1: PRICING SCHEDULE - Firm Prices – must be completed.
- If the Bid Sum (amount in words) as per the **SBD.1** differs from the **SBD 3.1**, it will automatically invalidate the offer submitted.
- **Machinery Proof of ownership for both machines (TLB and Excavator) under bidding company must be attached .**

#### **Phase Two: EVALUATION ON PPPFA AND SPECIFIC GOALS**

<b>THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT WILL BE APPLIED AND THE 80/20 PREFERENCE POINTS SYSTEM WILL BE APPLICABLE</b>	
<b>POINTS FOR PRICE</b>	<b>80 POINTS</b>
<b>SPECIFIC GOALS</b>	<b>20 POINTS</b>
<b>TOTAL POINTS</b>	<b>100 POINTS</b>

### **OTHER CONDITIONS OF THE BID (Non- eliminating)**

- The bidders must be registered on Central Supplier Database (CSD) prior the award.
- Bidders tax matters must be in order prior award.
- SBD 6.1 must be completed and signed to claim points for specific goals. Failure will lead in non-awarding of points for specific goals (attach certified ID document)
- CIPC CK document
- JOINT VENTURE AGREEMENT (If Applicable).
- BBEE Certificate

***The lowest or any bid will not necessarily be accepted, and your bid may be accepted in part or as a whole.***

- The bid document must be completed in all respects in non-erasable ink.
- Bids must be submitted on original bid documents.
- No tippex or correctional fluid must be used.
- Bid documents must be submitted by email on [awrfq@amatolawater.co.za](mailto:awrfq@amatolawater.co.za) with the subject: **“RFQ 201-23-24” – HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED.**
- Failure to submit your bid in a sealed envelope will render your bid non-responsive.

### **3. PERIOD OF VALIDITY FOR BIDS AND WITHDRAWAL OF BID AFTER CLOSING DATE**

All Bids must remain valid for a period of 90 (ninety) days from the closing date as stipulated in the Bid document.

### **4. AUTHORITY TO SIGN BID DOCUMENTS**

In the case of a Bid being submitted on behalf of a company, close corporation or partnership, evidence must be submitted to the Amatola Water at the time of submission of the Bid that the Bid has been signed by persons properly authorised thereto by resolution of the directors or under the articles of the entity.

**Form A must be completed. Failure to complete Form A will invalidate your bid.**

### **5. JOINT VENTURE REQUIREMENTS**

**DEFINITION:- “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.

Should a group of companies/firms and/or interested parties wish to enter a joint venture / consortium agreement the following minimum requirements must be met: -

- a. A properly signed copy of the joint venture/consortium agreement must be attached.
- b. Each member of the joint venture/consortium’s taxes must be in order.
- c. After the award of a contract to a joint venture/consortium, the successful joint venture group or consortium must provide a combined joint venture/consortium Tax Clearance Certificate.

- d. After the award of a contract to a joint venture/consortium, the successful joint venture group or consortium must provide the details of the joint venture / consortium banking details.

**THE JOINT VENTURE/CONSORTIUM AGREEMENT MUST CONTAIN THE FOLLOWING: -**

- a. Who the managing member will be.
- b. Who the signatory of authority will be.
- c. How the joint venture/consortium share of profit will be split.
- d. The bank account details where payments will be deposited into.
- e. The agreement must be signed by all parties.
- f. The agreement must be certified by a Commissioner of Oaths.
- g. The postal and physical address where all correspondence will be sent to

**6. CONDITIONS OF TENDER**

- I. Submission of this proposal signifies the applicant's acceptance of the conditions as laid down in this document, unless clearly stated otherwise.
- II. Any expense incurred by the applicant in preparing and submitting this proposal will be for the applicant's account.
- III. Amatola Water reserves the right not to accept any proposal and cancel the bid as and when the need arises.
- IV. The contractor must provide references on Form B that the company has undertaken projects of a similar nature.
- V. Failure to comply with the above requirements will result in submitted proposals being disqualified.

**Additional Bid/RFQ Condition**

Bid/ RFQ documents must be submitted intact, and no portion of the document may be detached, loose submissions will be rejected, and the bidder will be disqualified.

**Pricing Guidelines**

- Prices must be per item description in the pricing schedule.
- Only firm prices will be accepted, non-Firm prices (including prices subject to rates of exchanged variations) will not be considered.



## BID SPECIFICATION

### **REQUEST FOR QUOTATIONS: HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED**

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#### **1. BACKGROUND**

*Amatola Water is an Eastern Cape based state-owned water services utility (water board), established in 1997, in terms of the Water Services Act. Its prime function is to provide bulk water and sanitation services to water sector institutions, water service authorities and other customers as provided for in the South African water services legislation. Amatola Water's service area includes Buffalo City, the Amathole District and portions of adjoining districts in the central Eastern Cape.*

#### **2. Scope**

##### **Specification**

The objective of the contract process is to appoint service providers to submit proposals for the Provision of TLB, Excavator, Operators, Lowbed and Rollback services in the entire Amatola Water area of service with the specification as tabled below:

- **TLB**
  - Gross Power** : 75 BPH @ 2200 RMP
  - Front Bucket** : 1.0 m<sup>3</sup>
  - Backhoe Bucket** : 300 850mm
  - Backhoe Depth** : 5960mm
  
- Medium Excavator 320 – Tier 4F/EU Stage V
  - Maximum Digging Depth**  
6720mm
  - Power**  
128.5kW
  - Operating Weight**  
22500kg

##### **The following is covered in the scope of work:**

- The Plant machinery must be quoted on a hourly/daily wet rate and have its own operator.
- Rollback/Lowbed must be quoted on provisionally in the event the TLB needs to be transported or moved to or from site to your depot or to another location.
  - Km rate.
- The minimum normal hours per day shall be charged at eight hours (8 hrs) per full day.
- The operator must be competent to excavating within or between surrounding existing services and according to levels provided by the foreman or responsible person.
- The owner of the machine and the Rollback/Lowbed shall submit the daily working hours and kilometres of the machine and Rollback/Lowbed every Monday of the week which hours will be compared with the records of the Amatola Water foreman or responsible person. Machine must be equipped with an hour meter which records only when engine is running.

- The operator of the machine shall comply with the Health and Safety regulations of the Occupational Health and Safety act.
- All machinery Rollback/Lowbed must be in a good road worthy condition and or working condition.
- The service provider will submit a summary of the hours and kilometres worked and travelled or after the machine has been used, or after the contract period has seized, which will be certified for payment by the responsible person and Manager according to the weekly records.
- The successful service provider shall provide competent TLB/Excavator operator with fuelled TLB/Excavator who can excavate at prescribed slopes with the use of profiles on pipeline distribution networks in Amatola Water distribution systems.
- The plant shall be stored in Nahoon dam for the duration of hire that is 60 days as and when needed. Security and liabilities of the Plant machinery will be the responsibility of the Plant Company outside Amatola Water premises and Amatola Water will be responsible for the overnight storage. Amatola Water will not be held responsible for any losses or damages to the machine caused by recklessness.
- Any downtime of the Plant (TLB/Excavator) due to own problems e.g., operator not available on site, breakages etc. will be deducted from the actual hours worked and must be shown on the daily logbook for reconciliation purposes.
- Any breakages or replacement on the machine must be responded to within 4 hrs.
- Plant machinery must be available on site when requested by the successful supplier outside of agreed work hours.
- Amatola Water reserves the right to increase or decrease the contract period or any part thereof if project work on the contract is cancelled or work has come to an end. This will be communicated to the contractor in advance when and for how long the contract will be stopped/cancelled/ceases.
- 25% of the hourly rate will apply on TLB and Excavator as compensation of standing.

### **Pricing Guidelines**

- Prices must be per item description in the pricing schedule below and include transport.
- Only firm prices will be accepted, non-Firm prices (including prices subject to rates of exchanged variations) will not be considered.

### **NB: Delivery Point is at Nahoon Dam**

**For all enquiries must be done via the email below:**

**TECHNICAL ENQUIRIES:** [dmtimkulu@amatolawater.co.za](mailto:dmtimkulu@amatolawater.co.za)

## **SECTION B**

### **RETURNABLE DOCUMENTS**

**THE FOLLOWING DOCUMENTS MUST BE COMPLETED IN FULL AND SUBMITTED WITH THIS BID:**

**SBD 1: INVITATION TO BID**

**SBD 4: BIDDERS DISCLOSURE**

**SBD 6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

**THE FOLLOWING DOCUMENTS MUST BE SUBMITTED WITH THIS BID:**

**FORM A: AUTHORITY TO SIGN**

**JOINT VENTURE AGREEMENT (IF APPLICABLE)**

**FORM A: AUTHORITY TO SIGN DOCUMENTS**

The person listed below are duly authorised/ delegated to sign all documents in connection with the tender offer and any contract resulting from it on our behalf by virtue of the Articles of Association/Resolution of the Board of Directors. All fields to be completed.

**Details of authorised/ delegated person**

**NAME**

**SIGNATURE**

**DATE**

**WITNESSES:**

1.

**NAME**

**SIGNATURE**

**DATE**

2.

**NAME**

**SIGNATURE**

**DATE**

**FORM B: SCHEDULE OF PREVIOUS RELATED CONTRACTS SATISFACTORILY CARRIED OUT BY THE TENDERER**

Suppliers should very briefly describe their experience in this regard by completing the schedule below by providing details of at least Two (2) comparable contract within the last 5 years relating to the **HIRE TLB AND EXCAVATOR ON ROLLBACK AND LOWBED WITH OPERATOR AT A WET RATE FOR ALL AMATOLA WATER DISTRIBUTION SYSTEMS AS AND WHEN REQUESTED**. Please note that Form B.1 must be completed by your previous client in substantiating the list of reference provided below and must be submitted as part of this document, failure to do so will lead to disqualification. Please note that references may be verified.

Comparable supply contracts of the entity within the last 5 years	Short Description	Contract Value (incl. VAT)	Dates (Commencement; Completion)	Client and contactable reference (include phone no.& email addresses)

**SIGNED ON BEHALF OF TENDERER:** .....

## FORM B.1: CONFIRMATION OF REFERENCES TO AMATOLA WATER

NAME OF BIDDING COMPANY:	
PREVIOUS CLIENT/EMPLOYER NAME:	
TENDER/BID NUMBER OF COMPLETED CONTRACT/PROJECT	
DESCRIPTION OF CONTRACT/ PROJECT COMPLETED	
VALUE OF WORK COMPLETED	
DURATION AND DATE COMPLETED:	

The above-mentioned Bidding Company is in the process of submitting a Bid/RFQ to Amatola Water as per detailed Specification to Confirm that the Bidder had completed Similar or Relevant Contract with your Company within the past 5 years. If your company had prior exposure with the Bidding Company, as part of the evaluation process for this bid, Amatola Water requires your company to confirm goods/services supplied by the above Bidding Company as per below questionnaire.

<p>1. Were the goods/ services supplied according to the required quality as per the description/specification and were delivered on time?</p>	<p>Select applicable rating</p> <p><input type="checkbox"/> Excellent,</p> <p><input type="checkbox"/> Good,</p> <p><input type="checkbox"/> Satisfactory,</p> <p><input type="checkbox"/> Poor</p>
<p>2. Kindly, indicate their overall performance on the project.</p>	<p>Select applicable rating</p> <p><input type="checkbox"/> Excellent,</p> <p><input type="checkbox"/> Good,</p> <p><input type="checkbox"/> Satisfactory,</p> <p><input type="checkbox"/> Poor</p>

Full Name of Authorised Signatory .....

Contact Number ..... Email address.....

Signature..... Date.....

**\*CLIENT (EMPLOYER) STAMP HERE**

*\*Incomplete and/or unsigned form will not be accepted and Amatola Water reserves the right to contact any Client Company listed as a reference. No handwriting is acceptable on the stamp area. No letters will be accepted only this form is considered.*

## FORM B.2: CONFIRMATION OF REFERENCES TO AMATOLA WATER

NAME OF BIDDING COMPANY:	
PREVIOUS CLIENT/EMPLOYER NAME:	
TENDER/BID NUMBER OF COMPLETED CONTRACT/PROJECT	
DESCRIPTION OF CONTRACT/ PROJECT COMPLETED	
VALUE OF WORK COMPLETED	
DURATION AND DATE COMPLETED:	

The above-mentioned Bidding Company is in the process of submitting a Bid/RFQ to Amatola Water as per detailed Specification to Confirm that the Bidder had completed Similar or Relevant Contract with your Company within the past 5 years. If your company had prior exposure with the Bidding Company, as part of the evaluation process for this bid, Amatola Water requires your company to confirm goods/services supplied by the above Bidding Company as per below questionnaire.

<p>3. Were the goods/ services supplied according to the required quality as per the description/specification and were delivered on time?</p>	<p>Select applicable rating</p> <p><input type="checkbox"/> Excellent,</p> <p><input type="checkbox"/> Good,</p> <p><input type="checkbox"/> Satisfactory,</p> <p><input type="checkbox"/> Poor</p>
<p>4. Kindly, indicate their overall performance on the project.</p>	<p>Select applicable rating</p> <p><input type="checkbox"/> Excellent,</p> <p><input type="checkbox"/> Good,</p> <p><input type="checkbox"/> Satisfactory,</p> <p><input type="checkbox"/> Poor</p>

Full Name of Authorised Signatory .....

Contact Number ..... Email address.....

Signature..... Date.....

**\*CLIENT (EMPLOYER) STAMP HERE**

*\*Incomplete and/or unsigned form will not be accepted and Amatola Water reserves the right to contact any Client Company listed as a reference. No handwriting is acceptable on the stamp area. No letters will be accepted only this form is considered.*

**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 interest<sup>1</sup> 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:  
 .....  
 .....

<sup>1</sup> 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.



2.3 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 consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

**SBD 4**

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

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

- a) The applicable preference point system for this tender is the **80/20** preference point system.
- b) The lowest 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
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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:

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

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:

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

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

**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)
HDI (51% or more black ownership)	2	
Black women (51% or more women ownership)	2	
Black youth (51% or more youth ownership)	2	
Locality (Enterprise residing within Eastern Cape Province)	4	
Locality (Buffalo City/Amathole District Municipality)	10	

**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:** .....

.....

## **SECTION C:**

# **PRICING INSTRUCTIONS, PRICING SCHEDULE AND CONTRACT**

### **PRICE INSTRUCTIONS AND ESCALATION**

The following pricing schedules must be completed in full:

SBD 3.1: Pricing Schedule: Firm prices

SBD 3.2: Pricing Schedule: Non- firm prices (NOT APPLICABLE)

**NB:** If there are any unconditional discount offers, kindly attach a schedule that will indicate where those discounts are applied from.

Failure to fully complete the pricing instructions will invalidate your bid. All line items should be completed.

No claim in respect of any price escalation will be considered by the Amatola Water unless it is specifically stated in the Pricing Schedule that the Bid is subject to price escalation.

When escalation is claimed for during the contract period, proof of such escalation must be furnished and the calculation itself must be submitted to corroborate such proof. Escalation will only be calculated on the official index figures supplied by the Department of Statistics or the Price Controller, which ever may be applicable.

All orders placed will be based on the current Bid prices. It is the responsibility of the Bidder to inform Amatola Water of any escalation prior to implementation of the escalated price. Failure to do so will negate any such claims.

### **VALUE ADDED TAX**

In calculating the cost of the supply and delivery of services and / or material, the supplier will issue a "Tax Invoice" for all services rendered and / or materials supplied, which will reflect the exclusive cost of such services, goods or materials with the relevant Value Added Tax being added to the total.

VAT must be included in the Bid price but must be shown separately.

Non-VAT vendors must not include VAT in their bid price.

**PRICING SCHEDULE – FIRM PRICES  
(PURCHASES)**

**NOTE: PRICE ADJUSTMENTS WILL BE ALLOWED AT THE PERIODS AND TIMES SPECIFIED IN THE BIDDING DOCUMENTS.**

**IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT**

Name of Bidder.....Bid number...201-23/24

Closing Time ...11:00am ..... Closing date: ...23 April 2024

**OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID.**

**PRICING SCHEDULE**

Item	Description	QTY	Rate hour	per	Total Rates per Hour
1.	Provision of a Medium Size Excavator with driver operator at wet rate (please give hourly rates)	1			
Item	Description	QTY	Rate Km	per	Total Travel per Km
1.	Provision of Lowbed to and from the Sites.	1			
Item	Description	QTY	Rate hour	per	Total Rates per Hour
1.	Provision of a TLB with driver operator at wet rate (please give hourly rates)	1			
Item	Description	QTY	Rate Km	per	Total Travel per Km
	Provision of Rollback to and from the Sites.	1			
<b>TOTAL COSTS EXCLUDING VAT</b>					
<b>VAT</b>					
<b>TOTAL COSTS INCLUDING VAT</b>					

**Note: Rates to be inclusive of delivery**

**Total Rates must be transferred to SBD 1, failure to do so will lead to the bid/RFQ being disqualified**

Required by:

- At:
- Brand and model
- Country of origin
- Does the offer comply with the specification(s)?
- If not to specification, indicate deviation(s)

Amatola Water

.....N/A.....  
 .....N/A.....  
 \*YES/NO  
 .....



- Period required for delivery .....
- Delivery: Firm/not firm

SBD 3.2

**PRICE ADJUSTMENTS (NOT APPLICABLE)**

**A NON-FIRM PRICES SUBJECT TO ESCALATION**

1. IN CASES OF PERIOD CONTRACTS, NON FIRM PRICES WILL BE ADJUSTED (LOADED) WITH THE ASSESSED CONTRACT PRICE ADJUSTMENTS IMPLICIT IN NON FIRM PRICES WHEN CALCULATING THE COMPARATIVE PRICES

IN THIS CATEGORY PRICE ESCALATIONS WILL ONLY BE CONSIDERED IN TERMS OF THE FOLLOWING FORMULA:

$$Pa = (1 - V)Pt \left( D1 \frac{R1t}{R1o} + D2 \frac{R2t}{R2o} + D3 \frac{R3t}{R3o} + D4 \frac{R4t}{R4o} \right) + VPt$$

Where:

- Pa = The new escalated price to be calculated.
- (1-V) Pt = 85% of the original bid price. **Note that Pt must always be the original bid price and not an escalated price.**
- D1, D2.. = Each factor of the bid price eg. labour, transport, clothing, footwear, etc. The total of the various factors D1, D2...etc. must add up to 100%.
- R1t, R2t..... = Index figure obtained from new index (depends on the number of factors used).
- R1o, R2o = Index figure at time of bidding.
- VPt = 15% of the original bid price. This portion of the bid price remains firm i.e. it is not subject to any price escalations.

3. The following index/indices must be used to calculate your bid price:

Index..... Dated.....      Index..... Dated.....      Index..... Dated.....  
 Index..... Dated.....      Index..... Dated.....      Index..... Dated.....

2. FURNISH A BREAKDOWN OF YOUR PRICE IN TERMS OF ABOVE-MENTIONED FORMULA. THE TOTAL OF THE VARIOUS FACTORS MUST ADD UP TO 100%.

FACTOR (D1, D2 etc. e.g. Labour, transport etc.)	PERCENTAGE OF BID PRICE

**B PRICES SUBJECT TO RATE OF EXCHANGE VARIATIONS**

1. Please furnish full particulars of your financial institution, state the currencies used in the conversion of the prices of the items to South African currency, which portion of the price is subject to rate of exchange variations and the amounts remitted abroad.

PARTICULARS OF FINANCIAL INSTITUTION	ITEM NO	PRICE	CURRENCY	RATE	PORTION OF PRICE SUBJECT TO ROE	AMOUNT IN FOREIGN CURRENCY REMITTED ABROAD
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		
				ZAR=		

2. Adjustments for rate of exchange variations during the contract period will be calculated by using the average monthly exchange rates as issued by your commercial bank for the periods indicated hereunder: (Proof from bank required)

AVERAGE MONTHLY EXCHANGE RATES FOR THE PERIOD:	DATE DOCUMENTATION MUST BE SUBMITTED TO THIS OFFICE	DATE FROM WHICH NEW CALCULATED PRICES WILL BECOME EFFECTIVE	DATE UNTIL WHICH NEW CALCULATED PRICE WILL BE EFFECTIVE

## CONTRACT FORM - PURCHASE OF GOODS/WORKS

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

### PART 1 (TO BE FILLED IN BY THE BIDDER)

- I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to ((AMATOLA WATER) .....  
 1. in accordance with the requirements and specifications stipulated in bid 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 time of 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);
    - Technical Specification(s);
    - 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 goods and/or works 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 FIRM .....

DATE .....

**WITNESSES**

1 .....

2. ....

DATE:.....

**GENERAL CONDITIONS OF CONTRACT**

The form of Contract to be utilized is the General Conditions of Contract issued by National Treasury.