

Ubuntu Municipality



*menswaardigheid - hoop - erfenis
ubuntu - ithemba - izithethe
humanity - hope - heritage*

**SUPPLY AND INSTALLATION OF 1000 L/HR R.O.
PACKAGE PLANT IN MERRIMAN**

TENDER NO. UB/MRN/01/2021

TENDERER:

.....

TELEPHONE:

FAX:

.....

.....

**TOTAL PRICE
(INCL. VAT)**

**CONTRACT
PERIOD**

.....

.....

CLOSING DATE

TIME

.....

.....

Ubuntu Municipality



*menswaardigheid - hoop - erfenis
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humanity - hope - heritage*

COMPILED FOR:

Ubuntu Municipality
Acting Municipal Manager
Mr D. Maposa
78 Church Street
Victoria West
7070
Private BagX329
Victoria West
7070

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

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TENDER NO. UB/MRN/01/2021

PART T1: TENDERING PROCEDURES

T1.1 Tender Notice and Invitation to Tender

T1.2 Tender Data

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

T1.1 : TENDER NOTICE AND INVITATION TO TENDER

UBUNTU MUNICIPALITY

Ubuntu Municipality



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TENDER NO: UB/MRN/01/2021

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NOTICE AND INVITATION TO TENDER

The Ubuntu Municipality invites tenderers from Mechanical Engineering Contractors for the SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN.

Only those tenderers who are actively registered with the CIDB, in a contractor grading designation equal to or higher than the latest CIDB promulgated contractor grading designation, determined in accordance with the sum tendered will be eligible to tender. The project is estimated that the contractor grading designation must be **3ME or higher**. Only tenderers who satisfy the eligibility criteria stated in the Tender Conditions and Tender Data are eligible to submit tenders.

The Ubuntu Municipality Procurement and Supply Chain Management Policies, the Preferential Procurement Policy Framework Act, Act No 5 of 2000 and the regulations promulgated under this act shall apply in the adjudication and awarding of the tender.

Forms MBD4, 8, 9 to be fully completed and attached. Proof that both the accounts of the directors and the business do not owe the municipality must be attached. Tender documents must be clearly flagged and referenced.

Queries relating to these documents may be addressed directly to Mr. A. Botha, Tel No. (053) 6210 026, Cell No. 079 378 5984, e-mail: bothaalvon@gmail.co.za.

Tender documents will be available from Friday, **14 January 2021 on the municipal website**.

This is a re-advertisement and all applicants who applied previously should apply again, previously received bids will not be considered.

Sealed tenders, endorsed with the corresponding tender number and description, must be placed in the tender box of Ubuntu Municipality. Postal delivery to reach Ubuntu Municipality, Private Bag X329, Victoria West, 7070, not later than **12h00 on 28 January 2020**, after which the tenders will be opened in public. Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted, and incomplete tenders and tenders received late will not be considered.

The Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept the whole or only part of the tender if; (a) the tender-amounts received are too high; (b) the tenderers do not comply with the specific tender goals; or (c) objective criteria exist which justify or necessitate the non-acceptance of any tenders. The 80/20 preference point scoring system will be used for the tenders.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

Tender No UB/MRN/01/2021

Mr R.A. Jacobs
78 Church Street
Victoria West
7070

Private Bag X329
Victoria West
7070

14 January 2021

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT

TENDER NO. UB/MRN/01/2021

T1.2 : TENDER DATA

The Conditions of Tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (refer: www.cidb.org.za) and included as Appendix A in this document.

The Standard Conditions of Tender make several references to the Tender Data. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

Clause	Wording
F.1.1	The employer is Ubuntu Municipality
F.1.2	The tender documents issued by the employer comprise of those listed in the contents page.
F.1.4	The Employer is: Name: Ubuntu Local Municipality Address: 78 Church Street, Victoria West, 7070 Tel: (053) 6210 026 E-mail: tphbphillips@gmail.com
F.2.1.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders: a) availability of resources. b) availability of skills to manage and perform the contract (assigned personnel). c) quality achievements on a minimum of three (3) previous contracts of a similar nature. d) previous experience on a minimum of three (3) contracts of a similar nature.
F.2.1.1.2	Only those tenderers who are registered with the CIDB, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations, for a 3ME class of construction work, are eligible to have their tenders evaluated Joint Ventures are eligible to submit tenders provided that: 1. every member of the joint venture is registered with the CIDB; 2. the lead partner has a contractor grading designation in the 3 ME class of construction work; 3. the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor

Clause	Wording
	<p>grading designation determined in accordance with the sum tendered for a 3ME class of construction work or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.</p> <p>Notwithstanding the above, tenderers who are capable of being so registered prior to the evaluation of submissions may be evaluated at the sole discretion of the Employer.</p>
F.2.7	<p>No clarification meeting will be held</p> <p>Location:</p> <p>Date:</p> <p>Starting time:</p>
F.2.12	<p>If, a tenderer wishes to submit an alternative offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in development of pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.</p>
F.2.13.5 F.2.15.1	<p>The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: Ubuntu Municipality</p> <p>Physical address: 78 Church Street VICTORIA WEST</p> <p>Postal address: P/Bag X327, VICTORIA WEST, 7070</p> <p>Identification details: "CONTRACT NO. UB/MRN/01/2021: SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN"</p>
F.2.13 / F.3.5	A two-envelope procedure will not be followed.
F.2.15	The closing time for submission of tender offers is: 12:00 on 28 January 2020
F.2.15	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted
F.2.16	The tender offer validity period is 90 days.
F.2.22	Return all retained tender documents within twenty-eight (28) days after the expiry of the validity period.
F.2.23 F2.23.1	<p>The tenderer is required to submit the following certificates with his tender:</p> <p>Tax Clearance Certificate</p> <p>Tenderers shall be registered and in good standing with the South African Revenue Service (SARS) and shall submit documentary evidence in the form of an original valid Tax Clearance Certificate issued by SARS or proof that he or she has made arrangements with SARS to meet his or her outstanding tax obligations.</p> <p>Each party to a Consortium/Joint Venture shall submit a separate Tax Clearance Certificate,</p>

Clause	Wording									
F2.23.2	<p>or proof that he or she has made the necessary arrangements with SARS.</p> <p>Either a Certificate of Contractor Registration issued by the Construction Industry Development Board OR a copy of the application Form for registration in terms of the Construction Industry Development Board Act (Form F006)</p>									
F.3.2	<p>Issue addenda</p> <p><i>Add the following to F.3.2:</i></p> <p>Notwithstanding any requests for confirmation of receipt of Addenda issued, the tenderer shall be deemed to have received such addenda if the employer can show proof of transmission thereof (or a notice in respect thereof) via electronic mail, facsimile or registered post.</p>									
F.3.4	<p>The time and location for opening of the tender offers are:</p> <p>Time: 12h00 on 28 January 2020</p> <p>Location: Ubuntu Municipality, Victoria West</p>									
F.3.11	<p>The procedure for the evaluation of responsive tenders is Method 2.</p> <p>Scoring the financial offer:</p> <p>The financial offer will be scored using Formula $\frac{1}{2}$* (Option 1) where the value of W_1 is:</p> <ol style="list-style-type: none"> 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R50 000 000; or 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R50 000 000. 3) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and therefore 80/20 system shall be applicable. 4) Preference points for this bid shall be awarded to: <ol style="list-style-type: none"> a) Price; and b) B-BBEE Status Level of Contribution <p>Points awarded for Price</p> <p>The 80/20 OR 90/10 Preference Point System</p> <p>A maximum of 80 or 90 points is allocated for price on the following basis:</p> <p style="text-align: center;">80/20 or 90/10</p> $P_s = 80 \quad P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$ <p>Where:</p> <p>P_s = Points scored for comparative price of bid under consideration</p> <p>P_t = Comparative price of bid under consideration</p> <p>P_{min} = Comparative price of lowest acceptable bid</p> <p>Points awarded for B-BBEE Status Level of Contribution</p> <p>In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations as published in Government Gazette Nr.40553 dated 20 January 2017, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:</p>									
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">B-BBEE Status Level of Contributor</th> <th style="text-align: center;">Number of points (90/10 system)</th> <th style="text-align: center;">Number of points (80/20 system)</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">10</td> <td style="text-align: center;">20</td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: center;">9</td> <td style="text-align: center;">18</td> </tr> </tbody> </table>	B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)	1	10	20	2	9	18
B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)								
1	10	20								
2	9	18								

Clause	Wording		
	3	6	14
	4	5	12
	5	4	8
	6	3	6
	7	2	4
	8	1	2
	Non-compliant contributor	0	0
	Scoring preferences:		
F.3.13.1	<p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> a) the offer section of the “Form of Offer and Acceptance” (Part C1.1) is fully completed and signed; b) the tenderer submitted with the tender offer an original valid Tax Clearance Certificate issued by the South African Revenue Services; c) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation; d) the tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges; e) the tenderer or any of its directors is not listed in the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and f) the tenderer has not: <ul style="list-style-type: none"> i) abused the Employer’s Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect; and g) has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer’s ability to perform the contract in the best interests of the employer or potentially comprise the tender process. h) the tender satisfies the eligibility criteria as per F.2.1.1 above. 		
F.3.18	The number of paper copies of the signed contract to be provided by the Employer is 1		
	<p>The additional conditions of tender are:</p> <ol style="list-style-type: none"> 1. Prices must be valid for 90 days and must be inclusive of VAT 2. Tenders need a valid Tax Clearance Certificate for tender. In no certificate is available, the tender will be rejected. 3. Proof of CIDB registration is 3ME or higher is required. If no certificate is available, the tender will be rejected. 4. The lowest or any tender will not necessarily be accepted. 		

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TENDER NO. UB/MRN/01/2021

PART C1 : AGREEMENT

- C1.1 Form of Offer and Acceptance**
- C1.2 Returnable Documentation**
- C1.3 Procurement**
- C1.4 Contract Data**

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

C1.1 : FORM OF OFFER AND ACCEPTANCE

1. OFFER

The employer, identified in the acceptance signature block, has solicited offers to enter a contract for the procurement of:

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

The Tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in all the schedules, and by submitting this offer has accepted the conditions of the quotation.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the contract data.

The offered total of the prices inclusive of Value-Added Tax is
..... Rand (in words); R.....(in figures)

This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the document, whereupon the tenderer becomes the party named as the contractor in terms of the conditions of contract identified in the contract data.

Signature(s)
Name(s)
Capacity

for the **TENDERER**.....
(Name and address of organization)

Name
of witness

Signature
of witness Date

2. ACCEPTANCE

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract are contained in

Part C1: Agreements and contract data (which includes this agreement)

Part C2: Pricing data

Deviations from and amendments to the documents listed in the quotation data and any addenda thereto, as listed in the schedules as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall, within two weeks after receiving a completed copy of this agreement including the schedule of deviation (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of the obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor), within five (5) working days of the date of such receipt, notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.¹

Signature(s)
Name(s)
Capacity

for the **Employer** UBUNTU MUNICIPALITY
PRIVATE BAG X329
VICTORIA WEST
7070

Name
of witness

Signature
of witness

Date

3. SCHEDULE OF DEVIATIONS

Notes:

- 1. The extent of deviations from the documents issued by the employer before the closing date is limited to those permitted in terms of the conditions of the quotation.
- 2. A tenderer’s covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, be the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here.
- 3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents, and which it is agreed by the Parties becomes an obligation of the contract, shall also be recorded here.
- 4. Any change or addition to the documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the contract.

- 1. Subject
 Details
- 2. Subject
 Details
- 3. Subject
 Details
- 4. Subject
 Details
- 5. Subject
 Details

By the duly authorized representatives signing this schedule of deviations, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the quotation data and addenda thereto as listed in the schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

Signature(s)

for the **Tenderer**
(Name and address of organization)

Signature(s)

for the **Employer**, Ubuntu Municipality, Private Bag X329, Victoria West, 7070

UBUNTU MUNICIPALITY
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TENDER NO. UB/MRN/01/2021

C1.2 : LIST OF RETURNABLE DOCUMENTS
--

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable are required for the purpose of evaluating the quotations, some will form part of the subsequent contract, as they form the basis of the quotation offer. For this reason, it is very important that tenderers return **all information requested**.

**1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES
(included hereafter for completion)**

Schedule A	Contractors Information
Schedule B	Compulsory Enterprise Questionnaire
Schedule C	Authority of signatory
Schedule D	Personnel Schedule
Schedule E	Schedule of Plant and Equipment available for the contract
Schedule F	Schedule of Work Experience
Schedule G	Certificate of Attendance at Clarification Meeting
Schedule H	Declaration Concerning Fulfillment of the Construction Regulations, 2003
Schedule I	Preference Claim Form In Terms of The Preferential Procurement Regulation of 2011 (MBD 6.1)
Schedule J	Declaration of Interest (MBD 4)
Schedule K	Declaration of Bidder's Past Supply Chain Management Practices (MBD 8)
Schedule L	Certificate of Independent Bid Determination (MBD 9)

2. OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES

Schedule M	Original Valid Tax Clearance Certificate
Schedule N	Company Profile including Curriculum Vitae of Key-personnel
Schedule O	Certificate of Contractors Registration issued by the CIDB
Schedule P	Payment of Municipal Accounts
Schedule Q	Bank Rating Certificate

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SCHEDULE A: CONTRACTOR'S INFORMATION

COMPLETE AS FULLY AS POSSIBLE, WHERE APPLICABLE

CONTRACTORS, SUPPLIERS AND SERVICES PROVIDERS (PROFESSIONAL AND NON-PROFESSIONAL) PART ONE

1.0 NAME OF COMPANY

2.0 ADDRESS: PHYSICAL

POSTAL

WEBSITE http

E-MAIL

2.1 PHYSICAL ADDRESS IN LOCAL AREA (if applicable)

CODE

--

CONTACT PERSON (NAME & DETAILS)

TELEPHONE

--

FAX

--

CELL PHONE

--

3.0 SECTOR (eg Construction)

3.1 NATURE OF BUSINESS (eg Plumbing)

1.

2.

11.0 PROFESSIONALS ATTACHED TO THE CONCERN WITH QUALIFICATIONS (Name and Qualification)

Initials	Qualifications	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
Initials	Qualifications	Surname
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

PART 2

12.0 NAMES AND NUMBERS OF DIRECTORS/PARTNERS/MEMBERS - % HOLDING

	Initials	Surname	ID Number	Sex%*	HDI Holding	
1.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
2.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
3.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
4.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
5.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
6.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
7.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO
8.	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	YES/NO

13.0 INDICATE ON WHICH DATE YOUR BUSINESS STARTED ITS CURRENT TYPE OF BUSINESS

<input type="text"/>	<input type="text"/>	<input type="text"/>
----------------------	----------------------	----------------------

*DEFINITION OF HISTORICALLY DISADVANTAGED INDIVIDUAL (HDI) MEANS A SOUTH AFRICAN CITIZEN.

- WHO, DUE TO THE APARTHEID POLICY THAT HAD BEEN IN PLACE, HAD NO FRANCHISE IN NATIONAL ELECTIONS PRIOR TO THE INTRODUCTION OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1983 (ACT NO 110 OF 1983) OR THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1993 (ACT NO 200 OF 1993) ("THE INTERIM CONSTITUTION") AND/OR

• HO IS A FEMALE; AND/OR W

• HO HAS A DISABILITY. W

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SCHEDULE B : COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a joint venture, **separate** enterprise questionnaires in respect of each partner must be completed and submitted.

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record of service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council
<input type="checkbox"/> a member of any provincial legislature
<input type="checkbox"/> a member of the National Assembly or the National Council of Province
<input type="checkbox"/> a member of the board of directors of any municipal entity
<input type="checkbox"/> an official of any municipality or municipal entity | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
<input type="checkbox"/> a member of an accounting authority of any national or provincial public entity
<input type="checkbox"/> an employee of Parliament or a provincial legislature |
|--|---|

If any of the above boxes are marked, disclose the following: (insert separate page if necessary)

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months

* Insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> an official of any municipality or municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |

Name of spouse, child or parent	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		current	Within last 12 months

* Insert separate page if necessary

The undersigned, who warrants that he/she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed _____ Date _____

Name _____ Position _____

Enterprise name _____

* The schedule should be used where tenders are subject to the local Government: Municipal Finance Management Act

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT

TENDER NO. UB/MRN/01/2021

SCHEDULE C : AUTHORITY FOR SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category and attach any supporting documentation to the relevant schedule.

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation

A. Certificate for Company

I,, chairperson of the board of directors of
....., hereby confirm that by resolution of the board
(copy attached) taken on 20...., Mr/Ms
acting in the capacity of, was authorized to sign all documents in
connection with this tender and any contract resulting from it on behalf of the company.

As witnesses:

- 1. Chairman :
- 2. Date :

B. Certificate for Partnership

We, the undersigned, being the key partners in the business trading as
..... hereby authorize Mr/Ms
acting in the capacity of to sign all documents in connection
with the tender for Contract and any contract resulting from it on
our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE : This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole

C. Certificate for Joint Venture

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms , authorised signatory of the company , acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY
Lead partner		

D. Certificate for Sole Proprietor

I, hereby confirm that I am the sole owner of the business trading as

As witnesses:

1. _____ Signature: Sole owner : _____
 2. _____ Date : _____

E. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as hereby authorize Mr/Ms acting in the capacity of , to sign all documents in connection with the tender for Contract and any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

NOTE: This certificate is to be completed and signed by all of the key-partners upon who rests the direction of the affairs of the Partnership as a whole.

UBUNTU MUNICIPALITY
SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT
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SCHEDULE F: SCHEDULE OF WORK EXPERIENCE

The following is a statement of similar work successfully executed by myself / ourselves:

Employer, contact person and telephone number	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed

Signed Date

Name Position

Tenderer

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT

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SCHEDULE H: DECLARATION CONCERNING FULFILMENT OF THE CONSTRUCTION REGULATIONS, 2014

In terms of regulation 4(4) of the Construction Regulations, 2014 (hereinafter referred to as the Regulations), promulgated on 18 July 2003 in terms of Section 43 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993) the Employer shall not appoint a contractor to perform construction work unless the Contractor can satisfy the Employer that his/her firm has the necessary competencies and resources to carry out the work safely and has allowed adequately in his/her tender for the due fulfilment of all the applicable requirements of the Act and the Regulations.

Tenderers shall answer the questions below:

1. I confirm that I am fully conversant with the Regulations and that my company has (or will acquire/procure) the necessary competencies and resources to timeously, safely and successfully comply with all of the requirements of the Regulations.

(Tick)

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

2. Indicate which approach shall be employed to achieve compliance with the Regulations.

(Tick)

Own resources, competent in terms of the Regulations (refer to 3 below)	<input type="checkbox"/>
Own resources, still to be hired and/or trained (until competency is achieved)	<input type="checkbox"/>
Specialist subcontract resources (competent) - Specify:	
.....	
.....	
.....	
.....	
.....	

3. Provide details of proposed key persons, competent in terms of the Regulations, who will form part of the Contract team as specified in the Regulations (CVs to be attached):

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

4. Provide details of proposed training (if any) that will be undergone:

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

5. List potential key risks identified and measures for addressing risks:

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

6. I have fully included in my tendered rates and prices (in the appropriate payment items provided in the Schedule of Quantities) for all resources, actions, training and any other costs required for the due fulfilment of the Regulations for the duration of the construction and defects repair period

(Tick)

YES	
NO	

SIGNATURE OF PERSON(S) AUTHORISED TO SIGN THIS TENDER:

1. ID NO:
(Name in Print):

2. ID NO:
(Name in Print):

UBUNTU MUNICIPALITY
SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT
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SCHEDULE I: PREFERENTIAL PROCUREMENT SCHEDULE
--

MBD 6.1

**THE TENDERER MUST ATTACH TO THIS PAGE A CERTIFIED COPY OF A VALID
B-BBEE RATING CERTIFICATE**

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2017**

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, 2017.

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 The value of this bid is estimated to exceed/not exceed R50 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

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

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

	POINTS
1.3.1.1 PRICE
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

- 1.5. 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

“B-BBEE” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

“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;

“black designated groups” has the meaning assigned to it in the codes of good practice issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

“black people” has the meaning assigned to it in section 1 of the Broad-Based Black Economic Empowerment Act;

“Broad-Based Black Economic Empowerment Act” means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

“co-operative” means a co-operative registered in terms of section 7 of the Cooperatives Act, 2005 (Act No. 14 of 2005);

“designated group” means-

(a) black designated groups;

(b) black people;

(c) women;

(d) people with disabilities; or

(e) small enterprises, as defined in section 1 of the National Small Enterprise Act, 1996

(Act No. 102 of 1996);

“designated sector” means a sector, sub-sector or industry or product designated in terms of regulation 8(1)(a);

“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;

“functionality” means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents;

“military veteran” has the meaning assigned to it in section 1 of the Military Veterans Act, 2011 (Act No. 18 of 2011);

“National Treasury” has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

“people with disabilities” has the meaning assigned to it in section 1 of the Employment Equity Act, 1998 (Act No. 55 of 1998);

“price” includes all applicable taxes less all unconditional discounts;

“proof of B-BBEE status level of contributor” means-

(a) the B-BBEE status level certificate issued by an authorized body or person;

(b) a sworn affidavit as prescribed by the B-BBEE Codes of Good Practice; or

(c) any other requirement prescribed in terms of the Broad-Based Black Economic

“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;

“Rand value” means the total estimated value of a contract in Rand, calculated at the time of the tender invitation;

“rural area” means-

(a) a sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area; or

(b) an area including a large settlement which depends on migratory labour and remittances and government social grants for survival, and may have a traditional land tenure system;

“stipulated minimum threshold” means the minimum threshold stipulated in terms of regulation 8(1)(b);

“the Act” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

“township” means an urban living area that any time from the late 19th century until 27 April 1994, was reserved for black people, including areas developed for historically disadvantaged individuals post 27 April 1994;

“**treasury**” has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999); and
“**youth**” has the meaning assigned to it in section 1 of the National Youth Development Agency Act, 2008 (Act No. 54 of 2008).

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects; the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 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

- Ps = Points scored for comparative price of bid under consideration
- Pt = Comparative price of bid under consideration
- Pmin = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (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

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)
- 8.1.1 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? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

- 9.1 Name of firm :
- 9.2 VAT registration number :

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation
 - Company
 - (Pty) Limited
- [TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

9.6 COMPANY CLASSIFICATION

- Manufacturer
 - Supplier
 - Professional service provider
 - Other service providers, e.g. transporter, etc.
- [TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

9.9 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 contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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.

.....

SIGNATURE(S) OF BIDDER(S)

2.

DATE:

ADDRESS:

.....

.....

UBUNTU MUNICIPALITY
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SCHEDULE J: DECLARATION OF INTEREST (MBD 4)

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 3.1 Full Name:
 - 3.2 Identity Number:
 - 3.3 Company Registration Number:
 - 3.4 Tax Reference Number:
 - 3.5 VAT Registration Number:
 - 3.6 Are you presently in the service of the state* **YES / NO**
 - 3.6.1 If so, furnish particulars.
.....
 - 3.7 Have you been in the service of the state for the past twelve months? **YES / NO**
 - 3.7.1 If so, furnish particulars.
.....

* MSCM Regulations: "in the service of the state" means to be –

- (a) a member of –
 - (i) any municipal council;
 - (ii) any provincial legislature; or
 - (iii) the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.8.1 If so, furnish particulars.

.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.9.1 If so, furnish particulars

.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.10.1 If so, furnish particulars.

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state? **YES / NO**

3.11.1 If so, furnish particulars.

.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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**SCHEDULE K: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN
MANAGEMENT PRACTICES (MBD 8)**

MBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

**I, THE UNDERSIGNED (FULL NAME)
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE
AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE
TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

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SCHEDULE L: CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

MBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.

- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. E ach person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. F or the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. T he 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 consortium³ will not be construed as collusive bidding.

7.

In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:

- (a) prices; p
- (b) geographical area where product or service will be rendered (market allocation) g
- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;

MBD9

- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8.

In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9.

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 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.

10.

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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js 9141w 4

UBUNTU MUNICIPALITY
SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT
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SCHEDULE M: ORIGINAL <u>VALID</u> TAX CLEARANCE CERTIFICATE
--

Tenderers who wish to submit tenders are to be registered on the Central Suppliers Database of SARS, therefore proof of registration will do by submitting a Tax Compliance Status Letter.

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SCHEDULE N: COMPANY PROFILE INCLUDING CURRICULUM VITAE OF KEY-PERSONNEL
--

The tenderer must attach to this page a Company Profile including Curriculum Vitae of key personnel.

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SCHEDULE O: CERTIFICATE OF CONTRACTORS REGISTRATION ISSUED BY THE CIDB

The tenderer must attach to this page a copy of the Contractors Registration certificate issued by the Construction Industry Development Board.

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SCHEDULE P: PAYMENTS OF MUNICIPAL ACCOUNTS

In terms of the Municipal Preferential Procurement Policy, tenderers must ensure that they are up-to-date with their payments of municipal accounts.

The tenderer must attach to this page, a copy of the latest Municipal account.

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SCHEDULE Q : BANK RATING CERTIFICATE

In terms of the CIDB procurement guidelines commercial risk should be considered before appointment of a service provider. Tenderers must ensure that they are compliant with financial bank classification as to not pose a financial risk to the project.

The tenderer must attach to this page, a bank account rating for the tender amount issued and certified by the banking institution.

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C1.3 : PROCUREMENT

C1.3.1 PREFERENTIAL PROCUREMENT PROCEDURES

C1.3.2 Requirements

The following are conditions by the Employer regarding procurement of the project and will be utilised to adjudicate tenders.

C1.3.3 ACCEPTANCE OR REJECTION OF TENDERS

The Employer does not bind himself to accept the lowest or any tender and reserves the right to accept any tender. No reason for the acceptance or rejection of any tender will be given.

Tenders are considered in terms of the Preferential Procurement Regulations 2011.

C1.3.4 Tax Clearance Certificate

The Tenderer shall submit a valid original Tax Clearance Certificate from the South African Revenue Service ("SARS") certifying the taxes of the Tenderer to be in order or that suitable arrangements have been made with SARS, as stipulated in Regulation 16.

Failure to submit the Tax Clearance Certificate will result in the tender being rendered incomplete and the tender will be rejected.

C1.3.5 Employment Targets

C1.3.5.1 Employment of Local Community Labour

The maximum possible number of workers is to be employed from the currently unemployed persons in the local community.

To this end the Contractor is required to give preference to the use of local community labour and limit the use of non-local to key personnel only.

Key personnel are defined as supervisors and skilled labourers without whom a specific task cannot be executed. As far as possible these people should impart their management and building skills to individuals within the community workforce.

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SUPPLY AND INSTALLATION OF 1000L/HR PACKAGE PLANT IN MERRIMAN

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C1.4: CONTRACT DATA

The General Conditions of Contract for Construction Works make several references to the Contract Data. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the General Conditions of Contract.

Each item of data given below is cross-referenced to the clause in the General Conditions of Contract for Construction Works to which it mainly applies.

PART 1 : DATA PROVIDED BY THE EMPLOYER

Clause	Description
1.1.1.15 1.2.1.2	The Employer is Ubuntu Municipality The Employer's address for receipt of communications and notices is: Telephone: 053 631 0891 Address (Postal) : Private Bag X327 Victoria West 7070 Contact Person: Mr. D. Maposa
1.1.1.16 1.2.1.2	
1.3.2	The governing law is the law of the Republic of South Africa.
1.1.1.12 and 5.8	The special non-working days are public holidays, Sundays and the year-end break. These days will be excluded from time calculations.
5.8	The year-end break will be taken as the days between 16 December 2020 and 4 January 2021.
3.1.3	The Engineer is required to obtain the specific approval of the Employer before

Clause	Description
	executing any of the following functions or duties: a) The issuing of a variation order in terms of clause 6.3.2
4.3.1	Employer, Labour and Occupational Health and Safety compliance required.
6.2	A performance guarantee as security is Not Applicable. 10% Retention will be withheld by the Employer from payments to the Contractor.
5.2	The Contractor shall commence executing the Works within 14 days from the Commencement Date. Commencement Date shall be the date on which an appointment letter or letter of intent is submitted to the successful contractor.
5.6.1	The Contractor shall deliver his programme of work within 14 days from the Commencement Date.
5.13.1	The penalty for failing to complete the Works is R 2 500 (Two Thousand Five Hundred Rand) per day. No maximum limit.
6.8.2	Contract price adjustment will not be applicable and work will be done in one phase, no phased payment will be done. Payment will be done within 30 day after the payment certificate are approved and submitted to the Employer.
6.8.3	Not applicable.
6.10.3	A Retention Money Guarantee is not permitted. The percentage retention on the amounts due to the Contractor is 10%. The limit of retention money is 10% of the contract price and no interest shall be payable to the Contractor upon money withheld.
7.8	The Defects Liability Period is 12 months measured from the date of the Certificate of Completion.
10.5	Dispute resolution shall be by mediation
Additional Clauses	
11	<p>Non-compliance with Engineer's Instructions</p> <p>Should the Contractor fail within reasonable time to carry out the Engineer's instructions regarding any matter whatsoever on which he is authorized to order and direct the Contractor, then without vitiating the Contract and without prejudice to any other remedy the Employer may have under the Contract, the Employer may, after serving notice of its intention on the Contractor, itself take such action or employ others to take such action on its behalf as the Contractor has failed to take on the Engineer's instructions.</p> <p>For this purpose the Employer may use any suitable plant or materials brought on Site by the Contractor. The cost to the Employer of taking action on account of the Contractor's failure to carry out the Engineer's instructions shall be for the Contractor's account and may be recovered from the Contractor by the Employer, but such work shall be valued as if performed by the Contractor in terms of the Contract at Contract rates and included in the payments due to the Contractor.</p>

Clause	Description
12	<p>Implementation of the Occupational Health and Safety Act No. 85 of 1993</p> <p>The Employer and the Contractor hereby agree, in terms of the provisions of Section 37(2) of the Occupational Health and Safety Act, Act no. 85 of 1993 and the relevant Regulations made thereunder, with specific reference to the Construction Regulations of 2014, hereinafter referred to as "the Act", that the Contractor as an Employer in its own right and in its capacity as Contractor for the execution of the Works, shall have certain obligations and that the following arrangement shall apply between them to ensure compliance by the Contractor with the provisions of the Act, namely:</p> <p>i)The Contractor undertakes to acquaint the appropriate officials and the employees of the Contractor with all the relevant provisions of the Act, and the regulations promulgated in terms of the Act, and</p> <p>ii)The Contractor undertakes that all relevant duties, obligations and prohibitions imposed in terms of the Act and regulations will be fully complied with, and</p> <p>iii)The Contractor shall be obliged to report forthwith to the Employer any investigation, complaint, or criminal charge which may arise as a consequence of the provisions of the Act and regulations pursuant to work performed on behalf of the Employer, and shall, on written demand, provide full details in writing of such investigation, complaint or criminal charge.</p>
13	<p>Employment of Labour Force</p> <p>The Contractor shall employ all unskilled labourers required for the execution of the Contract locally from the local residents. The minimum wage for unskilled labourers shall be in accordance with the Basic Conditions of Employment Act, No. 75 of 1997, as published in the Government Gazette from time to time for the Civil Engineering Sector, and for the specific Magisterial District.</p>
14	<p>EXTENSION OF TIME FOR ABNORMAL RAINFALL</p> <p>Extension of time in respect of Clause 5.12 in respect of abnormal rainfall shall be calculated using the following formula for each calendar month or part thereof:</p> $V = (Nw - Nn) + \frac{Rw - Rn}{X}$ <p>Where:</p> <p>V = Extension of time in calendar days in respect of the calendar month under consideration.</p> <p>Nw = Actual number of days during the calendar month on which a rainfall of 10 mm or more has been recorded.</p> <p>Nn = Average number of days in the relevant calendar month, as derived from existing rainfall records, as stated in the Site Information, on which a rainfall of 10 mm or more has been recorded for the calendar month.</p>

	<p>Rw = Actual rainfall in mm recorded for the calendar month under consideration.</p> <p>Rn = Average rainfall in mm for the calendar month as derived from existing rainfall records as stated in the Site Information.</p> <p>For the purpose of this Contract the values of Nn, Rn and X shall be those assigned to them in the Description of Works – Abnormal Rainfall .</p> <p>If V is negative and its absolute value exceeds Nn, then V shall be taken as equal to minus Nn.</p> <p>The total extension of time shall be the algebraic sum of all monthly totals for the period under consideration, but if the total is negative the time for completion shall not be reduced due to subnormal rainfall.</p> <p>Extension of time for part of a month shall be calculated using pro rata values of Nn and Rn.</p> <p>This formula does not take into account flood damage which could cause or concurrent delays and will be treated separately as far as extension of time is concerned.</p> <p>The factor (Nw – Nn) shall be considered to represent a fair allowance for variations from the average in the number of days during rainfall exceeds 10 mm. The factor (Rw – Rn) shall be considered to represent a fair allowance for variations from the average in the number of days which the rainfall did not exceed 10 mm but wet conditions prevented or disrupted work.</p> <p>For the purpose of applying the formula, accurate rain gauging shall be taken at a suitable point on the Site and the Contractor shall at his own expense, take all necessary precautions to ensure that rain gauges cannot be interfered with by unauthorised persons.</p>
15	<p>Preferential Procurement</p> <p>The Tenderer must sub-contract a minimum of 30% to an EME or QSE (BBBEE status level contributor 1) according to the PPPFA, whom is registered with the National Treasury Web Based Central Supplier Database (CSD) and have a CIDB grading of 1 or higher. Within the Bill of Quantities, allowance under Preliminary and General section has been made for any overhead cost that the sub-contractor may require and the tenderer should only add his mark-up on the cost of the sub-contractor to. The Tenderer is responsible to source, appoint, manage and ensure compliance of the sub-contractor for the project on items as identified by the Tenderer.</p>

UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

<p>PART C2: PRICING DATA</p>

C2.1 Pricing Instructions

C2.2 Bill of Quantities

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SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

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C2.1: PRICING INSTRUCTIONS

C2.1.1 PREAMBLE TO THE BILLS OF QUANTITIES

- C2.1.1.1 All prices shall be quoted in the currency of the Republic of South Africa and will be held to be firm unless otherwise stated, in which case sufficient information must be afforded at the time of tendering to indicate the basis on which payments shall be adjusted.
- C2.1.1.2 The tenderer shall enter a price against each item in the schedule of prices. If the tenderer fails to enter a price against any item in the schedule of prices the relevant cost for such item shall be regarded as being covered by other prices in the schedule of prices.
- C2.1.1.3 The prices quoted against each item of these schedules shall cover the full inclusive cost, value added tax excluded, of everything required for the execution of the work under the item plus an apportionment of any costs involved in meeting the obligations and liabilities.
- C2.1.1.4 The tenderers shall calculate value added tax and enter it at the end of the summary of the schedule of prices.
- C2.1.1.5 The prices quoted for the supply of plant and equipment shall include for all handling, loading, transporting and off-loading required for the delivery of the plant and equipment to the site, including in the case of off-site storage for double handling at the store.
- C2.1.1.6 The prices quoted for erection and/or installation shall include for all handling, loading, transporting and off-loading to take plant and equipment to place on site where required, erection, installation, painting, guaranteeing for a period of twenty four (24) months and upholding for a period of twelve (12) months, all as specified.
- C2.1.1.7 The prices quoted for commissioning of plant include for operating, mechanical and electrical testing, adjusting and handing over in a proper working order and for the provision of operating and maintenance manuals, where applicable.
- C2.1.1.8 Any additional charges in connection with off-site storage which there may be over and above the prices quoted in the various sections of this schedule of prices shall be set-out in detail by the tenderer.
- C2.1.1.9 The work of installation, erection and testing of the plant and equipment shall as far as possible be carried out in one continuous operation and the cost of transporting personnel between the Contractors' headquarters and the site will be paid at the quotation amount for same for only one return trip for such continuous operation. No additional payment will be made for any weekend or holiday trips back to the Contractor's headquarters. Additional trips for personnel will only be paid for if authorised, or when requested by the Engineer in writing.
- C2.1.1.10 Amounts allowed for contingencies will be spent in part or as a whole at the sole discretion of the Engineer.
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UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

C2.2: BILL OF QUANTITIES

UB/MRN/01/2021: SUPPLY AND INSTALL OF 1000L/HR PACKAGE PLANT IN MERRIMAN

ITEM	DESCRIPTION	UNIT	QUANT	RATE	AMOUNT
B1	MECHANICAL EQUIPMENT				
B1,1	Raw water feed pumps Duty / standby @1,2 m3/h	Sum	1		
B1,2	Pre-Filtration Silica media	Sum	1		
B1,3	Pre-Filtration Resin softener	Sum	1		
B1,4	Sediment filter for security	Sum	1		
B1,5	RO feed pumps Duty / Standby 1,2 m3/h	Sum	1		
B1,6	Vontron 4040 Membranes with Vessels	Sum	1		
B1,7	Chemical dosing system for descaling	Sum	1		

UB/MRN/01/2021: SUPPLY AND INSTALL OF 1000L/HR PACKAGE PLANT IN MERRIMAN

ITEM	DESCRIPTION	UNIT	QUANT	RATE	AMOUNT
C1	INSTALLATION				
C1,1	Transporting Container Plant to Merriman	Sum	1		R
C1,2	Testing of RO plant and water lab results	Sum	1		R
C1,3	Commissioning	Sum	1		R
C1,4	Training	Sum	1		R
C1,5	O&M Manuals	Sum	1		R
	TOTAL CARRIED TO SUMMARY PAGE				R

UB/MRN/01/2021: SUPPLY AND INSTALL OF 1000L/HR PACKAGE PLANT IN MERRIMAN

SUMMARY SCHEDULE

SECTION	DESCRIPTION	AMOUNT
A	PRELIMINARY AND GENERALS	R
B	MECHANICAL EQUIPMENT	R
C	INSTALLATION	R
D	Contingencies @ 10%	R
TOTAL OF SCHEDULE		R
PROVISION FOR VAT ON ITEMS 15%		R
TOTAL TENDER SUM (including VAT)		R

UBUNTU MUNICIPALITY

UPGRADING OF BULK WATER SUPPLY PIPELINE IN MERRIMAN

TENDER NO. UB/VW/09/2020

<p>PART C3: SCOPE OF WORKS</p>

- C3.1 Description of the Works**
 - C3.2 Engineering**
 - C3.3 Project Specifications**
 - C3.4 Construction Management**
 - C3.5 Annexures**
 - C3.5.1 OHS**
 - C3.5.2 Drawings**
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UBUNTU MUNICIPALITY

SUPPLY AND INSTALLATION OF 1000L/HR R.O. PACKAGE PLANT IN MERRIMAN

TENDER NO. UB/MRN/01/2021

C3.1: DESCRIPTION OF THE WORKS

EMPLOYER'S OBJECTIVES

The employer's objectives are to supply and installation of a 1000L/hr R.O. package plant in Merriman

The site is within the existing town of Victoria West and can be reached via existing surfaced roads and gravel roads.

OVERVIEW OF THE WORKS

The contract comprises of the following:

- Supply and install 1000L/hr R.O. Plant
- Supply and install 5000 L balancing tank.
- Commissioning of R.O. Plant.
- Instrumentation (Telemetry signalling)
- Training of municipal staff on operation and maintenance of the R.O. Plant

EXTENT OF THE WORKS

Work included in this contract involves the following:

- a) Supply and install 1000 L/hr R.O. Package Plant
- b) Supply and install 5000 L balancing tank
- c) Commissioning of the R.O. Plant.
- d) Instrumentation (Telemetry Signalling)
- e) Cleaning and tidying up of site.

Construction methods must be such that no property or life is endangered. The Employer accepts no responsibility for work that is done outside the site boundaries without the Engineer's approval.

The compilation of the construction programme and any amendments thereto during the course of construction shall be at the cost of the Contractor and shall not be measured elsewhere in this contract.

LOCATION OF WORKS

Merriman is situated in the area of Ubuntu Municipality, 63 km from Victoria West.

The exact location of the site is as follows:

Latitude (S) 31°12'52"

Longitude (E) 23°36'44"

Access to the site is via existing surfaced roads.

ABNORMAL RAINFALL

The source for rainfall statistics shall be taken as listed in WB 40 of the Weather Bureau, Department of Environment Affairs, for the determination of Rn and Nn as specified in GCC 5.12.2.2 (see Contract Data (Part 1)).

The Contractor shall keep daily rainfall records and submit them to the Engineer at every site meeting. No additional costs shall be made for the supply and installation of the rain gauge or for the keeping of the rainfall records and all costs must be included in the appropriate items.

Add the following to GCC 5.12.2.2

a) Abnormal climatic conditions

No extension of the time for completion shall be granted on the grounds of normal rainfall conditions, but extension of time in terms of clause 5.12.2.2 of the General Conditions of Contract (2015) on the grounds of abnormal rainfall or wet conditions shall be calculated separately for each calendar month or part thereof, according to the following formula. It shall be calculated as follows for the time of completion, including any extension thereof:

$$V = (Nw - Nn) + \frac{RW - Rn}{X}$$

V = Extension of time for calendar days of the calendar month concerned.

If the Value of V is negative and the absolute value thereof is greater than Nn, V is taken as negative Nn.

Nw = Actual number of days during calendar month on which a rainfall of 10 mm or more is recorded.

Nn = Average number of days in the calendar month concerned on which a rainfall of 10 mm or more is recorded in terms of existing rainfall data.

Rw = Actual rainfall for the calendar month concerned in mm

Rn = Average rainfall for the calendar month in mm deduced from existing rainfall data.

The total extension of time is the algebraic sum of the monthly totals for the period concerned. Extension of time for parts of a month shall be calculated by using pro rata values of Nn and Rn. If the algebraic sum of the monthly totals is negative, no reduction of the time for completion as a result of rainfall shall be applicable.

This formula does not take any delays as a result of flood damage, which may cause further or simultaneous delays, into consideration and flood damage shall be treated separately for purposes of extension of time for completion.

The factor (Nw – Nn) is considered as a fair allowance for deviation from the normal for the number of days on which the rainfall exceeds 10 mm. The factor (Rw – Rn) /X is considered as a fair allowance for deviation from the normal for the number of days on which the rainfall does not exceed 10 mm, but on which wet conditions will hamper or disrupt work.

For the purpose of this Contract the values of Nn, Rn and X shall be the following:

Rainfall Station: Victoria West-TNK

Average Rainfall: 155 mm per year

Average number of days with Rainfall exceeding 10 mm: 4.1 days / year

MONTH	Nn	Rn
January	1.9	47.6
February	1.7	52.1
March	2.0	50.3
April	0.9	26.1
May	0.6	16.4
June	0.3	10.6
July	0.1	6.2
August	0.3	8.2
September	0.3	8.3
October	0.6	17.4
November	0.7	19.6
December	1.1	25.9
TOTAL	4.1	288.7

X = 20

Y = 10

