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

	PART A INVITATION TO BID									
YOU ARE HERE	BY INVIT	ED TO BID FOR	REQUIREMENTS OF AM	ATOLA	WATER	- AMANZI				
BID NUMBER:		O 164-24/25	CLOSING DATE:			RCH 2025	CLOSI	NG TIME:	11	:00am
DESCRIPTION	SIZES	OF TRANSFOR C BASIS.	ROVIDER FOR REPAIR MERS IN ALL AMATO	IA WA	TER TR	REATMENT WO	ORKS A			
			eposited in the BID B	OX SITI	JATED A	AT (STREET ADL	DRESS)			
awrfq@ama	tolawa	<u>tter.co.za</u>								
BIDDING PROCE	DURE E	NQUIRIES MAY	BE DIRECTED TO	TECH	NICAL E	NQUIRIES MAY	BE DIRE	CTED TO:		
CONTACT PERS	ON	Mandisa Matsh	ikwe	CONT	ACT PE	RSON	N. Mkil	е		
TELEPHONE NU	MBER	043 707 3700		TELEF	HONE N	NUMBER	073 92	1 0401		
FACSIMILE NUM	BER	n/a		FACSI	MILE NU	JMBER	n/a			
E-MAIL ADDRES	-		amatolawater.co.za	E-MAI	L ADDRI	ESS	nmkile	e@amatola	water.co	<u>).za</u>
SUPPLIER INFO	RMATIO	Ν								
NAME OF BIDDE	R									
POSTAL ADDRE	SS									
STREET ADDRE	SS									
TELEPHONE NU	MBER	CODE			NUMB	BER				
CELLPHONE NU	MBER							<b></b>		
FACSIMILE NUM	BER	CODE			NUMB	BER				
E-MAIL ADDRES										
VAT REGISTR NUMBER	ATION									
SUPPLIER COMPLIANCE S	TATUS	TAX COMPLIANCE SYSTEM PIN:		C	R	CENTRAL SUPPLIER DATABASE No:	МАА	4		
ARE YOU THE ACCREDITED REPRESENTATIN SOUTH AFRICA THE GOODS /SERVICES OFFERED?		Yes [IF YES ENCLO	No SE PROOF]	SUPP	LIER FO	DREIGN BASED R THE GOODS FFERED?		Yes [IF YES, A QUESTIC BELOW]		
	E TO BI	DDING FOREIGN	SUPPLIERS							
IS THE ENTITY A		ENT OF THE REP	UBLIC OF SOUTH AFRIC	A (RSA)	?				YES	NO
		E A BRANCH IN T		(					YES	NO
DOES THE ENTI	ty have	E A PERMANENT	ESTABLISHMENT IN TH	E RSA?					YES	NO
DOES THE ENTI	TY HAVE	E ANY SOURCE C	OF INCOME IN THE RSA?						YES	NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? YES NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.										

	PART B TERMS AND CONDITIONS FOR BIDDING				
1.					
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 PRESCRIBED IN THE BID DOCUMEN		ROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER		
1.3.		GENERAL CONDITIONS (	POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL DF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER		
1.4.	THE SUCCESSFUL BIDDER WILL BE RE	QUIRED TO FILL IN AND SI	GN A WRITTEN CONTRACT FORM (SBD7).		
2.	TAX COMPLIANCE REQUIREMENTS				
	BIDDERS MUST ENSURE COMPLIANCE	WITH THEIR TAX OBLIGATI	ONS.		
2.2	BIDDERS ARE REQUIRED TO SUBMIT ENABLE THE ORGAN OF STATE TO VER		AL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO FILE AND TAX STATUS.		
	APPLICATION FOR TAX COMPLIANCE WWW.SARS.GOV.ZA.	STATUS (TCS) PIN MAY	BE MADE VIA E-FILING THROUGH THE SARS WEBSITE		
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED	TCS CERTIFICATE TOGET	HER WITH THE BID.		
2.5	IN BIDS WHERE CONSORTIA / JOINT SEPARATE TCS CERTIFICATE / PIN /		ACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A		
2.6	WHERE NO TCS PIN IS AVAILABLE BUT NUMBER MUST BE PROVIDED.	THE BIDDER IS REGISTER	RED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD		
			E OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE TIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE		
3.	TOTAL BID PRICE:				
	REQUIRED GOODS & SERVICES	RATE AMOUNT INCL	TOTAL RATE AMOUNT INCL. VAT		
ITEM		VAT	(Amount in words)		
1	REQUIRE SERVICE PROVIDER FOR REPAIRS MAINTENANCE, COMMISSION AND REFURBISH ALL SIZES OF TRANSFORMERS IN ALL AMATOLA WATER TREATMENT WORKS AND PUMP STATIONS ON	(Amount in figures) R	R		
	ADHOC BASIS.				
		(Carried from SBD3.1)	(Carried from SBD3.1)		
NB:	NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.				
SIGNATURE OF BIDDER:					
-	CAPACITY UNDER WHICH THIS BID IS SIGNED:				
DAT	E				

#### TENDER CONDITIONS

#### 1. DEFINITIONS

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

#### 1. BID PUBLICATION

RFQ document will be available from **28 FEBRUARY 2025** at Amatola Water website at <u>www.amatolawater.co.za</u>.

#### 2. BID SUBMISSION

The original completed bid documents must be **SUBMITTED ON THE FOLLOWING EMAIL ADDRESS**: <u>awrfg@amatolawater.co.za</u> not later than the time and date specified on the cover page and SBD 1 of this bid.

#### 3. RFQ Evaluation Criteria

This bid will be evaluated in THRE (3) phases:

#### Phase One: Mandatory requirements

Phase Two: Capability Requirement & Compliance Assessment Phase Three: 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 in a sealed envelope in the bid box 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 or submitted by facsimile will not be accepted.
- FORM A: AUTHORITY TO SIGN must be fully completed and signed.
- FORM B: SCHEDULE OF PREVIOUS SIMILAR CONTRACTS SATISFACTORILY
- SBD1: INVITATION TO BID must be completed and signed.
- SBD4: BIDDERS DISCLOSURE must be completed and signed,
   NB: Bidder must ensure that 2.3 of SBD 4 is fully completed in all aspects including all 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.
- 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.

#### Phase Two: Capability Requirement & Compliance Assessment

#### Similar Project Experience

Bidders shall provide details and proof of completion, of similar projects in the past 5 years as specified underneath.

Evaluation Criteria	Details	Documentary Proof to be attached in the submission and will be used during the evaluation process
Company Experience	<ul><li>Bidder to provide two (2) projects of a similar nature of works.</li><li>Tenderer have at least two (2)qualifying projects which meet therequirements in each one of the projects stipulated above.</li></ul>	Completed, signed, and stamped reference forms as contained in the tender document. Complete Form B1 and B2
Accreditation / AffiliationCertificate	Company must be registered with CIDB and be active as 2EP orhigher	CIDB Certificate to be submittedas proof and must be active.
Key Personnel	<b>Electrician</b> - must be an Engineer/Technologist/Technician with Electrical Engineering qualifications (Heavy Current) with Bsc /B-Tech, B-Eng or Diploma Certificate with a minimum of 3 years' experience.	Proof of certified qualifications Detailed CV.
Electrical Artisan	Artisan with Trade Test certificate in electrical engineering (Heavy Duty) with 5 years' experience.	Trade Test Certificate and detailed CV. Copies must be certified. (Not older than 6 months).
Safety Officer	Safety Officer registered with SACPCMP as CHSO (minimum of three (3) years' experience as Safety Officer)	Certified certificate registered with SACPCMP

#### Phase Three: EVALUATION ON PPPFA AND SPECIFIC GOALS

THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT WILL BE APPLIEDAND THE 80/20 PREFERENCE POINTS SYSTEM WILL BE APPLICABLEPOINTS FOR PRICE80 POINTSSPECIFIC GOALS20 POINTSTOTAL POINTS100 POINTS

#### 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 in order 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).
- BBBEE Certificate
- HV Authorization certification (requirement at appointment stage)
- Armature Winding certificate (requirement at appointment stage)
- Safety File
- Section 37(2) Agreement signed (upon appointment)

## 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 to <u>awrfg@amatolawater.co.za</u>

#### 4. 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.

#### 5. 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.

#### 6. 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 into 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

#### 7. SPECIAL 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. Amatola Water reserves the right to negotiate offers/rates to be market related as and when the need arises.
- V. The contractor must provide references on Form B that the company has undertaken projects of a similar nature.
- VI. Alterations or additions to the RQF document are not allowed, except to comply with instructions issued by the employer, or necessary to correct an error/s made by the tenderer. Bidder shall initial or sign in such alterations. (Failure to comply with this requirement will result to submitted proposal 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.

#### **BID SPECIFICATION**

Amatola Water invites quotations from suitably qualified and experienced service providers for the REQUIRE SERVICE PROVIDER FOR REPAIRS MAINTENANCE, COMMISSION AND REFURBISH ALL SIZES OF TRANSFORMERS IN ALL AMATOLA WATER TREATMENT WORKS AND PUMP STATIONS ON ADHOC BASIS.

#### 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.

#### SCOPE: RATE BASED

TRANSFORMERS - Repairs and/ maintenance on various sizes of pole/ surface mount Transformers.

25KVA to 2,5 MVA, 11Kv/400V, 11kV/3.3V/400V to 22kV/400V,22kV/3.3kV/400V supply line.

Repairs and / maintenance to include but not limited to:

- Fault Finding
- Oil sampling and analysis
- Oil purification
- Provide tests report on completion of repairs/maintenance.
- Root cause analysis
- Scheduled Maintenance and installations of OEM Parts and Components

Supply Various Transformer parts/components STRICTLY for Repairs and Installations.

Call out and on-site for the above repairs and scheduled maintenance.

Travel & Accommodation.

#### LIST OF AMATOLA WATER PLANTS

- Nahoon WTW
- Laing WTW
- Craighead Pumping Station
- Glenmore WTW
- Peddie Regional Supply WTW
- Albany Coast WTW
- Binfield Park WTW
- Debe Nek WTW
- Masincedane WTW
- Sandile WTW

For more information, please contact: M. Pina e-mail: <u>mpina@amatolawater.co.za</u> or 078 643 3828 /

N. Mkile nmkile@amatolawater.co.za - 073 921 0401

## 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:

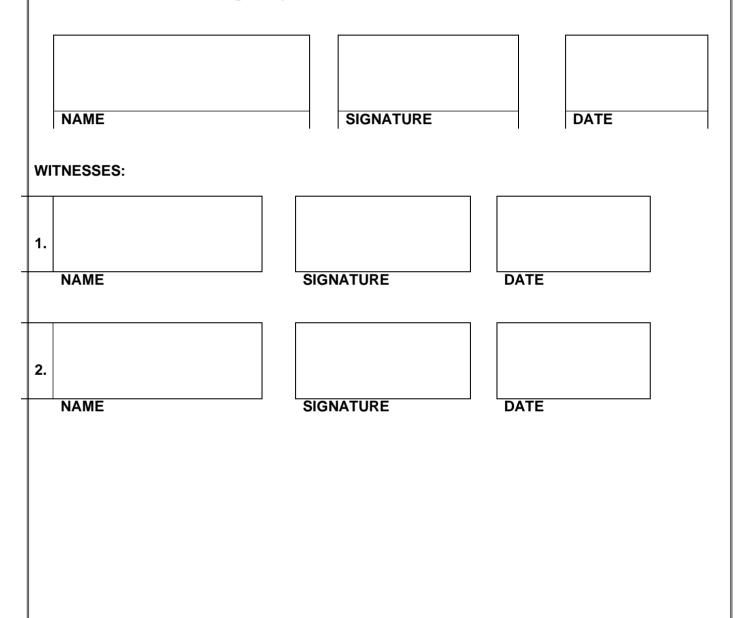
FORM A: AUTHORITY TO SIGN

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



#### 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 contracts** within the last 5 years relating to the REQUIRE SERVICE PROVIDER FOR REPAIRS MAINTENANCE, COMMISSION AND REFURBISH ALL SIZES OF TRANSFORMERS IN ALL AMATOLA WATER TREATMENT WORKS AND PUMP STATIONS ON ADHOC BASIS. Please note that Form B.1 and B.2 must be completed by your previous clients in substantiating the list of references provided below and must be submitted as part of this document, failure to do so will lead to disgualification. 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 perdetailed 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. Were the goods/ services supplied according to 1. Select applicable rating. the required quality as per the □ Excellent, description/specification and were delivered on □ Good, time? □ Satisfactory, Poor 2. Kindly, indicate their overall performance on Select applicable rating. the project. □ Excellent, □ Good, □ Satisfactory, Poor 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 Specification to Confirm that the Bidder had past 5 years. If your company had prior exp this bid, Amatola Water requires your comp as per below questionnaire.	l completed S osure with th	Similar or Rel he Bidding Co	levant Contract with your Company within Company, as part of the evaluation proces	n the s for	
3. Were the goods/ services supplied ac	cording to	Select a	applicable rating.		
the required quality as per the description/specification and were de	elivered on		Excellent,		
time?			Good,		
			Satisfactory,		
			Poor		
<ol> <li>Kindly, indicate their overall performant the project</li> </ol>	nce on	Select a	applicable rating.		
the project.			Excellent,		
			Good,		
			Satisfactory,		
			Poor		
Full Name of Authorised Signatory					
	-				
Contact Number	Ema	all address			
Signature	Signature Date				
*CLIENT (EMPLOYER) STAMP HERE *Incomplete and/or unsigned form will not accepted and Amatola Water reserves the right to contact any Client Company listed a reference. No handwriting is acceptable of the stamp area. No letters will be accepted this form is considered.	t be as on				

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.

#### SBD 4

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?
2.3.1 If so, furnish particulars:

#### **3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium2 will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 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.

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.

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
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

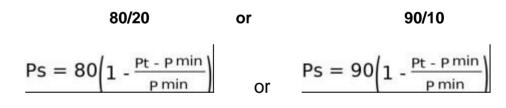
- (a) "**tender**" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) "price" means an amount of money tendered for goods 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:



#### Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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



or

90/10

$$Ps = 80\left(1 + \frac{Pt - P \max}{P \max}\right) \quad Or \quad Ps = 90\left(1 + \frac{Pt - P \max}{P \max}\right)$$

Where

Ps

= Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4. I. 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)	Number of points claimed (80/20 system) (To be completed by the tenderer)
	(To be completed by the organ of state)	
HDI (51% or more black ownership)	6	
Black women (51% or more women ownership)	4	
Black youth (51% or more youth ownership)	4	
People with disability (20% or more disabled people ownership)	2	
Locality:	4	
Enterprise within the Eastern Cape		

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

- 4.3. Name of company/firm.....
- 4.4. Company registration number: .....
- 4.5. TYPE OF COMPANY/ FIRM
  - IPartnership/Joint Venture / Consortium
  - 1 One-person business/sole propriety
  - 1 Close corporation
  - 1 Public Company
  - r Personal Liability Company
  - 1 (Pty) Limited
  - 1 Non-Profit Company
  - YState 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.

				SBD 3.1	
PRICING SCHEDULE – FIRM PRICES (PURCHASES)					
NOTE: ONLY FIRM PRICES WILL BE RATES OF EXCHA			PRICES (INCLUDI L NOT BE CONSID		
IN CASES WHERE DIFFERENT DEL SCHEDULE MUS			NCE THE PRICING EACH DELIVERY F		
Name of Bidder			.Bid number… <b>RFQ</b>	164-24/25	
Closing Time <b>11:00am</b>		Clos	sing date: <b>06 MAR</b>	CH 2025	
OFFER TO BE VALID FOR	90 DAYS	FROM THE CL	OSING DATE OF E	SID.	
PRICING SCHEDULE RATE	BASED				
DESCRPTION	Qty	Normal Rate per hour (R/hr.)	1.5 x Normal Rate per hour (R/hr.)	2 x Normal Rate per hour (R/hr.)	
REQUIRE SERVICE PROVIDER FOR REPAIRS M TRANSFORMERS IN ALL AMATOLA WATER T	IAINTENAI	NCE, COMMISSIO			
TRANSFORMERS IN ALL AMATOLA WATER I	NEATIVIEN		JNIP STATIONS ON AL		
Technician (Root Cause Analysis) Fixed					
rate per report submitted.	1				
Artisan/Electrician	1				
Artisan Aid	1				
Bakkie Kilometers rate to site(4x4).					
(R/km)	1				
REFURBISH ALL SIZES OF TRANSFORMERS Unit price				Unit price	
Transformers - 25KVA to 2,5 MVA,	1				
11Kv/400V,	1				
11kV/3.3V/400V to 22kV/400V	1				
22kV/3.3kV/400V	1				
			Subtotal		
			Vat @ 15%		
			Total		

# Total rate offered must be transferred to SBD 1, failure to do so will lead to the bid/RFQ being disqualified.

Required by:	Amatola Water
- At:	
Brand and model	N/A
Country of origin	N/A
Does the offer comply with the specification(s)?	*YES/NO
-If not to specification, indicate deviation(s)	
-Period required for delivery	
, ,	

- Delivery:

<u>\*Firm</u>/not firm

SBD 3.2

#### PRICE ADJUSTMENTS (NOT APPLICABLE)

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

Α

#### 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:

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

$$\left( \frac{R1o}{R1o} \frac{R2o}{R2o} \frac{R3o}{R3o} \frac{R4c}{R4o} \right)$$

Where:

Pa	=	The new escalated pric	e to be calculated.	
(1-V) Pt	=	5	•	must always be the original bid price
		and not an escalated		
D1, D2	=	•	5	sport, clothing, footwear, etc. The total of
		the various factors D1,		•
R1t, R2t.				ends on the number of factors used).
R10, R20	=	Index figure at time of t	bidding.	
VPt	=			of the bid price remains firm i.e. it is not
		subject to any price eso	calations.	
3.	The follow	ing index/indices must be	used to calculate yo	our bid price:
	Index Date	ed Index	Dated	Index Dated
	Index Date	ed 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

#### SBD 3.2

#### 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

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 (AMATOLA WATER) REQUIRE SERVICE PROVIDER FOR REPAIRS MAINTENANCE, COMMISSION AND REFURBISH ALL SIZES OF TRANSFORMERS IN ALL AMATOLA WATER TREATMENT WORKS AND PUMP STATIONS ON ADHOC BASIS in accordance with the requirements and task directives / proposals specifications stipulated in RFQ NO. 164-24/25 at the price/s quoted. My offer/s remain binding upon me and open foracceptance 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 FIRM	
DATE	

W]	TNESSES
1	
2	

		CONTRACT FO	ORM - RENDE	RING O	F SE	RVICES	
		PART 2 (TO BE	FILLED IN BY	AMAT	OLA	WATER)	
1.	I		in my capacity a	s			
	accept your bid ur	nder reference number	dated			for the render	ing of services
	indicated hereund	er and/or further specifie	ed in the annexure(	s).			
2.	An official order i	ndicating service deliver	ry instructions is fo	rthcoming.			
3.		ake payment for the ser days after receipt of an i		accordance	with th	he terms and cond	litions of the contract,
	DESCRIPTION OF SERVICE	3	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLET DATE	FION	TOTAL PREFERENCE POINTS CLAIMED	POINTS CLAIMED FOR EACH SPECIFIC GOAL
	REPAIRS MAIN COMMISSION ALL SIZES OF T ALL AMATOLA	AND REFURBISH RANSFORMERS IN WATER /ORKS AND PUMP					
4. SIGNE		n duly authorised to sign					
NAMI	E (PRINT)						
	ATURE						
		·····	••••••				1
OFFIC	CIAL STAMP				WI	INESSES	
					1		
					2		
					DA	ГЕ:	

#### **GENERAL CONDITIONS OF CONTRACT**

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

OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993
AGREEMENT IN TERMS OF SECTION 37(2)
MANDATORY
OBJECTIVE
To assist the employer in order to comply with the requirements of:
<ol> <li>The Occupational Health &amp; Safety Act 85 of 1993 also known as the (OHSACT) And</li> </ol>
<ol> <li>The Compensation for Occupational Injuries and Diseases Act 130 0f 1993 also known as (COIDACT).</li> </ol>
To this end an agreement must be concluded before any sub-contracted work may commence.
The parties to this agreement are:
Name of Organisation:
Street Address:
Hereinafter referred to as "the employer"
Name of Organisation:
Street Address:

Hereinafter referred to as "the mandatory"

#### **GENERAL INFORMATION FORMING PART OF THIS AGREEMENT**

- 1. Occupational Health and Safety Act comprises of Section 1 to 50 and all unrepealed regulations promulgated in terms of the former Machinery and Occupational Safety Act No. 6 of 1983 as amended as well as other regulations which may be promulgated in terms of the Act and other relevant Acts pertaining to the job in hand.
- 2. "Mandatory" is defined as and including an agent, a contractor or a subcontractor for work, but without derogating from his status in his own right as an employer or user of plant and / or machinery.
- 3. Section 37 of Occupational Health and Safety Act potentially punishes employer (main contractor) for unlawful acts or omissions of mandatory (subcontractors) save where a written agreement between the parties has been concluded containing arrangements and procedures to ensure compliance with the said Act by mandatory.
- 4. All documents attached or referred to in the above agreement from an integral of the Agreement.
- 5. To perform in terms of agreement mandatories must be familiar with the relevant provisions of the Act.
- 6. Mandatories who utilize the services of their own mandatory (subcontractors) must conclude a similar written agreement with them.
- 7. Be advised this mandatory place the onus on the mandatory to contact the employer in the event of inability to perform as per agreement.
- 8. This agreement shall be binding for all work that the mandatory undertakes for the employer.
- 9. A copy of written supervisor assignment in terms of General Safety Regulation 11.1 must be forwarded to the employer before any work commences.

#### THE UNDERTAKING

The mandatory undertakes to comply with:

#### INSURANCE

- 1. The mandatory warrants that all their employees and / or subcontractor's employees if any are covered in terms of the COIDACT, which cover shall remain in force whilst any such employees are present in employer's premises.
- 2. The mandatory warrants that they are in possession of the following insurance cover, which cover shall remain in force while they and / or their employees are present on the employer's premises, or which shall remain in force for the duration of the contractual relationship with the employer, whichever period is the longest:
- i) Public liability Insurance Cover is required by subcontractor agreement.
- ii) Any other insurance cover that will adequately make provision for any possible losses and / or claims arising from their and / or their subcontractors and / or their respective employees' acts and omissions on the employer's premises.

#### COMPLIANCE WITH OCCUPATIONAL HEALTH AND SAFETY ACT 85 OF 1993

The mandatory undertakes to ensure that they and / or their subcontractors if any and / or their respective employees will at all times comply with the following conditions:

i) All work performed by mandatory on the employer's premises must be performed

under close supervision of the mandatory's employees who are to trained to understand the hazard associated with any work that mandatory performs on the employer's premises.

- ii) The mandatory shall be assigned the responsibilities in terms of section 16(1) of the OHSACT 85 of 1993. If the mandatory assigns any duty in terms of Section 16(2), a copy of such written assignment shall immediately be forwarded to the employer.
- iii) The mandatory shall ensure that he familiarizes himself with the requirements of the OHSACT 85 of 1993 and that he and his employees and any of his subcontractors comply with the requirements.
- iv) The mandatory shall appoint competent persons who shall be trained on any occupational health and safety aspect pertaining to them or to work that is to be performed.
- v) The mandatory shall ensure that discipline regarding occupational health and safety shall be strictly enforced.
- vi) Any personal protective equipment required shall be issued by mandatory to his employees and shall be worn at all times.
- vii) No unsafe equipment / machinery and / or articles shall be used by the mandatory on employer's premises.
- viii) Written safe working practices / procedures and precautionary measures shall be made available and enforced and all employees shall be made conversant with the contents of these practices.
- ix) All incidents / accidents referred to in the OHSACT shall be reported by the mandatory to the department of Labour as well as to the employer.
- x) No use shall be made by the mandatory and / or their employees and or their subcontractors of any of the employer's machinery / articles / substance / plant / personal protective equipment without prior written approval.
- xi) The mandatory shall ensure that work for which the issuing of a permit is required shall not be performed prior to the obtaining of duly completed and approved permit.
- xii) The mandatory shall ensure that no alcohol or any intoxicating substances shall be allowed on the employer's premises. Anyone suspected to be under the influence of alcohol or any intoxicating substances shall not be allowed on the premises. Anyone suspected to be under influence of alcohol or any intoxicating substances shall not be allowed in the premises. Anyone found on the premises suspected to be under influence of alcohol or any other intoxicating substances shall be escorted off the said premises immediately.
- xiii) Full participation by the mandatory shall be given to the employees of the employer if and when they inquire into occupational health and safety issues.

#### FURTHER UNDERTAKING

- 1. Only a duly authorized representative is eligible to sign this agreement on behalf of mandatory. The signing power of this representative must be designed in writing by the chief executive officer of the mandatory. A copy of this letter must be made available to the employer.
- 2. The mandatory confirms that he has been informed that he must report to the employer's management, in writing anything he deems to be unhealthy and / or unsafe. He has versed his employees in this regard.
- 3. The mandatory warrants that he shall not endanger the health and safety of the employer's employees in any way whilst performing work on the employer's premises.
- 4. The mandatory understands that no work may commence on the employer's premises until this procedure is duly completed, signed and received by the employer.

5. Non-compliance of any of the above may lead to immediate cancell
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#### ACCEPTANCE BY MANDATORY

In terms of the provision of Section 37(2) of the Occupational Health and Safety Act 85 of 1993,

I, ..... a duly authorized representative acting for and on behalf of

..... undertake to ensure that the requirements and provision of the OSHACT No: 85 of 1993 and regulations are complied with.

Signature of duly authorized mandatory representative

Mandatory – WCA No:

Signature of duly authorized main contractor

Date

Date