

TENDER NO. 2026/020  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING  
OF MALDI-TOF MS AND TRAINING OF PERSONNEL

|                                                                                                                |
|----------------------------------------------------------------------------------------------------------------|
| <b>Tender Number:</b> [2026/020]                                                                               |
| <b>Description:</b> Supply, Delivery, Installation and Commissioning of MALDI-TOF MS and Training of Personnel |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
| <b>Tender Issue Date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 06/11/2025                                | <b>Collection Period</b>                                                                                                                                                                                                                                                                                                                                                                                                                             | From: 06/11/2025<br>To: 28/11/2025 |
| <b>Briefing /Clarification Meeting Details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
| Not Applicable                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
| <b>Tender Submission details</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
| <b>Tender Closing date:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 08/12/2025                                | <b>Tender Closing Time</b>                                                                                                                                                                                                                                                                                                                                                                                                                           | 12:00                              |
| <b>Submission Address</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 310 Burger Street, Pietermaritzburg, 3201 |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                    |
| <b>Tip-Offs Anonymous Hotline:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                           | <b>Appeals/Objections</b>                                                                                                                                                                                                                                                                                                                                                                                                                            |                                    |
| Report unethical conduct at uMngeni-uThukela Water on:<br><br>Toll Free Number: 0800 864 463<br>Email: <a href="mailto:umgeniwater@whistleblowing.co.za">umgeniwater@whistleblowing.co.za</a><br>Toll Free Fax: 0800 212 689<br>Postal: Freepost KZN665, Musgrave, 4062<br>SMS: 33490<br>Online: <a href="http://www.whistleblowing.co.za">www.whistleblowing.co.za</a><br><br><i>Stop theft / fraud / dishonesty / bribery /blackmail / intimidation, and remain anonymous.</i> |                                           | Persons aggrieved by tender award decisions taken by uMngeni-uThukela Water, may lodge an appeal within <b><u>7 days</u></b> of the date of the intention to award advertisement.<br><br>UW shall only consider written appeals/objections clearly stating reasons for appeal directed to:<br><br>The Supply Chain Management Office,<br>Attention: Supply Chain Management<br>Email: <a href="mailto:appeals@umgeni.co.za">appeals@umgeni.co.za</a> |                                    |

**TENDER SUBMITTED BY:**

|                             |  |                    |  |
|-----------------------------|--|--------------------|--|
| <b>Company Name:</b>        |  |                    |  |
| <b>Address:</b>             |  |                    |  |
|                             |  |                    |  |
|                             |  |                    |  |
| <b>CSD Registration No:</b> |  | <b>Co Reg. No:</b> |  |
| <b>Telephone Number:</b>    |  | <b>Email :</b>     |  |
| <b>Contact Person :</b>     |  |                    |  |

TENDER NO. 2026/020  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING  
OF MALDI-TOF MS AND TRAINING OF PERSONNEL

**SBD 1 - NOTICE AND INVITATION TO TENDER**  
**PROSPECTIVE TENDERERS ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF**  
**UMNGENI-UTHUKELA WATER**

|                                      |                                                                                            |                         |                  |                      |       |
|--------------------------------------|--------------------------------------------------------------------------------------------|-------------------------|------------------|----------------------|-------|
| <b>Tender Number:</b>                | 2026/020                                                                                   | <b>Closing Date:</b>    | 08/12/2025       | <b>Closing Time:</b> | 12:00 |
| <b>Description:</b>                  | Supply, Delivery, Installation and Commissioning of MALDI-TOF MS and Training of Personnel |                         |                  |                      |       |
| <b>Tender Offer Validity Period:</b> | 120 Days                                                                                   | <b>Contract Period:</b> | One off delivery |                      |       |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>TENDER DOCUMENTS/RESPONSES MUST BE DEPOSITED IN THE TENDER BOX SITUATED AT (STREET ADDRESS)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| uMngeni-uThukela Water, Head Office<br>310 Burger Street,<br>Pietermaritzburg.<br>3201                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              | Tenderers should ensure that tender documents are submitted to the correct address, and deposited in tender box before closing time.<br><b>Late tenders will not be accepted.</b> |                                                                                                                |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                              | <b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>                                                                                                                                    |                                                                                                                |
| <b>Contact Person:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mandisa Madlala                                                                              | <b>Contact Person:</b>                                                                                                                                                            | Thandubuhle Gonose                                                                                             |
| <b>Telephone Number:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 033 341 1325                                                                                 | <b>Telephone Number:</b>                                                                                                                                                          | 033 341 1342                                                                                                   |
| <b>E-Mail Address:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Mandisa.Madlala@uuw.co.za                                                                    | <b>E-Mail Address:</b>                                                                                                                                                            | Thandubuhle.gonose@uuw.co.za                                                                                   |
| <b>Supplier Information</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| <b>Company Name:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| <b>Postal Address:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| <b>Street Address:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| <b>Contact Numbers:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                              | <b>E - Mail Address</b>                                                                                                                                                           |                                                                                                                |
| <b>Company Registration No.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                              | <b>VAT. Number</b>                                                                                                                                                                |                                                                                                                |
| <b>Supplier Compliance Status (TCS)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>TCS Pin</b>                                                                               | <b>CSD</b>                                                                                                                                                                        | <b>MAAA</b>                                                                                                    |
| <b>B-BBEE Status Level Verification Certificate</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | [TICK APPLICABLE BOX]<br><input type="checkbox"/> Yes <input type="checkbox"/> No            | <b>B-BBEE Status Level Sworn Affidavit</b>                                                                                                                                        | [TICK APPLICABLE BOX]<br><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<br><input type="checkbox"/> No<br><b>[If Yes enclose proof]</b> | ARE YOU A FOREIGN BASED SUPPLIER FOR GOODS /SERVICES /WORKS OFFERED?                                                                                                              | <input type="checkbox"/> Yes<br><input type="checkbox"/> No<br><b>[If Yes, answer the questionnaire below]</b> |
| <b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                              |                                                                                                                                                                                   |                                                                                                                |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO<br>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> 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)**

TENDER NO. 2026/020  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING  
OF MALDI-TOF MS AND TRAINING OF PERSONNEL

**TABLE OF CONTENTS**

|     |                                                                                                         |    |
|-----|---------------------------------------------------------------------------------------------------------|----|
| 1.  | GLOSSARY OF TERMS .....                                                                                 | 6  |
| 2.  | BID SUBMISSION .....                                                                                    | 7  |
| 3.  | BIDDERS' DUE DILIGENCE .....                                                                            | 7  |
| 4.  | COMPULSORY / NON-COMPULSORY BRIEFING SESSION [delete where applicable] .                                | 7  |
| 5.  | BID DOCUMENTS.....                                                                                      | 8  |
| 6.  | SUBMISSION OF PROPOSALS .....                                                                           | 8  |
| 7.  | BID CONTACT PERSON/S.....                                                                               | 8  |
| 8.  | BID VALIDITY PERIOD.....                                                                                | 9  |
| 9.  | GENERAL BID REQUIREMENTS .....                                                                          | 9  |
| 10. | CONTRACT PARTICIPATION GOALS.....                                                                       | 10 |
| 11. | INSURANCE.....                                                                                          | 13 |
| 12. | QUALIFICATION AND EVALUATION .....                                                                      | 14 |
| 13. | CONFIDENTIAL INFORMATION.....                                                                           | 21 |
| 14. | INTELLECTUAL PROPERTY .....                                                                             | 21 |
| 15. | INDEMNITY .....                                                                                         | 21 |
| 16. | GOVERNING LAWS AND RULES .....                                                                          | 21 |
| 17. | INCORRECT OR MISLEADING INFORMATION .....                                                               | 24 |
| 18. | AUTHORITY TO SIGN .....                                                                                 | 25 |
| 19. | SBD 4 - BIDDER'S DISCLOSURE .....                                                                       | 26 |
| 20. | SBD 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL<br>PROCUREMENT REGULATIONS 2022 ..... | 29 |
| 21. | DECLARATION REGARDING CONTRACT PARTICIPATION GOALS .....                                                | 33 |
| 22. | DECLARATION TENDERER'S HEALTH AND SAFETY.....                                                           | 35 |
| 23. | RECORD OF ADDENDA TO TENDER DOCUMENTS .....                                                             | 38 |
| 24. | OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE .....                                             | 39 |
| 25. | CHECKLIST OF RETURNABLE SCHEDULES AND DOCUMENTS .....                                                   | 40 |
| 26. | TERMS OF REFERENCE SCOPE OF WORK /SPECIFICATIONS OF GOODS<br>REQUIRED/ TERMS OF REFERENCE .....         | 42 |

TENDER NO. 2026/020  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING  
OF MALDI-TOF MS AND TRAINING OF PERSONNEL

|     |                                                        |    |
|-----|--------------------------------------------------------|----|
| 27. | PRICE ADJUSTMENTS (APPLICABLE TO NON-FIRM PRICES)..... | 45 |
| 28. | PRICING SCHEDULE - GOODS .....                         | 47 |
| 29. | SPECIAL CONDITIONS OF CONTRACT .....                   | 49 |
| 30. | U UW DRAFT CONTRACT /SERVICE LEVEL AGREEMENT .....     | 53 |
| 31. | GENERAL CONDITIONS OF CONTRACT .....                   | 54 |

## 1. GLOSSARY OF TERMS

For purposes of this document, the following definitions are used and all references to legislation are to legislation as amended from time to time:

- 1.1 **“BBBEE”** has the meaning defined in the Broad Based Black Economic Empowerment Act, Number 53 of 2003;
- 1.2 **“Bid”** means a proposal submitted by a Bidder in response to this bid;
- 1.3 **“Bidder”** means an owner/entity/ joint venture/ consortium who intends to respond thereto by submitting a proposal;
- 1.4 **“Black People”** has the meaning defined in the Broad Based Black Economic Empowerment Act 53 of 2003;
- 1.5 **“Consortium”** means any group of persons wishing to be considered for the provision of the Services required under this RFP, irrespective of whether there is any formal agreement between them;
- 1.6 **“Constitution”** means the Constitution of the Republic of South Africa, Act 108 of 1996;
- 1.7 **“Government”** means the Government of South Africa constituted in terms of the Constitution, any one or more of the three spheres of Government being national, provincial and municipal;
- 1.8 **“Management Control”** means, in relation to any enterprise, the ability to direct or cause the direction of the business and management policies or practices of the enterprise
- 1.9 **“Member”** means, with respect to a Bidder, which is a Consortium, each member thereof, including each Relevant Entity
- 1.10 **“PFMA”** means the Public Finance Management Act, Number 1 of 1999;
- 1.11 **“Project Manager”** The Official authorized to interact with bidders for this bid as named in this document;
- 1.12 **“Successful Bidder”** means the Bidder who following evaluation of its proposal in response to the bid is selected by UW as the party with whom to conclude the Service Level Agreement;
- 1.13 **“UUW”** means uMngeni-uThukela Water
- 1.14 **“ZAR” or “Rand(s)”** means the South African Rand, being the official currency of South Africa.

## **2. BID SUBMISSION**

- 2.1 U UW provides the information which is contained in or sent with this Bid or which is made available in connection with any further enquiries or in subsequent Briefing Notes, in good faith.
- 2.2 This document (which expression shall include all other information, written or oral, made available during the procurement process) is being made available by the U UW to potential Bidders on the condition that it is used solely for this procurement process and for no other purpose. U UW is not obliged to accept any response to this Bid.
- 2.3 Bidders will be deemed to have satisfied themselves as to the authority of the U UW and to be fully acquainted with the laws of South Africa (including without limitation all statutes and regulations on a national, provincial and municipal level).
- 2.4 Each Bidder to whom this Bid Document (and other related documents) is made available must make his, her or its own independent assessment of the Bid.
- 2.5 While reasonable care has been taken in preparing this Bid Document and other related documents, it does not purport to be comprehensive or to have been verified by the U UW, its officials, employees, advisors or any other person. The U UW, its officials, employees or any of its advisors do not accept any liability or responsibility for the adequacy, accuracy or completeness of any of the information or opinions stated in this Bid Document or other related documents.
- 2.6 No representation or warranty, express or implied, is or will be given by the U UW, or any of its officers, employees, servants, agents or advisors with respect to the information or opinions contained in this Bid Document or other related documents. Any liability in respect of such representations or warranties, howsoever arising is hereby expressly disclaimed.
- 2.7 U UW reserves the right to amend, modify or withdraw this Bid, or to amend, modify or terminate any of the procedures or requirements of the Bid at any time and from time to time, without prior notice and without liability to compensate or reimburse any Bidder.
- 2.8 If any Bidder or Bidder, its employees, advisors or agents make or offer to make any gift to any public official or employee of the U UW, consultant to the U UW, either directly or through an intermediary then, such Bidder or Bidder will be disqualified forthwith from participating in the procurement process.

## **3. BIDDERS' DUE DILIGENCE**

- 3.1. Upon receipt of proposals from Bidders, U UW will assume that the Bidder has sufficiently familiarized themselves with the content of the Bid Documents, its volumes, schedules and related annexures.

## **4. COMPULSORY / NON-COMPULSORY BRIEFING SESSION – Not applicable**

- 4.1. The briefing session will be held as per the below venue

- **Date** :
- **Venue** :
- **Time** :

## 5. BID DOCUMENTS

- 5.1. The physical address for submission of Bid Documents is: **uMngeni-uThukela Water, 310 Burger Street, Pietermaritzburg.**
- 5.2. Queries relating to the issuing of these documents shall be addressed to: Mandisa Madlala, Telephone number: 033 341 1325 e-mail: Mandisa.madlala@uuw.co.za.
- 5.3. Documents will be issued via email on request to Mandisa.madlala@uuw.co.za during working hours from 04/11/2025 to 18/11/2025 for 09h00 to 15h00.

## 6. SUBMISSION OF PROPOSALS

### 6.1. Closing date

Bidders must submit their responses on 04 December 2025 not later than 12:00 at 310 Burger Street, Pietermaritzburg in the Tender Box. Faxed and Emailed submissions will not be accepted.

### 6.2. Postponement of closing date

UUW reserves the right to postpone the submission date as indicated in clause 6.1 above

### 6.3. Late submissions

No late submissions will be accepted by the UUW.

### 6.4. Incomplete submissions

Incomplete submissions, namely submissions that do not contain a response as contemplated in this Bid Document will be marked as incomplete, and may, at the UUW sole discretion, be rejected.

### 6.5. Correction of Errors

The complete Bid Document and attachments shall be submitted without alterations, erasures or omissions, all corrections shall be initialed in black ink by the person signing the proposal.

### 6.6. Cost of Submitting Bids

Each Bidder, its relevant entities or any other person shall bear all costs associated with the preparation and submission of its Bid(s), including all its own costs incurred on any of the stages in the procurement process.

Should the process be terminated at any stage as a result of it being tainted by the corrupt activities of one or more of the Bidders and/or Member(s) whether in breach of the provisions of this Bid or other applicable legal requirements, then UUW shall have the right to recover from the said Bidder and/or Member(s) whose conduct has tainted the process any other damages or costs to UUW flowing from such termination.

## 7. BID CONTACT PERSON/S

- 7.1. Bidders are advised to address all correspondence relating to this Bid to the following people as indicated below:

| Enquiry Type | SCM Enquiries             | Technical Enquiries          |
|--------------|---------------------------|------------------------------|
| Name         | Mandisa Madlala           | Thandubuhle Gonose           |
| Telephone    | 033 341 1325              | 033 341 1342                 |
| Email        | mandisa.madlala@uuw.co.za | thandubuhle.gonose@uuw.co.za |

- 7.2. Any additional information, responses to queries and/or changes to the Bid Document will be communicated to Bidders in the form of an addenda or Briefing Notes. Bidders are advised to ensure that they have received any issued addenda or Briefing Notes.

## **8. BID VALIDITY PERIOD**

- 8.1. Validity Period : Proposals shall remain valid and open for acceptance for a period **120 calendar days** from the closing date
- 8.2. Extensions to the Validity Period: U UW may, in exceptional circumstances, request the Bidder for an extension of the validity period, prior to the expiry of the original proposal validity period. The request from U UW shall be made in writing, and the bidder is required to confirm the same in writing, failure by the bidder to confirm the extension of validity in writing will lead to disqualification from further evaluation.

## **9. GENERAL BID REQUIREMENTS**

### **9.1. Signing requirements of a single entity**

Where the Bidder is a single legal entity, the principal or person(s) duly authorized to legally bind the legal entity concerned shall sign the original proposal. Each such person or persons shall be properly authorized to sign such documentation by way of a formal resolution by the board of directors or its equivalent of the organisation concerned. Copies of such an authorization, must accompany each Bid in the format provided

### **9.2. Signing requirements of a consortium or joint venture**

- 9.2.1 Proposals submitted by a consortium, or a joint venture shall be signed by the lead Member so as to legally bind all the constituent members of the consortium.
- 9.2.2 Proof of the authorisation of the lead Member to act on behalf of the consortium or a joint venture shall be included in the proposal submitted.
- 9.2.3 The lead Member shall be the only authorised party to make legal statements and receive instruction for and on behalf of any and all partners of the consortium or the joint venture.
- 9.2.4 A copy of the agreement entered into by the consortium partners or the joint venture partners for the formation of the consortium or joint venture shall be submitted with the Proposal.
- 9.2.5 The consortium/joint venture must submit a consortium/joint venture BBBEE certificate, if required as evidence to claim preferential goals.
- 9.2.6 In addition, every signatory shall make a written declaration to the effect that all documentation signed by him or her is factually correct and true.
- 9.2.7 Proposals submitted by a consortium, or a joint venture shall be signed by the lead Member so as to legally bind all the constituent members of the consortium.
- 9.2.8 Proof of the authorisation of the lead Member to act on behalf of the consortium or a joint venture shall be included in the proposal submitted.
- 9.2.9 The lead Member shall be the only authorised party to make legal statements and receive instruction for and on behalf of any and all partners of the consortium or the joint venture.
- 9.2.10A copy of the agreement entered into by the consortium partners or the joint venture partners for the formation of the consortium or joint venture shall be submitted with the Proposal.

TENDER NO. 2026/020  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING  
OF MALDI-TOF MS AND TRAINING OF PERSONNEL

9.2.11 The consortium/joint venture must submit a consortium/joint venture consolidated B-BBEE certificate.

9.2.12 In addition, every signatory shall make a written declaration to the effect that all documentation signed by him or her is factually correct and true.

**9.3. Format of submissions**

Bidders are requested to submit their bids in a clearly structured way. All parts of the proposal are to be clearly headed, pages should be numbered, and a detailed content listing is to be provided. The bids should follow a consistent numbering system (volumes, sections, headings, paragraphs, sub- paragraphs, etc.) that allows for easy cross-referencing, both within the proposal and also in terms of clarification questions, etc.

All proposals should be submitted in the format as prescribed and according to the following instructions:

- Only proposals completed in English will be accepted.
- The onus is on the Bidder to submit all relevant information.

**9.4. Number of bid documents to be submitted.**

Each Tender offer communicated on paper shall be submitted as an original, plus one (1) electronic copy on a USB stick.

## 10. CONTRACT PARTICIPATION GOALS – Not Applicable

10.1. Tenderers are required to achieve at least 35% Contract Participation Goals (CPG) including a minimum 25% enterprises from uMngeni-uThukela Water area of operations participation and 10% for Local participation of the value of goods, services and Works paid to one or more targeted enterprises in compliance with uMngeni-uThukela Water's B-BBEE Policy which stipulates that Contract Participation Goals for targeted enterprises will be included for all bids above R 5 000 000.00 excluding VAT and contract price adjustment.

10.2. This will require tenderers to commit as part of their scope of work, a certain value of supplies, services or works for which the tenderer will contract targeted enterprises expressed as 35% of the total contract value

### 10.3. Objective of CPG Programme

The objective of uMngeni-uThukela Water's empowerment initiative is to bring about meaningful transformation in all procurement projects and in particular in the built environment / construction and consulting industry through achieving one or more of the following objectives:

- a) Meaningful Economic Participation;
- b) Local Economic Development;
- c) Transfer of Technical, Management and Entrepreneurial Skills; and
- d) Creation of sustainable Black Enterprises

### 10.4. Contract Participation Goals

Contract Participation Goal (CPG) – the **final** value of services paid to the CPG Partner/s based on the **final** contract value.

At the time of awarding the contract the 35% minimum CPG amount will be based on the contract award value exclusive of the following:

- VAT,
- CPA and
- Contingencies.

During contract implementation, adjustments relating to Provisional Sums and Contingencies linked to the CPG allocation will be agreed upon between the parties to the contract, as and when the need arises.

**CPG Partner/s** – Service provider/s selected from uMngeni-uThukela Water's Supply Chain Management (SCM) Enterprise Development Database. However, should the database not contain suitable CPG Partner/s, the tenderer may propose suitable CPG Partner/s for uMngeni-uThukela Water's consideration.

Tenderers (the main Service Provider irrespective of B-BBEE classification) who are on uMngeni-uThukela Water's SCM Enterprise Development Database are not exempt from this requirement and are still required to have a CPG Partner.

Tenderers are required to achieve at least 35% Contract Participation Goals (CPG) including a minimum 25% for enterprises from uMngeni-uThukela Water area of operation participation and 10% for Local participation of the value of goods, services and Works paid to one or more enterprises (CPG Partner/s)

- 35% includes any special materials
- 35% excludes VAT, CPA and Contingencies.
- The tenderer will be required to achieve the actual Rand value committed for CPG, adjusted according to the following:

- Variation Orders – Each VO will be evaluated by the Employer's Agent and the Project Manager to determine whether it should be counted, in its entirety or partially, as part of CPG or not.
- Re-measurable Items (including CPA, and provisional sums) – Each re-measurable item change will be evaluated by the Employer's Agent and the Project Manager to determine whether it should be counted as part of CPG or not.

Within 2 weeks of the award of contract, the tenderer will be required to submit a cash flow projection for the main contractor and the CPG Partner/s

#### 10.5. Applicability

The CPG target is applicable to all contracts to be adjudicated through the uMngeni-uThukela Water procurement process and shall be achieved through the following mechanisms:-

- a) CPG Partner/s selection is concluded **after** adjudication of tenders and **before** contract award is made.  
The CPG Partner/s shall be selected according to the following criteria:
  - (i) CPG Partner/s are to be sourced from uMngeni-uThukela Water's database of Service Providers specifically earmarked for CPG purposes. This is for the 25% worth of work
  - (ii) 10% will come from the database sourced in the project footprint also referred to as Local participation
- b) Sub-contracting of the CPG Partner/s at the same rate / price that the tenderer would have offered to uMngeni-uThukela Water whilst making profit margins consistent to the profit margins that the main Service Provider would have made under normal trading processes.
- c) Value of the work to be sub contracted shall be at least **35% (minimum of 25% shall be from uMngeni-uThukela Water area of operation participation and 10% for Local participation)** of the total contract value excluding VAT, CPA and Contingencies.
- d) CPA is payable to the CPG Partner/s as per the indices stipulated in the contract document.
- e) The work allocated to the CPG Partner shall be performed by the CPG Partner directly and may not be allocated or sub-contracted out to other contractors/consultants/service providers.
- f) The main Service Provider **shall not** substitute or remove any CPG Partner/s without the written approval of uMngeni-uThukela Water.
- g) The working capital arrangements between the main Service Provider and the CPG Partner/s must be agreed upon between the two parties prior to commencement of works to ensure that the CPG Partner does not have cash flow challenges during contract implementation.
- h) Before the commencement of work, the main contractor shall furnish the CPG Partner/s shall be furnished with the letter of appointment providing the details of the their scope and a subcontracting agreement must be place.

#### 10.6. Invoicing and Payment

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

- a) Submission of payment certificate by the Service Provider– by 25<sup>th</sup> of each month, or the nearest previous working day. The submission from the Service Provider shall include the signature of the CPG Partner indicating agreement with the measurements and rates applicable to the work undertaken by the CPG Partner
- b) Payment to the Service Provider – on the last day of the following month;
- c) The CPG Partner must be paid within reasonable time but no later than 3 working days after the Main Service Provider has been paid by uMngeni-uThukela Water; and
- d) The submission from the Service Provider must include a schedule that clearly shows the following:
  - (i) Total Contract Sum
  - (ii) Total amount payable to CPG Partner/s excluding current month
  - (iii) Amount payable to CPG Partner for current month
  - (iv) % split of Total amount payable to Main Service Provider and CPG Partner/s
  - (v) The CPG Partner/s invoice