



**INKOMATI-USUTHU CATCHMENT MANAGEMENT AGENCY**  
**REQUEST FOR QUOTATION (RFQ)**

**APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS**

<b>RFQ REFERENCE</b>	RFQ/021/BACKUPSYSTEM/2022
<b>RFQ DESCRIPTION</b>	APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS
<b>RFQ ISSUE DATE</b>	13 DECEMBER 2022
<b>CLOSING DATE &amp; TIME</b>	23 JANUARY 2023 AT 11:00
<b>LOCATION OF SUBMISSIONS</b>	BID BOX SITUATED AT IUCMA OFFICES, SUITE 801, THE MAXSA BUILDING, 13 STREAK STREET, MBOMBELA, 1200

Please furnish us with all information as requested and return your quotation on the date and time stipulated above. **Late and incomplete submissions will invalidate the quote submitted.**

**QUOTATION SUBMITTED by:**

Supplier's Name: \_\_\_\_\_

Registered Name: \_\_\_\_\_

CSD Number: MAAA \_\_\_\_\_

Physical Address: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Email. \_\_\_\_\_

### 1. CHECKLIST

The Checklist below is attached hereto to assist bidders with the completion of the bid document. Please ensure that the following forms have been completed and signed and that all documents, as requested, are attached to the tender document. Bidders are required to **TICK** the relevant boxes for verification purposes.

No	Description	Bidder to Tick (√)	For Official Use Only	
1.	<b>SBD 1 - Invitation to Bid</b> Is the form duly completed and signed?		D	
2.	Has the CSD Supplier Number been submitted with the bid document?			
3.	Is the full CSD report not more than 10 days before the bid closing date attached?			
4.	<b>Declaration of POPI Act</b> Is the form duly completed and signed?		D	
5.	Has the bid document been completed in a non-erasable <b>Black Ink Pen</b> and all corrections counter-signed? - No retype and correction fluid/tape used - Bid document completed and returned without missing page/s - No unauthorised alteration in the bid document		D	
6.	Has the compulsory "Tender Briefing Session" been attended?	N/A	N/A	N/A
7.	<b>Pricing Schedule</b> Is the pricing schedule fully completed?			
8.	<b>SBD 4 - Bidder's Disclosure</b> Is the form duly completed and signed?		D	
9.	<b>SBD 6.1 - Preference Points Claim Form</b> Is the form duly completed in its entirety and signed?			
10.	<b>Is a valid B-BBEE certificate (accredited by SANAS) or a sworn affidavit attached?</b>			
11.	<b>SBD 7.2 Contract Form for Rendering of Services</b> Is the form duly completed and signed?			

**\*\*\* D: Failure to comply with these sections will result in the disqualification of the RFQ.**

Name of Bidder: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **2. REQUEST FOR QUOTATION INVITATION**

**RFQ/021/BACKUPSYSTEM/2022**

**CLOSING DATE: 23 JANUARY 2023**

Inkomati-Usuthu Catchment Management Agency (IUCMA) requests your quotation for the below services:

### **APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS**

Quotations will be adjudicated in terms of the Preferential Procurement Regulations as amended, pertaining to the Preferential Procurement Policy Framework Act, 5/2000 and other applicable legislation and will be based on 80/20 points system. Preference points will be awarded to service providers using their B-BBEE status level of contribution. BIDS shall remain valid for the period of days as indicated in the bid document from the date of closing. The IUCMA reserves the right to accept all, part, or none of the bids submitted, either wholly or in part and it is not obliged to accept the lowest bid.

Quotations submitted on the official bid document are to be submitted in a sealed envelope clearly marked **“APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS”** must be deposited in the official bid box provided at the IUCMA Offices, Suite 801, The Maxsa Building, 13 Streak Street, Mbombela before 16:00 on the closing date. Late quotations or tenders received by way of facsimile or e-mail will under no circumstances be considered.

For technical enquiries, contact Ms T Sibiyi 068 058 6152 or [sibiyat@iucma.co.za](mailto:sibiyat@iucma.co.za) and for SCM enquiries, contact Mr N Hlatshwayo at 013 753 9039/066 549 8618 or [hlatshwayon@iucma.co.za](mailto:hlatshwayon@iucma.co.za).

**Only prospective suppliers who are registered on the National Treasury Supplier database are legible to bid. To register on the CSD log onto [www.csd.gov.za](http://www.csd.gov.za)**

**Mr LC Mohalaba**  
**Chief Executive Officer**

**PART A**

**INVITATION TO BID**

**SBD 1**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE IUCMA</b>					
BID NUMBER:	<b>RFQ/021/BACKUPSYSTEM/2022</b>	CLOSING DATE:	<b>23 JANUARY 2023</b>	CLOSING TIME:	<b>11:00</b>
DESCRIPTION	<b>PROVISION OF A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS</b>				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT</b>					
<b>IUCMA, SUITE 801, THE MAXSA BUILDING, 13 STREAK STREET, MBOMBELA, 1200 (DURING OFFICE HOURS BETWEEN 07H30 TO 16H00)</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>Mr N Hlatshwayo</b>		CONTACT PERSON	<b>Ms T Sibiya</b>	
TELEPHONE NUMBER	<b>013 753 9039/066 549 8618</b>		TELEPHONE NUMBER	<b>013 753 9000/ 068 058 6152</b>	
FACSIMILE NUMBER	<b>N/A</b>		FACSIMILE NUMBER	<b>N/A</b>	
E-MAIL ADDRESS	<b>hlatshwayon@iucma.co.za</b>		E-MAIL ADDRESS	<b>Sibiyat@iucma.co.za</b>	
<b>SUPPLIER INFORMATION</b>					
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>O R</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN-BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No  [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS (Not applicable to South African suppliers)</b>					
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?  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**

**SBD1**

**TERMS AND CONDITIONS FOR BIDDING**

<p><b>3. BID SUBMISSION:</b></p> <p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR ONLINE.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS AS AMENDED, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p> <p>1.5. THE BOX IS GENERALLY OPEN DURING OFFICE HOURS: 07:30 – 16:00 MONDAYS TO FRIDAYS.</p>
<p><b>4. TAX COMPLIANCE REQUIREMENTS</b></p> <p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p>

**NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

**SIGNATURE OF BIDDER:** .....

**CAPACITY UNDER WHICH THIS BID IS SIGNED:** .....  
(Proof of authority must be submitted e.g., company resolution)

**DATE:** .....

**3. DECLARATION OF POPI ACT**

**THE BIDDER WILL BE DISQUALIFIED IF THE FORM IS NOT FULLY COMPLETED AND SIGNED**

**PERMISSION BY BIDDER:**

On behalf of Company/Close Corporation/Trust/Joint Venture/Consortium/Juristic Person/Partnership

\_\_\_\_\_ (Name of bidder)

I, Mr/Ms \_\_\_\_\_ (duly authorised), hereby grant permission, in terms of the Protection of Personal Information Act, 2013 (Act 4 of 2013), POPI Act, to the Inkomati-Usuthu Catchment Management Agency, to utilise all information contained in the tender documents submitted to the Inkomati-Usuthu Catchment Management Agency, for purposes of procurement.

Capacity: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

#### **4. CONDITIONS TO BE OBSERVED WHEN BIDDING**

##### **1. QUOTATION CONDITIONS**

NOTE: Quotations for the supply of goods or services described in this document are invited in accordance with the provision of Government Procurement: General Conditions of Contract available for download from <http://www.treasury.gov.za/divisions/ocpo/sc/GeneralConditions/>

- a. IUCMA does not bind itself to accept the lowest or any RFQ, nor shall it be responsible for or pay any expenses or losses which may be incurred by the bidder in the preparation and delivery of the RFQ.
- b. No RFQ shall be deemed to have been accepted unless and until a purchase order/letter of appointment is prepared and executed.
- c. Quotation shall remain open for acceptance by IUCMA for a period of **90 days** from the closing date of the RFQ enquiry.

##### **1.1. IUCMA reserves the right to:**

- a. Not evaluate and award RFQ that do not comply strictly with the requirements of this RFQ.
- b. Make a selection solely on the information received in the RFQs and enter into negotiations with any one or more of the preferred bidder(s) based on the criteria specified in the evaluation of this RFQ.
- c. Contact any bidder during the evaluation process to clarify any information without informing any other bidders and no change in the content of the RFQ shall be sought, offered or permitted.
- d. Award a contract to one or more bidder(s).
- e. Withdraw the RFQ at any stage.
- f. Accept a separate RFQ or any RFQ in part or whole at its discretion.
- g. Cancel this RFQ or any part thereof at any stage as prescribed in the PPPFA regulation.
- h. Should bidder(s) be selected for further negotiations, they will be chosen based on cost-effectiveness and the principle of value for money not necessarily based on the lowest costs. The IUCMA, therefore, reserves the right not to appoint the lowest bidder.

##### **2. COST OF BIDDING**

The bidder shall bear all costs and expenses associated with the preparation and submission of its RFQ, and the IUCMA shall under no circumstances be responsible or liable for any such costs, regardless of, without limitation, the conduct or outcome of the bidding, evaluation, and selection processes.

##### **3. COMPLETION OF QUOTATION DOCUMENTS**

- 3.1. The original quotation document without missing pages must be completed entirely in handwriting and in a non-erasable **black ink pen**. Quotation documents may not be retyped.
- 3.2. Paragraph 2.1.1, 2.2.1, 2.3.1 of the SBD 4 and SBD 6.1 paragraph 7.1.1 is excluded from the condition of 7.1 if the chosen answer is no.
- 3.3. The use of correction fluid/tape on the quotation documents including returnable documents is not allowed. If there is an error, draw a line through it, initial next to it and make the correction directly above/below/next to it.

*Failure to comply with the completion of documents will result in disqualification.*

## **5. SPECIFICATION**

### **APPOINTMENT OF A SERVICE PROVIDER TO PROVIDE A BACKUP SYSTEM FOR FINANCIAL-RELATED INFORMATION FOR A PERIOD OF 12 MONTHS**

#### **1. PURPOSE**

The Inkomati-Usuthu Catchment Management Agency (IUCMA) is a water resources management institution established by the National Water Act 36 of 1998. The IUCMA to adequately execute its constitutional mandate must ensure the integrity of its financial and reporting system.

#### **2. BACKGROUND**

The IUCMA is reliant on the Department of Water and Sanitation (DWS) for access to its currently utilized financial system – SAP. The currently adopted financial system houses the following functions - supply chain, financial reporting services, payment of invoices, procurement of goods and services, debtors' management, and asset management. The currently utilized system has not yet been set up to allow the Agency to access backups for all financial-related IUCMA data. This position presents a challenge for the Agency that warrants the IUCMA to externally house all its financial-related data where management has full access.

#### **3. AIMS AND OBJECTIVES**

##### **3.1 The main aim of having a service provider is to provide a backup system for financial-related information for 12 months.**

Fully aligned monthly TB that reconciles to the SAP TB with the following subsystem fully updated;

- Reconciled and accurate debtors' information;
- Reconciled and accurate cash management (bank reconciliations);
- Reconciled and accurate creditors information;
- Integration of payroll-related data;
- Reconciled and accurate asset management; and
- Reconciled and accurate control accounts.

#### **4. SCOPE OF WORK/ DELIVERABLES**

The Inkomati-Usuthu Catchment Management Agency (IUCMA) requires the services of a suitably qualified service provider to submit proposals to assist the Agency in providing a backup system for all financial-related information for a period of 12 months.



## 5. PROJECT PERIOD

The project will be executed for a period of 12 months from the date of appointment.

## 6. OWNERSHIP AND INTELLECTUAL PROPERTY

All products resulting from this contract will remain the property of the IUCMA.

## 7. EVALUATION PROCESS

The bid will be evaluated and adjudicated on three (3) different phases as follows:

- Phase 1 – Compliance/Mandatory requirements
- Phase 2 – Functional requirements
- Phase 3 – Price and BBBEE evaluation

### Phase 1: Compliance/ mandatory Requirements

Without limiting the generality of the IUCMA’s other critical requirements for this bid, the bidder(s) must submit the documents listed in the table below. All documents must be completed and signed by the duly authorized representative of the prospective bidder(s). During this phase Bidders’ responses will be evaluated based on compliance with the listed administration and mandatory bid requirements. The bidder(s) proposal will be disqualified for non-submission of any of the documents.

### Documents that must be submitted for Compliance/ Mandatory Requirements

A document that must be submitted	Yes/No	Non-submission will result in disqualification?
Permission in terms of POPI Act to utilise the information contained in documents for procurement purposes.	Yes	Complete and sign the supplied pro forma document.
Invitation to Bid – SBD 1	Yes	Complete and sign the supplied pro forma document.
Declaration of Interest – SBD 4	Yes	Complete and sign the supplied pro forma document.
Preference Point Claim Form – SBD 6.1	No	Complete and sign the supplied pro forma document. Incomplete form will lead to a zero (0) score on BBBEE.
Valid BEE certificate (accredited by SANAS) or Sworn affidavit (DTI or CIPC Template)	No	Non-submission will lead to a zero (0) score on BBBEE
Registration on Central Supplier Database (CSD)	Yes  No	The bidder must be registered as a service provider on the CSD.  Submit CSD full registration report (CSD full registration report must NOT be older than <b>10 days</b> from the closing date and a summary

A document that must be submitted	Yes/No	Non-submission will result in disqualification?
		report will NOT be considered).
<b>Software License</b>	Yes	Attach a valid license software certificate in the name of the bidding entity and the name of the software application where IUCMA data will be stored.

**NB: No Bid will be awarded to any person whose tax matters have not been declared in order by South African Revenue Service.**

**NB: No award will be made to an entity which is not registered on the CSD (Central Supplier Database) with National Treasury.**

### Phase 2: Functionality Requirements

The evaluation of bidders of functionality will be done in terms of the evaluation criteria as indicated in Table 1 below. Only bids that meet the minimum threshold of **80 out of 100 points** for functionality will proceed to the next stage. The evaluation of functionality will be evaluated in accordance with the functionality criteria below and applicable values.

**Table 1: Functionality Evaluation Criteria**

Qualification criteria	Description	Points
Company Experience	<p>The company has positive references from companies/ organisations (clients) with which they have done similar business limited to the provision of bookkeeping services for an entity utilizing GRAP as reporting standards.</p> <p>Five (5) or more relevant references - 60                      Three (3) to four (4) positive contactable references - 30                      One (1) to Two (2) or no positive contactable references – 15                      Proof: Reference letters on client letterhead with contactable references</p>	60

Project Manager Experience and Qualifications	<p>The Project Manager demonstrates that he / she is well versant with accounting standards and prescripts. Project Manager should hold a minimum of a bachelor's degree in Accounting or Auditing.</p> <p>8 or more years' experience – 40                      5 to 7 years of experience – 30                      Less than 5 years of experience – 20</p> <p>Proof: Curriculum Vitae (CV) of the Project Manager indicating the years of relevant experience to be attached. No attachment will score zero.</p>	40
Total	100	
Minimum required score	80	

**Phase 3: Price and BBEE Evaluation in terms of 80/20 Preference Points System**

- Only bids that achieve the minimum qualification score of 80 points for functionality will be evaluated further by the 80/20 preference points system. The allocation of points for the B-BBEE status level is set out in table 2 below.

<b>Phase 3: Preferential Point System</b>	<b>Points</b>
Price	80
B-BBEE status level of contribution	20
<b>Total</b>	<b>100</b>

- Submit a valid certified copy of the B-BBEE certificate; or affidavit in case of Exempted Micro Enterprise (EME).

**Table 2: B-BBEE Status**

B-BBEE Status Level of Contributor	Number of Points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non –compliant contributor	0

## 8. PRICING SCHEDULE

The proposed total pricing rates must be inclusive of VAT. Prices/ rates are to be indicated per unit/ item basis as required by table 3 below, which constitutes the tender's pricing schedule. Prices/ rates indicated must be projected for months.

**Table 3: Pricing Schedule**

Item No.	Description	Pricing Schedule		
		Hourly Rate	Total number of hours	Total (Vat Exclusive)
	<p>Monthly fee charged to complete the following processes:</p> <ul style="list-style-type: none"> <li>- Bank reconciliation x 1 main account and 1 investment account.</li> <li>- Petty cash journals (float +/- R4,000 per month).</li> <li>- Payroll journals for 120 staff members.</li> <li>- Asset depreciation journals for 400 assets.</li> <li>- Debtors' payments and statements reconciliation for:                             <ul style="list-style-type: none"> <li>i. 1379 bi-annual debtors.</li> <li>ii. 736 monthly debtors.</li> <li>iii. 2804 quarterly debtors.</li> </ul> </li> <li>- Accounts payable processing for +/-100 monthly creditors.</li> <li>- Other control account linked transactions not more than 20 journals per month.</li> <li>- Payroll integration for 120 staff members (Payroll data housed on SAGE).</li> <li>- Fixed asset depreciation journals for 500 assets.</li> <li>- Reconciliation of TB against IUCMA's TB.</li> <li>- Reconciliation of sub-system reports against IUCMA's</li> </ul>			

Item No.	Description	Pricing Schedule		
		Hourly Rate	Total number of hours	Total (Vat Exclusive)
	sub-system reports.			
	Once off fee mapping of TB to accounts on the software-defined chart of accounts.			
	Once off fee data upload of debtors' accounts +/- 5000 customer accounts.			
	Once off fee data upload of creditors' accounts – main +/- 100 creditor accounts.			
	Disbursement costs.	<ul style="list-style-type: none"> <li>▪ No other disbursement costs are permissible for this project.</li> </ul>		
	TOTAL (1 + 2 + 3 + 4 ) Vat Exclusive			
	VAT @ 15%			
	TOTAL (1 + 2 + 3 + 4 ) Vat Inclusive			

## 9. SERVICE LEVEL AGREEMENT

- The acceptance of any proposal is only valid upon the conclusion of a written SLA between the IUCMA and the successful Service Provider, in terms of which the rights and duties of the parties are recorded, which agreement shall regulate the relationship between the IUCMA and the successful Service provider.
- Until such time that an appropriate SLA has been concluded between the IUCMA and the successful Service Provider, no rights shall be conferred, nor shall any legitimate expectations be conferred to the successful service provider to carry out the works or services provided for in this document.
- This document is not to be edited or altered as it forms part of the contract. Any contract amendments are to be raised with the IUCMA for legal consideration.

## 10. SPECIAL OF CONDITIONS

- Awarding of the bid will be subject to the service provider's express acceptance of the general conditions of the contract.
- The successful service provider agrees to keep confidential all records and information and not to disclose such records or information to any third party without the prior written consent of IUCMA.
- The IUCMA reserves the right to terminate the contract if there is clear evidence of non-performance and/or inability to deliver.
- The IUCMA reserves the right to terminate the contract if other permanent measures are established by the DWS on behalf of the IUCMA.
- The IUCMA reserves the right not to make an appointment or not to appoint the cheapest bidder.
- No supplier shall use material or designs of other manufacturers without patent rights.
- Bidders who are exempted micro enterprises (EME) or qualifying small enterprise (QSE) 51% owned by black people who are youth, women and people living with disabilities are encouraged to bid.

### Contact Persons

Technical Enquiries	SCM Enquiries
Finance Management Ms. Thembekile Sibiyana Tel.013 753 9000 EMAIL: <a href="mailto:sibiyana@iucma.co.za">sibiyana@iucma.co.za</a>	Supply Chain Management Mr. Ntokozo Hlatshwayo Tel: 013 753 9000 E-mail:hlatshwayon@iucma.co.za

**6. 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 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:  
 .....  
 .....

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:  
 .....  
 .....

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*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.*



### 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.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

..... Signature	..... Date
..... Position	..... Name of bidder

<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.

## **7. SBD 6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS AS AMENDED.**

### **1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

- 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

- a) The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or
- b) Either the 80/20 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>B-BBEE STATUS LEVEL OF CONTRIBUTOR</b>	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.6 The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

### **2. DEFINITIONS**

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

- (c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;
- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
  - 1) B-BBEE Status level certificate issued by an authorized body or person;
  - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
  - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

**80/20 or 90/10**

$$P_s = 80 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left( 1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

$P_s$  = Points scored for price of bid under consideration

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

**4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR**

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

**5. BID DECLARATION**

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

**6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: . = .....(maximum of 10 or 20 points)  
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

**7. SUB-CONTRACTING**

7.1 Will any portion of the contract be sub-contracted?

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

*(Tick applicable box)*

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations as amended:

<b>Designated Group: An EME or QSE which is at last 51% owned by:</b>	<b>EME</b> √	<b>QSE</b> √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One person business/sole propriety
- Close corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....  
 .....  
 .....  
 .....

8.6 COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional service provider
- Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
  - (a) disqualify the person from the bidding 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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

- 1. ....
- 2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE: .....

ADDRESS .....

.....

**8. 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 **INKOMATI-USUTHU CATCHMENT MANAGEMENT AGENCY** in accordance with the requirements and task directives/proposals specifications stipulated in **RFQ/021/BACKUPSYSTEM/2022** at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
  - (i) Bidding documents, viz
    - Invitation to bid;
    - Tax clearance certificate;
    - Pricing schedule(s);
    - Filled in task directive/proposal;
    - Preference claims for Broad-Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations as amended;
    - Bidder`s Disclosure;
    - Special Conditions of Contract;
  - (ii) General Conditions of Contract; and
  - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.

6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT) .....

CAPACITY .....

SIGNATURE .....

NAME OF FIRM .....

DATE .....

WITNESSES	
1	.....
2	.....
DATE:	.....

**SBD 7.2**

**CONTRACT FORM - RENDERING OF SERVICES  
PART 2 (TO BE FILLED IN BY THE PURCHASER)**

1. I ..... in my capacity as Chief Executive Officer accept your bid under reference number **RFQ/021/BACKUPSYSTEM/2022** dated ..... for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

DESCRIPTION OF SERVICE	NAME OF THE COMPANY	PRICE (ALL APPLICABLE TAXES INCLUDED)	CONTRACT DURATION	B-BBEE STATUS LEVEL OF CONTRIBUTION

I confirm that I am duly authorised to sign this contract.

SIGNED AT... **MBOMBELA**.....ON.....

NAME (PRINT) .....

SIGNATURE .....

OFFICIAL STAMP

<b>WITNESSES</b>	
1	.....
2	.....
DATE:	.....