



**BREEDE-OLIFANTS**  
CATCHMENT MANAGEMENT AGENCY

## **BREEDE-OLIFANTS CATCHMENT MANAGEMENT AGENCY**

### **TERMS OF REFERENCE**

**RFP2024/07**

**DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE-OLIFANTS WATER MANAGEMENT AREA**

NAME OF THE BIDDER

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**DOCUMENT INFORMATION SHEET**

<b>Title of Document</b>	<b>REQUEST FOR PROPOSAL (RFP): DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE-OLIFANTS WATER MANAGEMENT AREA</b>
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<b>Department</b>	<b>WATER RESOURCE MANAGEMENT</b>
<b>Prepared for</b>	<b>Breede- Olifants Catchment Management Agency</b>
<b>Closing Date</b>	<b>30 January 2025</b>

**TERMS OF REFERENCE**

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<b>PROJECT TITLE</b>	<b>DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE-OLIFANTS WATER MANAGEMENT AREA</b>
<b>BID NUMBER</b>	
<b>ENQUIRIES</b>	<b>Mrs Prudence Mahlaba (023) 346 8000, pmahlaba@bocma.co.za</b>

**ADMINISTRATIVE REQUIREMENTS**

The following documents needs to be completed and signed. Service providers will not be afforded an opportunity to change the SBD 3.3 after the closing date.

DESCRIPTION	MINIMUM PROOF REQUIRED	TICK SUPPLIED	
		YES	NO
Tax Compliance Status	Proof of Tax clearance Certificate		
Completed and signed Compulsory Declaration of Interest Form			
SBD1	Completed, signed and submitted		
SBD 3.3	Completed, signed and submitted		
SBD 4	Completed, signed and submitted		
SBD 6.1	Completed, signed and submitted		
Company registration certificate CIPRO / CIPC	Company registration documents / certificate from CIPRO / CIPC		
Company profile	Detailed company profile		
Financial Statements (valid year is between (year ending 2022,2023 and 2024	Financial Statement for the last 3 financial years (Financial statement signed off by an independent professional accountant)		
Valid COIDA certificate	Valid COIDA certificate		
Company Resolution Letter	Completed and Signed		

# **TERMS OF REFERENCE FOR THE DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE- OLIFANTS WATER MANAGEMENT AREA.**

## **1. BACKGROUND INFORMATION**

### **1.1. BACKGROUND TO THE DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE-OLIFANTS WATER MANAGEMENT AREA**

The establishment of Catchment Management Agencies (CMAs) is an important building block in the development of appropriate institutional arrangements for managing South Africa's water resources. The aim of establishing CMAs is to decentralise responsibility for managing water resources so that water users and stakeholders can play their part in the management process.

CMAs have jurisdiction in Water Management Areas.

One of the initial functions of a CMA (National Water Act, Section 80(b)) is to develop a Catchment Management Strategy (CMS), which is the framework for water resources management in a Water Management Area (WMA). The development of a CMS is described in the Guidelines for Catchment Management Strategies (DWAF, 2007).

The then Breede-Overberg Catchment Management Agency (BOCMA) being a 3A Public Entity was established in July 2005 in fulfilment of the requirement of the National Water Act (NWA). The Governing Board of the CMA was only elected and appointed in 2008, whereas the CEO appointed in 2009, followed by staffing from 2009/2010. As part of its initial functions, the BOCMA developed a Catchment Management Strategy for its area of jurisdiction (Breede Water Management Area). The developed Catchment Management Strategy was adopted by the BOCMA Board on 7 March 2011.

In 2013 the 19 Water Management Areas in the country were reduced from 19 to 9. Accordingly, in terms of the Government Gazette Notice No. 37677 of 23 May 2014 the Breede and Gouritz Water Management Areas were combined into the Breede-Gouritz Water Management Area. The combination was in terms of Section 78(4) of the National Water Act, 1998 (Act No. 38 of 1998). In line with the aforementioned, on 23 May 2014 the then Minister of Water and Environmental Affairs established the Breede-Gouritz Catchment Management Agency (BGCMA) by extending the boundary and area of operation of the then Breede-Overberg Catchment Management Agency.

Since the establishment of the BGCMA, the Department of Water and Sanitation (DWS) has reviewed the appropriateness of having 9 CMAs across the country and has proposed a further reduction in the number of water management areas, to six,

implying 6 CMAs. In this reduction, new boundaries for the six water management areas were demarcated through the National Water Resources Strategy (NWRS3) as is required under the National Water Act.

In October 2020, the then Minister of the Departments of Water and Sanitation, requested public comment on the Government Gazette Notice No 43784 for the amendment of the Breede-Gouritz Water Management Area (WMA) by extending the boundary and area of operation to include the Berg-Olifants WMA in terms of Section 78(4) of the National Water Act, 1998 (Act no. 36 of 1998), and the name of the Breede-Gouritz CMA be changed to Breede-Olifants CMA (BOCMA).

The establishment of the Breede-Olifants CMA was approved on 05 May 2022 by the Minister of Water and Sanitation and it has been gazetted in the Government Gazette, Notice No 47550 on 25 November 2022. Concurrently the Minister approved the disestablishment of the Berg-Olifants CMA as it is deemed critical in terms of Section 88 of the NWA to give notice of intention to disestablish the Berg-Olifants CMA for reasons pertaining to Section 88 (1) (a) and (c).

BOCMA is embarking on a process to develop a CMS for the Breede-Olifants Water Management Area. BOCMA, further intends to appoint a professional service provider (PSP) for the development of the CMS and will invite proposals from experienced PSP's.

In the development of the proposal, the PSP must consider the previous catchment management strategies that were developed for the then Breede-Overberg, and the Breede-Gouritz CMAs. In the proposal the PSP must indicate on how the information and outcomes of the previous processes is going to be used in the development of the catchment management strategy for the Breede-Olifants Water Management Area. The aim must be to build on and / or expand existing information and processes to cater for the additional area.

The PSP must indicate in the proposal how the stakeholders of the previous Breede-Gouritz, Berg River Water Management Area (1998) and Olifants-Doorn Water Management Areas (1998) amalgamated to form Berg-Olifants WMA (2014) will be brought together to develop a catchment management strategy for the Breede-Olifants Water Management Area. This is important since the development of a CMS is a bottom-up process considering all the cross-cutting water resources issues. The PSP must ensure that stakeholders are engaged in an ongoing basis. This will ensure that stakeholders are involved throughout the study process.

## 1.2 DESCRIPTION OF THE BREEDE-OLIFANTS WATER MANAGEMENT AREA

The Breede-Olifants Water Management Area (WMA) is the result of the amalgamation of the Breede-Gouritz WMA and the Berg-Olifants WMA. The new WMA will be bounded by the Atlantic Ocean to the southwest, the Orange WMA to the north and the Mzimvubu-Tsitsikama WMA to the East. It will largely fall within the Western Cape Province, with small portions of the upper catchments of the two (2) Olifants Rivers within the primary drainage areas E and J respective, as well as portions of quaternary drainage area K, falling in the Eastern Cape Province, and portions of the Northern section falling within the Northern Cape Province.



Figure 1: Breede-Olifants WMA Map (Source: Esri, USGS, NOAA)

There are four large rivers within the WMA, the Breede, Berg, Gouritz and Olifants Rivers.

### Breede River Catchment

The Breede River (primary drainage area H) with its main tributary the Riviersonderend River discharges into the Indian Ocean.

In terms of surface water management, the Breede catchment areas have been subdivided into 6 hydrological sub-areas:

- Upper Breede (including secondary drainage areas H1 and 2),

- Central Breede, (including secondary drainage area H3, 4 and 5)
- Lower Breede, (including secondary drainage area H7)
- Riviersonderend, (including secondary drainage area H6)
- Overberg West; (including quaternary drainage areas G40B – M) and
- Overberg East. (including secondary drainage areas G5)

### **Berg River Catchment**

The Berg River catchments comprise the Berg River itself, along with several smaller coastal catchments. Water resources are planned for and managed through the Western Cape Water Supply System (WCWSS). This system serves more than 4.9 million people, providing water to the City of Cape Town, Overberg, Boland, West Coast and Swartland towns, as well as to irrigators along the Berg, Riviersonderend, Eerste- and other local Rivers. Not the entire Berg River WMA is managed through the WCWSS and includes other coastal rivers within quaternary drainage areas G22A – K and G40A, including amongst other, the Sir Lowry's-, Lourens-, Kuils-, Diep-, and Steenbras Rivers.

The Berg area is topographical influenced by the high mountain ranges in the Cape Peninsula and on the eastern side of the area, introduces a large spatial variability in the mean annual precipitation (MAP). Intensive irrigation takes place in the Upper and Lower Berg River valleys, its tributaries and from private dams, as well as in the Eastern region of the Greater Cape Town subarea (along the Eerste and Lourens Rivers), with small pockets of irrigated land mainly for vegetable crops on the Cape Flats. Dry land cultivation of wheat is dominant in both the Upper Berg and Lower Berg sub-areas (including the Diep River), with some dry land vineyards and olive orchards on the hills.

### **Gouritz River Catchment**

The Gouritz (J) catchment has three main tributaries, the Groot (J1), Gamka (J2) and Olifants Rivers (J3). There are a few other smaller rivers in the WMA including Touws-, Duivenhoks- (H8), Goukou- (H9), Hartenbos- (K10), Great Brak- (K20A), Kaaimans- (K30C), Knysna- (K5) and Keurbooms Rivers (K6).

### **Olifants River Catchment**

The major river is the Olifants River (E1), of which the Doring River (from the south draining the Koue Bokkeveld and Doring area) (E2) and the Sout River (draining the Knersvlakte from the northeast) are the main tributaries.

The area is divided into six sub-areas or management units:

- Upper Olifants: the river rises in the Cederberg Mountains at the southern edge of the WMA and provides the most significant contribution to the water available in the WMA.
- Koue Bokkeveld: It forms part of the southern boundary of the WMA and lies between the Koue Bokkeveld- and southern Cederberg Mountain ranges on the west and the Swaruggens mountain range on the east.
- Doring: Forms part of the southern and eastern boundaries of the WMA. The river meets with the Olifants River below Bulshoek weir.
- Knersvlakte: Forms part of the northern part of the eastern boundary of the WMA. It comprises of the Hantams-, Kromme- and the Goerap catchments as well as the Sout River tributary.
- Lower Olifants: It is the area of the Olifants River below Clanwilliam Dam and includes the Bulshoek weir, the confluence with the Doring River and the Estuary.
- Sandveld: the area is bounded on the west by the Atlantic coastline, on the east by the Olifants mountain Range and on the south by the Berg WMA (G3).

The Classification and determination of RQOs for the then Berg-Olifants and Breede-Gouritz Water Management areas have been finalized and gazetted by the DWS in collaboration with the then BGCMA and relevant stakeholders. After the classification and RQOs were gazetted, there was a need for comprehensive Reserve determination for priority catchments to ensure that the Reserve is in accordance with the water resource classes and is applicable to the current system needs and demands.

The reserve studies were also conducted for the then Breede-Gouritz WMA, to address ecological gaps at identified priority sites that have not been addressed by preliminary Reserve determination studies but required a degree of ecological protection afforded by a Reserve. A proposed Reserve determination was gazetted on 26 August 2022 where in:

The Reserve is determined for all or part of every significant water resource within the Breede- Gouritz Water Management Area as set out below:

- Water Management Area: Breede-Gouritz
- Drainage Regions: G40-G50, H10- H90, J11-J40, K10-K70
- Tertiary Drainage Region Rivers: Breede Overberg Area: Breede River, Riviersonderend River as well as other smaller coastal rivers. Gouritz Coastal Area:



Gouritz River, Buffels River, Touws River, Groot River, Gamka River, Olifants River, Kammanassie River, and smaller coastal rivers.

A Preliminary Comprehensive Reserve has been determined for the Olifants River with the recommendation that it is impractical to try and restore the river to a more natural system, and that water should not be taken back from existing lawful users for this purpose, due to the negative impact this will have on the area's economy.

However, to make up for this, no further development should be allowed in the Doring River, which joins the Olifants River below the Clanwilliam and Bulshoek dams. The only exception to this could be for small off-channel dams in the Koue Bokkeveld, which can be filled using high levels of winter water. The protection of the Doring River is aimed at securing the ecological integrity of the lower reaches and estuary of the Olifants River, the latter being a major permanently open estuary and fish breeding area.

• **Table 1: Municipalities within Breede-Olifants WMA**

<b>Metropolitan Municipality</b>	
City of Cape Town	
<b>District Municipalities</b>	<b>Local Municipalities</b>
Cape Winelands	<ol style="list-style-type: none"> <li>1. Breede Valley</li> <li>2. Drakenstein</li> <li>3. Langeberg</li> <li>4. Stellenbosch</li> <li>5. Witzenberg</li> </ol>
Central Karoo	<ol style="list-style-type: none"> <li>1. Beaufort West</li> <li>2. Laingsburg</li> <li>3. Prince Albert</li> </ol>
Garden Route	<ol style="list-style-type: none"> <li>1. Bitou</li> <li>2. George</li> <li>3. Hessequa</li> <li>4. Kannaland</li> <li>5. Knysna</li> <li>6. Mosselbay</li> <li>7. Oudtshoorn</li> </ol>
Overberg	<ol style="list-style-type: none"> <li>1. Cape Agulhas</li> <li>2. Overstrand</li> <li>3. Swellendam</li> <li>4. Theewaterskloof</li> </ol>
West Coast	<ol style="list-style-type: none"> <li>1. Bergrivier</li> <li>2. Cederberg</li> <li>3. Matzikama</li> <li>4. Saldanha Bay</li> <li>5. Swartland</li> </ol>
Namakwa District Municipality	<ol style="list-style-type: none"> <li>1. Hantam</li> </ol>

### **1.3 Topography**

The variation in topography results in a climate which varies considerably within the region. The water resources of the Breede-Olifants WMA occur in four distinctly different zones:

#### **Gouritz Area:**

This area is characterised by the flat open plains of the Great and Klein (Little) Karoo, interrupted by steep mountain ranges orientated in an east-west direction which give it three distinct zones of the semi-arid Great Karoo, the Klein Karoo and the Coastal Belt.

#### **Breede Area:**

This area is characterised by the rolling hills of the Overberg, the Hex River Mountains to the north, the Langeberg Mountains in the south-east and the Franschhoek and Du Toit's Mountains in the south-west, which flank the wide Breede River valley. The Breede River drains from the north-west in the Ceres Basin towards the confluence with the Pacific Ocean in the south-east. The Breede River is the largest primary river in the Breede-Olifants WMA.

#### **Berg Area:**

The Berg area is topographically influenced by the high mountain ranges in the Cape Peninsula in the south-west and Franschhoek and Du Toit's Mountains in the south-eastern and the Witzenberg Mountains on the eastern side of the area, introduces a large spatial variability in the mean annual precipitation (MAP). The Berg River flows from south to north-west and confluence with the Atlantic Ocean at Velddrift. Intensive irrigation takes place in the Upper and Lower Berg River valleys, its tributaries and from private dams, as well as in the Eastern region of the Greater Cape Town subarea (along the Eerste- and Lourens Rivers), with small pockets of irrigated land mainly for vegetable crops on the Cape Flats. Dry land cultivation of wheat is dominant in both the Upper Berg and Lower Berg sub-areas (including the Diep River), with some dry land vineyards and olive orchards on the hills.

#### **Olifants Area:**

The topography of the Olifants area is of three distinct types, namely rolling hills and sand dunes in the west along the coastal strip, rugged mountains with peaks rising to about 2 000 m above sea level in the southern area, and plains and rocky hills in the north-eastern area that are typical of the Western Karoo. The Olifants River rises in the mountains in the south-east of the area and flows north-west. Its

deep narrow valley widens and flattens downstream of Clanwilliam until the river flows through a wide floodplain downstream of Klawer. The Doring River is a fan shaped catchment. The main river rises in the south and flows in a northerly direction. It is first joined by the Groot River and then by the Tra-Tra River flowing from the west and the Tankwa River from the east, before flowing in a westerly direction to its confluence with the Olifants River just upstream of Klawer. The north of the area is flatter and much of the basin lies between 500 and 900 m above sea level. In the east there are significant mountain ranges, the Hantam near Calvinia and the Roggeveld to the south, which rise to about 1 500 m above sea level. West of Nieuwoudtville lies the Bokkeveld Mountains escarpment where the plateau elevation of about 700 m drops to about 300 m. The rolling hills and plains of the 30 to 40 km wide strip.

## **1.4 Climate**

### **1.4.1. Rainfall**


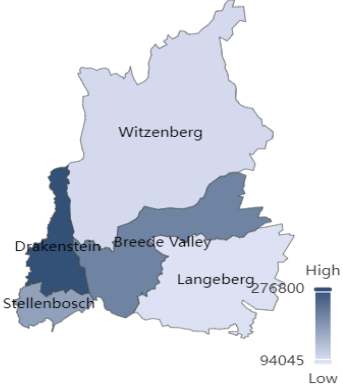
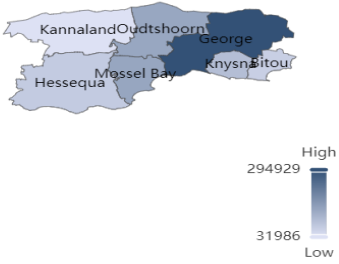
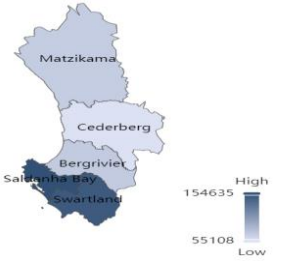
The Breede-Olifants WMA has widely varying precipitation levels. The average annual precipitation ranges from 160mm in the northern, more inland Greater Karoo parts of the WMA to more than 1800mm in the high mountainous in the south western peninsula regions. The Great Karoo and Olifants River (within the Gouritz) catchment regions are classified as a very late summer rainfall region, with a large proportion of annual precipitation falling between March, May and October through storm events. The coastal zone from the Onrus River in the south to the Keurbooms River in the east is a year round rainfall with peak rain occurring in November to February, whereas most of the rain in the Breede-, Olifants-Doorn and Berg areas could be considered as winter rain fall between the months of May and October.

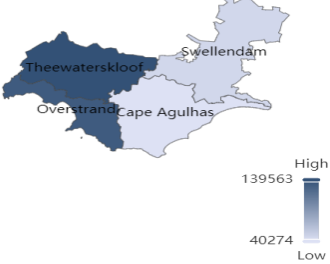
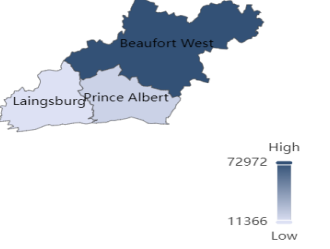
## **1.5 Socio-Economic Dynamics**

### **1.5.1 Population**

The population within the BOCMA area is estimated above 7 433 020 million people as per Statistics South Africa's census 2022. Most of the population resides in the areas where the most economic activity occurs, which is in the urban centres and major coastal towns within the WMA. It is estimated that 95% of the total WMA population resides in urban areas, with 89% concentrated in the Greater Cape Town sub-area, where they are attracted by employment opportunities. Future population trends are likely to be influenced by economic opportunities and job creation. Projections therefore are for continued relatively strong population growth in the urban areas and a decline in rural population, attributable to the lack of economic stimulus in small towns and villages, but for the seasonal migration in harvesting time for major fruit producing Agri-industry.

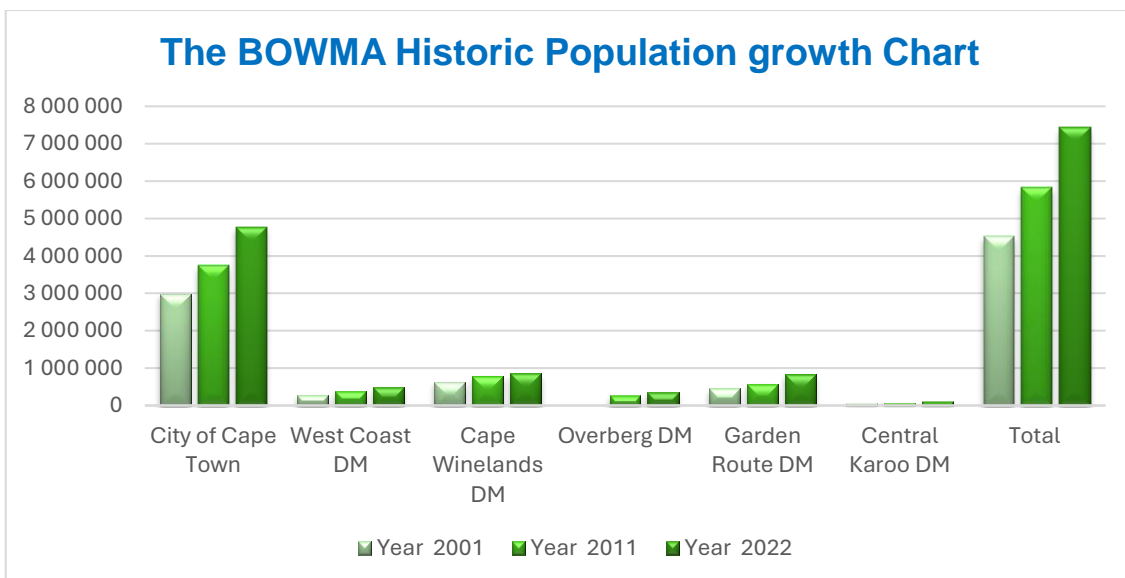
**Table 2: The population per Metro vs District figures (source: Statistics SA)**

Metro / District	Local Municipality (ies)	Population Size
<p>City of Cape Town Metro</p> 	<p>n/a</p>	<p>4 772 846</p>
<p>Cape Winelands</p> 	<p>Drakenstein Stellenbosch Breede Valley Witzenberg Langeberg</p>	<p>862 703</p>
<p>Garden Route</p> 	<p>Kannaland Hessequa Mosselbay Oudtshoorn George Knysna Bitou</p>	<p>838 457</p>
<p>West Coast</p> 	<p>Swartland Saldanha Bergriver Cederberg Mazikama</p>	<p>497 394</p>
<p>Overberg</p>	<p>Theewaterskloof</p>	<p>359 446</p>

Metro / District	Local Municipality (ies)	Population Size
	Overstrand Swellendam Cape Agulhas	
	Laingsburg Prince Albert Beaufort West	102 173

**Table 3: Population (historic) growth analysis as per Statics South Africa**

Metro / District Municipality(ies)	Year 2001	Year 2011	Year 2022
City of Cape Town	2 982 243	3 740 031	4 772 846
West Coast DM	282 672	391 766	497 394
Cape Winelands DM	630 284	787 486	862 703
Overberg DM	203 729	258 176	359 446
Garden Route DM	454 924	574 265	838 457
Central Karoo DM	60 483	71 011	102 173
Total	4 524 335	5 822 734	7 433 020



**Figure 1:** Historic chart on Western Cape Population figures (source: Statistic South Africa)

With the high growth rate of 2% per annum in the Metro that falls within a sub-Water Management Area that may from time to time experience a water availability deficit, water conservation, the augmentation through the establishment of new schemes, as well as a reduction in reliance on surface water to groundwater and/or desalination and reuse of treated water are high priority interventions that may be progressively implemented within the future. Note that near 80% of the population in the WMA reside within the Metro.

### **1.5.2. Economic Activity**

The Gross Geographic Product (GGP) of the Breede-Olifants Water Management Areas is estimated at around R520 billion per annum and makes up 13% of South Africa's Gross Domestic Product (GDP). The economy of the area is dependent on export fruit, PetroSA, uranium mining, renewable energy, ostrich farming and tourism.

The largest sector in the Breede, Olifants and Gouritz areas are the agriculture and processing sector which contributes 23.2% to the GGP. The region is quite significantly dependant on the agricultural economy which provides 58% of jobs to the rural poor. Once the associated manufacturing, construction and services are considered, an even larger proportion of the economy appears to be dependent on the agricultural sector. Trade and accommodation are the second largest sector of the economy in these areas, related to coastal residential retirement and tourism.

A strong and diversified economy exists in the Berg area, which is dominated by the commercial trade and industrial activities in the Cape Town Metropolitan area, the towns of Stellenbosch, Paarl and Wellington and in the developing West Coast area of Saldanha Bay.

Agriculture, although one of the smallest sectors in terms of its contribution to the Gross Geographical Product ( $\pm 2,5\%$ ), has strong linkages to other sectors of the regional economy and provides livelihood to a large proportion of the rural population.

The economy of the Breede-Olifants WMA is closely dependent upon the availability and health of water resources in the water management area because of its heavy dependence on agriculture, petroleum production (including by-products), inter-basin transfers of bulk water resources to Western Cape Water Supply System and tourism. Irrigated agriculture, wheat cultivation and associated activities such as processing and packaging are the primary economic activities in the Breede-Olifants WMA. As a reflection of this, growth in the agricultural, forestry, and fisheries in the Western Cape economy was 2.7% per year and the residential-tourism economy has grown at a brisker 3.4% per year over the decade leading up to December 2010.

## **2. NEED FOR CATCHMENT MANAGEMENT STRATEGY**

Chapter 2, Part 2 of the NWA requires every CMA to progressively develop a CMS for the water resources within its WMA.

The CMS is a statutory document that provides the vision, and the strategic actions required to address water resources management issues in a specific catchment or group of catchments, based on the best available information and founded on the principles of sustainability, equity, and efficiency. The NWA requires every CMA to progressively develop a CMS for the water resources within its Water Management Area. The CMS must be in harmony with the National Water Resource Strategy. In the process of developing this strategy, a CMA must seek co-operation and agreement on water-related matters from the various stakeholders and interested parties, especially representatives of local communities, forestry, industry, commercial and subsistence farmers, environmental protection groups, historically disadvantaged groups, farmers, etc. The CMS, which must be reviewed from time to time, must include a water allocation plan. A CMS must set out principles for reallocating water to existing and prospective users, considering all matters relevant to the protection, use, development, conservation, management, and control of water resources. The content for the CMS is provided in section 9(a)(i) of the National Water Act.

## **3. OBJECTIVES OF THE ASSIGNMENT**

The overall objective of the assignment is to develop a catchment management strategy for the Breede-Olifants Catchment Management Agency that responds effectively to the needs of all stakeholders in the water management area and is in line with the National Water Resource Strategy.

In accordance with section 9 of the National Water Act a catchment management strategy must -

- a. Consider the management class of water resources and resource quality objectives contemplated in Chapter 3, (NWA 1998) the requirements of the Reserve and, where applicable, international obligations.
- b. Not conflict with the National Water Resource Strategy;
- c. Set out the strategies, objectives, plans, guidelines and procedures of the catchment management agency for the protection, use development, conservation, management and control of water resources within its Water Management Area;

- 1.1.c.1. Outcomes to include cross cutting strategies for the whole WMA, and
  - 1.1.c.2. Specific strategies for each primary drainage areas and coastal river systems and/or regional bulk raw water supply systems where local dynamics inform.
  - 1.1.c.3. All strategies are to form the basis-lines for catchment management plans for phased and progressive implementation in the future.
- d. Take into account the geology, demography, land use, climate, vegetation and waterworks within its Water Management Area;
  - e. Contain provisional water allocation plans which are subject to section 23 of NWA and which must set out principles for allocating water, taking into account the factors mentioned in section 27(1); of NWA;
  - f. Take account of any relevant national or regional plans prepared in terms of any other law, including any development plan adopted in terms of the Water Services Act, 1997 (Act No 108 of 1997) and the Western Cape Water Supply System Management Plan;
  - g. Enable the public to fully participate in contributing in the management of the water resources (surface – and groundwater) within its Water Management Area;
  - h. Consider the water needs and expectations of existing and potential emerging water users;
  - i. Set out additional the water resource management institutions and localised catchment forums to be considered for establishment;
  - j. Consider the impacts of climate change.

## **4. CONSULTING SERVICES REQUIRED**

### **4.1 Objectives and outcome**

The objective of describing the status quo is to provide a holistic contextual profile of the key characteristics of the WMA (biophysical, social, technical, economic, political, and institutional), as related to water, and the likely future profile, to provide a sound basis for the development of appropriate and effective strategic direction.

The intended outcome is a synopsis of the best available information regarding the biophysical, social, economic, political, and institutional characteristics for the WMA and the likely future scenario(s). This contextual profile for a WMA will be assessed, and then used to inform the vision and subsequent strategies.



The scope of work to be provided by the professional service provider appointed to undertake the assignment shall include but not be limited to the following tasks:

- a. **Situational Inception report.** The preparation of an inception report confirming the methodology, deliverables, and timeframes. A list of potential stakeholders will also be identified. A section of the inception report will also deal with the supporting and other interface actions, projects and initiatives that need to be undertaken to support the development of the CMS.
- b. **Situational assessment.** The objective of the situational assessment is to provide an overview of the key characteristics of the WMA (biophysical, social, economic, political, and institutional), as they relate to water, and the projected trends, to provide a sound basis for the development of appropriate and effective strategic direction for managing the water resources of the WMA. The situational assessment must therefore also identify gaps in knowledge and information. The intended outcome is -
  - i. a synopsis of the best available information regarding the biophysical, social, economic, political, and institutional characteristics for the WMA; and
  - ii. major anticipated projected trends in these factors. A key component of the situational assessment is not only to describe the status quo but also to examine projected future directions.

The Situational Assessment will also be used as the initial instrument in engaging with the stakeholders in the “visioning” process.

- c. **Assessment of the current situation, projected trends, and potential future scenarios.** The objective is to provide a holistic evaluation of the current situation and anticipated trends of water resources, and their use in the WMA as the foundation for decision-making for the desired future state. The intended outcome is an evaluation of the current situation and anticipated trends against locally derived holistic criteria that provide a sound basis for:
  - i. information sharing amongst stakeholders,
  - ii. developing a common understanding of water-related issues, and
  - iii. the visioning processes.
- d. **Climate Change Strategy.** The objective of having a Catchment Management Climate Change Strategy is to ensure that the sector has in plan climate change strategy and plans, as stipulated under Schedule 2 of the National Climate Change Act of 2024, and also ensure that climate change is mainstreamed into planning, operations and implementation of water management project and

programmes. The Climate Strategy must be aligned with the National Climate Change Response Strategy and other policy frameworks, as stipulated in Chapter 2 (Policy alignment and Institutional Arrangements) of the National Climate Change Act.

- e. **Water Reconciliation Strategy.** The objective of the Water Balance / Reconciliation Strategy is to outline strategic, comprehensive measures to balance water requirements with water availability within a WMA over the long-term period (25 – 30 years horizon), considering the water situation assessment, the vision and water required to meet special provisions and the implementations of resource classification. This strategy must address priorities for achieving this balance as efficiently and speedily as possible. The expected outcome is a holistic strategy that;
- i. provides a geographically based reconciliation of water availability (quantity and quality) versus requirements, based on updated hydrology and water quality data;
  - ii. provides a comprehensive assessment of potential interventions options to ensure more water being available or to improve the water quality and,
  - iii. outlines medium- to long-term strategic plans for addressing current and potential water deficits and water conservation measures.
  - iv. Identify key plans and strategies developed by any interested and affected parties that relates to the functions of the CMA in line with the developed National Department of Water and Sanitation Strategies, including Disaster Risk Management, Ecological Infrastructure Investment Framework etc.

This Reconciliation Strategy will be a first order reconciliation. Reconciliation however is not a once-off or stand-alone process and must be repeated interactively, then proceeding with the visioning and Resource Directed Measures and Source Directed Control sub-strategies to ensure the protection of water resources.

- f. **Visioning.** One of the most challenging aspects of developing a vision for water resources is likely to relate to its participatory nature. The vision will need to be developed with the involvement of various stakeholders and interested parties. The objective of the visioning statement is to present a collective, medium- to long-term view of the desired future state of the WMA and its sub-catchments that can be used to derive strategies that are realistic and locally attainable. The intended outcome is a statement of the desired state of the WMA that has been arrived at through stakeholder participation, which provides

a medium- to long-term direction that can be used as a basis for deriving sub-strategies.

- g. **Water Resource Protection.** The objective of the Water Resource Protection Strategy is to ensure the long-term catchment water security and sustainability through protection (quantity, quality, habitat, and biota) of the water resources, using a suite of statutory and non-statutory tools. Specifically, the strategy must address the Class, Reserve and Resource Quality Objectives (RQOs) of the water resources of each sub-catchment in the WMA. The expected outcome is a strategy that addresses the holistic, incremental protection of the water resources in each sub-catchment of the WMA through;
- i. Classification,
  - ii. The Ecological Reserve,
  - iii. Setting RQOs for freshwater resources,
  - iv. Addressing water quality and pollution control, as well as
  - v. Establishing strategic partnerships that are intended to protect natural resources, recognizing land-water linkages.
  - vi. Identifying and Highlighting the Strategic Water Resources Areas within the catchment and associated Ecological Infrastructure that should be managed and maintained through proposed Ecological Infrastructure Management Plans that will ensure water for both ecosystems and economic sustainability in the catchment.
- h. **Regulating Water Use (Source directed measures).** The objective of the Water Use Regulation Strategy is to define the limits and constraints that must be imposed on the use of water resources to achieve the desired level of protection, whilst at the same time facilitating the use of water for legitimate social and economic purposes. Specifically, the strategy must address allocation planning for both water quantity and quality, authorisation, and compliance. The expected outcome is to present a comprehensive strategy for verification and validation of water use, allocation planning, authorization, compliance, and enforcement, as well as include proposals on registration and capping of schedule 1-uses, revision of general authorised use within specific catchment and/or primary, secondary, and quaternary drainage systems or groundwater use from defined aquifers.
- i. **Monitoring and information management.** The objective of the Monitoring and Information Management Strategy is to provide a strategic plan for collecting, accessing, and sharing a wide range of information for the purposes

of monitoring and evaluating the status of the Integrated Water Resource Management (IWRM) in a water management area. This includes and is not limited to flow, rainfall and water quality data and monitoring programs. The expected outcome is a strategy that outlines a comprehensive plan to monitor IWRM actions through methods, procedures, and techniques and for accessing relevant information and data that should be consistent with the National Information Management System.

- j. **Stakeholder Engagement.** The objective of the Stakeholder Engagement Strategy is to guide the CMA in developing a Catchment Management Strategy by seeking cooperation and agreement on water resources management from the various stakeholders and interested and affected persons. The expected outcome is a database of all the stakeholder groups in the WMA participate in the formulation of a Catchment Management Strategy and its sub-strategies.
- k. **Co-operative relationship.** The objective of the Co-operative Relationship Strategy is to set out strategic actions for the establishment and maintenance of an appropriate co-operative and collaborative relationship for Integrated Water Resource Management based on the institutional environment. The expected outcome is a guideline that describes how a CMA will establish and maintain a co-operative and collaborative institutional environment by employing the available capacities in institutions to ensure that IWRM Policy and Strategy objectives are achieved efficiently and cost effectively.
- l. **Financial.** The objective of the Financial Strategy is to provide a strategic framework and principles that will guide the CMA in funding its water resources management activities and achieving financial viability and sustainability. The expected outcome is a strategy that guides financial protocols and procedures and that will determine financial and operational decisions. . The strategy can include considerations for financial mechanisms and structures that can lead to water resources management through co-operative partnerships that is in line with the PFMA.
- m. **Strategy Development.** All the above strategy elements will be combined into a coherent strategy document that satisfies the needs of the relevant legislation and the Guidelines for Catchment Management Strategies. The strategy will also include an Implementation Framework setting out the process and timeframes of the implementation of the CMS. The PSP will follow the instructions and processes of the Guidelines. The PSP will capture any challenges, changes, and proposed improvements to the Strategy.

- i. The Professional Service Provider (PSP) is expected to be a consulting firm but may be a consortium of firms to provide the necessary resources and capacity to undertake the assignment.

#### **4.2. Deliverables**

The following is a suggested minimum set of deliverables for this assignment:

- i. Inception report
- ii. Situational assessment
- iii. Stakeholder Engagement and Visioning report
- iv. CMS that includes water quality reconciliation, foresight, scenario evaluation and management option for salinity and nutrients. Database with all information used and generated
- v. Advertise final draft CMS, collate all comments, incorporate comments and submit final CMS for approval
- vi. CMS implementation plan

The time frames for the development of the CMS need to be stated by the Tenderer in their proposal, however the CMA has allowed for Maximum of 36 months for the completion of the assignment.

## **5. STAKEHOLDER CONSULTATION**

The Breede-Olifants CMA recognises that significant effort will have to be made to acquaint both the public and other stakeholders with the issues surrounding the development of the CMS. This will ensure buy-in from all stakeholders during the implementation of the strategy.

The PSP must enable the public to actively participate in the CMS project through capacity building sessions before CMS meetings. Capacity building must be able to be provided in the three official languages of the Western Cape.

The PSP shall ensure that stakeholders' inputs have been sought from the earliest stages of the development of the CMS by presenting it to forums to ensure their involvement and soliciting contributions with a view to incorporate public expertise, knowledge, and values into the CMS process. The CMA must establish these forums or identify suitable existing forums that will reach all or most of the interested and affected parties.

Considering the size and diverse nature of the study area, the use of existing forums, water user associations and other key stakeholders as vehicles for stakeholder consultation should be considered.

## **6. EXPERTS PROFILE**

### **6.1 EDUCATION, EXPERIENCE, REFERENCES AND CATEGORY OF EACH EXPERT**

The Professional Service Provider must be highly qualified with extensive knowledge of integrated water resources management and water services management. In addition, the PSP should possess requisite skills in stakeholder participation and must at least have a minimum of 10 years' experience within the field of Integrated Water Resources Management.

The project team should possess the following skills and experience:

- a. An extensive knowledge and understanding of all aspects of water resources, water resources management and water services provision in the Breede-Olifants Water Management area.
- b. In-depth knowledge of the Breede-Olifants Water Management Area, its water resources issues, its main water uses, its stakeholders, and its institutions.
- c. Extensive understanding of the municipal environment within the Western Cape Province and more specifically within the Breede-Olifants Water Management Area.
- d. Knowledge and experience of communication at strategic level as well as at local community level.
- e. The project leader shall have a minimum of 10 years' experience in project management, of which 7 years shall be within the water sector, managing multi-disciplined teams in integrated water resources projects.
- f. Excellent inter-personal communication skills and the team members must demonstrate extensive experience at having worked with communities and or local institutions in the Western Cape Province.
- g. Stakeholder's engagement and various related processes.

## **6.2 WORKING LANGUAGES**

The working languages for the assignment are English, Afrikaans and Xhosa, however the final reports must be in English.

## **7. DURATION AND LOCATION**

### **7.1 DURATION**

The duration of the project is 36 months.

### **7.2 LOCATION OF ASSIGNMENT**

The project is being implemented by BOCMA as the Contracting Authority with its head office in Worcester.

## **8. COLLABORATION WITH THE DEPARTMENT OF WATER AND SANITATION (DWS)**

Although the drafting of the CMS is mandated to the Breede-Olifants CMA, a few inputs are required from DWS (e.g., inputs related to functions in the WMA which are not delegated to the CMA). It will be expected from the PSP to closely collaborate with DWS through interaction with the relevant specialised directorates for specific sections of the CMS. Functions in which DWS is involved must be clarified and captured in the relevant sections of the CMS.

## **9. ORGANISATIONAL MATTERS**

### **9.1 CLIENT AND STUDY NAME**

The Chief Executive Officer representing the Breede-Olifants Catchment Management Agency is the client and the study shall be called "Development of the Breede-Olifants Catchment Management Strategy".

## **10. DEVELOPMENT OF PROPOSAL**

In the development of the proposal the PSP must consider that previously catchment management strategies were developed for the then Breede-Overberg and Breede-Gouritz Water Management Areas. In the proposal the PSP must indicate on how the information and outcomes of this process is going to be used and updated in the development of the catchment management strategy for the Breede-Olifants Water Management Area. The aim must be to build on/expand on the existing information and processes to cater for the additional area. The PSP must in the proposal indicate how the stakeholders of the previous Breede-Gouritz

and Olifants-Doorn Water Management Areas will be brought together to develop a catchment management strategy for the Breede-Olifants Water Management Area.

The PSP must develop a proposal and provide a detailed description of the approach and methods that he/she will use to achieve the objectives, outcomes and stakeholders consultation of the project. The PSP will include a detailed cost estimate based on the above timeframes and his/her proposed methodology. The PSP shall also complete the attached supply chain management requirements as appended to this call for proposals.

## **11. PROPOSAL SUBMISSION**

- a. The proposal must provide a detailed work plan including activities, timeframe, deliverables, costs, and rates of consultants.
- b. A clear and concise description must be provided of how the proposed activities will be carried out and how key deliverables will be achieved together with a Gantt chart indicating activities and timeframes.
- c. Identify possible risks and problem areas which may impact on performance and explain how to possibly avoid or overcome such problems.
- d. Describe how the original support service will be managed, including providing an organisation chart indicating the lines of reporting within the team as well as intended lines of reporting between the tenderer and the CMA.

## **12. TEAM CAPABILITY AND DETAILS INCLUDING CURRICULUM VITAE FOR INTENDED STAFF**

Tenderers must clearly list the proposed delivery team whilst describing each member's intended involvement and responsibility. Abbreviated CV's (preferably 1 page) to be provided for each team member, which will include the following information:

- i. Name, age, nationality
- ii. Current position
- iii. HDI status (describing population group, gender, and disabilities)



- iv. Qualifications and professional registrations
- v. Years experience as well as relevant experience.

The evaluation of proposals will place considerable importance on the experience of the proposed staff to perform duties as listed in the TOR.

### 13. EVALUATION CRITERIA

This documents will be evaluated in Three (03) Phases

1. Administrative requirements
2. Functionality Compliance
3. Price and Specific goals

#### **Technical Functionality Compliance.**

Bidders must score at least 70 out of 100 in respect of functionality to qualify for advancement to Phase 2. A bidder who scores less than 70 out of 100 will be regarded as submitting a non-responsive bid and will be disqualified. Bidders who fail to obtain a minimum score for each criterion will be disqualified.

**1 = poor, 2 = average, 3 = good, 4 = very good, and 5 = excellent**

**A bidder must meet 70 out of 100 on technical mandatory requirements.**

**Functionality evaluation will be based on the following criteria:**

#### **Functionality CMS**

No.	Functionality	Criteria/ Guide	Max Weight	Score Claimed
1	Company Experience Company profile including demonstrated experience in conducting medium to large scale integrated water resources management studies, strategies, and plans in the water sector and/or public sector. Project list including start and end date with accompanying traceable appointment and/or reference letters confirming project scope and completion.	0 to 2years relevant experience	1	30
		3 to 5 years relevant experience	2	
		6 to 8 years relevant experience	3	
		9 to 10 years relevant experience	4	
		>10 years relevant experience	5	

No.	Functionality	Criteria/ Guide	Max Weight	Score Claimed
2	<b>Team Capabilities:</b>			
	<b>2.1 Project Director</b>			
	<b>2.1 Project Director:</b>	10- relevant experience	1	15
	The project leader shall have a minimum of 10 years' experience in project management, of which 7 years shall be within the water sector, managing multi-disciplined teams in integrated water resources projects.  SACNASP/ECSA Registered	11-15 years relevant experience	2	
		16-20 years relevant experience	3	
		21 to 25 years relevant experience	4	
		>25 years relevant experience	5	
	<b>2.2 Hydrologist,</b>			
	<b>Hydrologist/ Water resources modelling</b>	1-year relevant experience	1	5
	Experience and extensive knowledge in undertaking surface water investigations, water balance modelling, drainage modelling, water quality modelling and associated reporting; Experience on collection, compilation, presentation, and evaluation/analysis of hydrological and water quality data; Ability to integrate water demands with other research areas such as ecology and water quality; Applying water resources management models under a range of climate change scenarios; Ability to model water quality and reconcile present and future water quality demands and impacts on Resource Quality Objectives, Developing tools to manipulate/analyse large datasets; and Working knowledge of GIS software such as ArcGIS, Global Mapper and QGIS for pre- and post-processing of model data. Reserve Determination studies and Implementation (flows)  SACNASP/ECSA Registered	2 to 3 years relevant experience	2	
		4 to 5 years relevant experience	3	
		6 to 9 years relevant experience	4	
		>10 years relevant experience	5	
	<b>2.3 Geohydrologist,</b>			
	<b>Geohydrologist:</b>	1 year relevant experience	1	5
Knowledge and vast experience on large scale geohydrological assessments; Hydrogeological Characteristics, Groundwater resource assessment, Groundwater data and information management, Integrated Water Resources Management (IWRM), aquifer management, Groundwater resource planning, Groundwater geophysics, Borehole and aquifer testing, Groundwater mapping and Groundwater water quality.  SACNASP Registered	2 to 3 years relevant experience	2		
	4 to 5 years relevant experience	3		
	6 to 9 years relevant experience	4		
	>10 years relevant experience	5		

No.	Functionality	Criteria/ Guide	Max Weight	Score Claimed
	<b>2.4 Stakeholder empowerment and public participation expert</b>			
	Stakeholder empowerment and public participation expert Experience and extensive knowledge of stakeholder engagement and empowerment. Excellent inter-personal communication skills The team members must demonstrate extensive experience at having worked with communities and or local institutions.	1 year relevant experience	1	5
		2 to 3 years relevant experience	2	
		4 to 5 years relevant experience	3	
		6 to 9 years relevant experience	4	
		>10 years relevant experience	5	
<b>2.5 Freshwater Ecologist</b>				
Freshwater Ecologist: Extensive experience in water resource protection functions and ecological infrastructure including:  Water quality Reserve Determination studies and Implementation Resource quality objectives and Implementation Wetlands assessment Wetland and riparian resource mapping (delineation). Surface water verification assessments Freshwater ecological impact assessments Freshwater ecological ecoservices and status determinations Wetland Offset Plans Geographic Information System (GIS) spatial analysis.  SACNASP Registered	1 year relevant experience	1	5	
	2 to 3 years relevant experience	2		
	4 to 5 years relevant experience	3		
	6 to 9 years relevant experience	4		
	>10 years relevant experience	5		
<b>Attach an organogram which clearly outlines the role of the team and the indication staff that will be allocated to BOCMA. Bidders to include comprehensive CVs.</b>				
3	<b>Project plan and methodology</b>		35	
	<ul style="list-style-type: none"> <li>The proposal must provide a detailed work plan including activities, timeframe, deliverables, costs, and rates of consultants.</li> <li>A clear and concise description must be provided of how the proposed activities will be carried out and how key deliverables will be achieved together with a Gantt chart indicating activities and timeframes.</li> <li>Identify possible risks and problem areas which may impact on performance and explain how to possibly avoid or overcome such problems.</li> <li>Describe how the original support service will be managed, including providing an organisation chart indicating the lines of</li> </ul>			

No.	Functionality	Criteria/ Guide	Max Weight	Score Claimed
	reporting within the team as well as intended lines of reporting between the tenderer and the CMA.			
	No project plan and methodology	0		
	Project plan / Methodology only	1		
	Project plan provided with <b>no clear</b> deliverables, methodology & timeframes/milestones.	2		
	Project plan provided with clear deliverables, methodology & timeframes/milestones.	3		
	Project plan provided with methodology, deliverables, timeframe/milestone & management of the project.	4		
	Project plan well broken down with methodology, deliverables, timeframe/milestone, quality assurance & management of the project including staff deployment to each activity/ deliverables.	5		
	<b>All documents in support of the various sections above must be submitted in order to claim the maximum. Missing or incomplete documentation will result in a zero score for the relevant section.</b>			
	<b>TOTAL</b>		<b>100</b>	

## 14. PRICE EVALUATION

14.1 Relative competitiveness of the proposed price

## 15. COST PROPOSAL CONTENT

15.1 The cost proposal will be used in the evaluation of the RFP and will be used as a basis for the negotiated agreement. Each cost proposal should contain the following as a minimum:

- (a) Describe how BOCMA will be charged for the service required by providing a price structure. All charges must be specified and priced separately.
- (b) Describe how BOCMA will benefit from cost saving by accepting the service Provider's pricing structure, including discounts, waivers, etc.
- (c) Provide various types of service providers or options, discounts and additional information that will allow cost savings towards BOCMA.

- (d) Provide direct costs, discounts, benefits, availability of service, for example 24 hours per day, including a toll-free number or any other contact method to access these services.
- (e) Describe and provide any direct costs.
- (f) Describe any daily, weekly, monthly rates applicable to providing the service.

**16. SPECIFIC GOALS EVALUATION**

16.1 In terms of the Preferential Procurement Regulations 2022, a maximum of 20 points may be awarded to a tenderer for the specific goals specified for the tender. Points scored for specific goals will be added to points scored for price and the total will be rounded off to the nearest two decimal places.

**Phase 2: Evaluation Process:**

The value of this bid is estimated not to exceed R 50 000 000 (all applicable taxes included) and therefore the 80/20 point system shall be applicable.

This RFP, will be evaluated as per the PPR of 2022 on the 80/20 principle.

Where 80 points will be for price and the 20 points for specific goals.

The specific goals will be evaluated as per the following:

**Pricing and Specific goals:**

The following 80/20 criteria will be used for the evaluation of the proposals:

**Pricing:** 80 points

**Specific Goals:** 20 points

	<b>80/20 Preference point system</b>
Enterprises 51% or more black woman owned	10
Enterprise owned e by people with disability or Youth	5
Enterprise with 51% or more black owned	5
<b>Maximum Points</b>	<b>20</b>

**Please provide proof to claim specific goals:**

**Failure to submit proof for specific goals will not disqualify you but you will not score any points for specific goals**

**The following documents will be used as verification documents**

- 1. BEE Certificate / Affidavit**
- 2. Certified Identity Document**
- 3. Letter from the Doctor confirming Disability**

## **17. DISCLAIMER**

17.1 BOCMA reserves the right not to appoint a service provider and is also not obliged to provide reasons for the rejection of any proposal.

### **17.2 BOCMA reserves the right to:**

- (a) Award contract to a service provider
- (b) Reject all bids
- (c) Decline to consider any bids that do not conform to any aspect of the bidding requirements
- (d) Cancel this tender or any part thereof at any time.

The following Officials may be contacted for Admin related enquiries.

For enquiries contact: Ms Noxolo Mafanya/Thandile Majola

Telephone number: (023) 346 8000

Email: [nmafanya@bocma.co.za](mailto:nmafanya@bocma.co.za) / [tmajola@bocma.co.za](mailto:tmajola@bocma.co.za)

Technical Enquiries: Mrs Prudence Mahlaba

Telephone:023 346 8000.

Email: [pmahlaba@bocma.co.za](mailto:pmahlaba@bocma.co.za)

## 18. SPECIFIC CONDITIONS

Respondents should complete all the returnable SCHEDULEs/SBD forms listed below.

## 19. RETURNABLE SCHEDULES

(All ANNEXUREs must be completed and returned by the Supplier(s) when submitting the bid.)

<b>RETURNABLE SCHEDULE 1:</b> Invitation to Bid (SBD 1)
<b>RETURNABLE SCHEDULE 2:</b> Pricing Schedule (SBD 3.3)
<b>RETURNABLE SCHEDULE 3:</b> Declaration of Interest (SBD 4)
<b>RETURNABLE SCHEDULE 4:</b> Preference Points Claim Form (SBD 6.1)

## 20. TERMS AND GENERAL CONDITIONS

- (a) All submissions must be received by the Breede-Olifants Catchment Management Agency no later than **30 January 2025 @ 14:00**. Respondents must submit their proposals before the closing date and time. No late submissions will be considered;
- (b) All submissions and subsequent information received will become the property of the Breede-Olifants Catchment Management Agency and will not be returned;
- (c) Failure to complete all supplementary information will result in submissions being deemed null and void and shall be considered “non-responsive” and therefore not considered;
- (d) Telegraphic, telexed, faxed or e-mailed submissions will not be accepted;
- (e) Service Providers should submit 5 Copies of proposals, one copy should be an original and clearly marked **Original** and the remaining can be the copies of the Original.

**RFP 2024/ 07 –REQUEST FOR PROPOSAL (RFP): DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR THE BREEDE-OLIFANTS WATER MANAGEMENT AREA** at the Tender Box of BOCMA at Cnr Mountain Mill and East Lake Road; Worcester; 6850.

Proposals may also be posted to:

**Attention: Acting: CHIEF EXECUTIVE OFFICER: RFP 2024/07  
DEVELOPMENT OF A CATCHMENT MANAGEMENT STRATEGY FOR  
THE BREEDE-OLIFANTS WATER MANAGEMENT AREA;  
Private Bag X3055, Worcester ,6850.**

- (f) Respondents or their representatives (including the courier services) must ensure that they register their submissions in the Lodging Sheet at the Reception Desk of the above-mentioned Breede-Olifants CMA Office, wherein they will indicate the name of the person delivering the submission, the number of copies submitted, the time and date of submission and sign the document.
- (g) All enquiries and submissions regarding this Request for Tender (RFP) must be directed to: - Mrs Prudence Mahlaba or Ms Noxolo Mafanya at Supply Chain Management Unit Number: 023 346 8000; Email: [pmahlaba@bocma.co.za](mailto:pmahlaba@bocma.co.za) and/or [nmafanya@bocma.co.za](mailto:nmafanya@bocma.co.za) and [tmajola@bocma.co.za](mailto:tmajola@bocma.co.za)
- (h) The contact persons reflected above shall be the only point of contact for this contract. Failure to observe this requirement might lead to immediate disqualification of the respondent;
- (i) The Breede-Olifants CMA reserves the right not to accept any submission
- (j) Bidders must comply with Regulation 13(c) of the Public Service Regulations, 2016 which states that “an employee in the public service shall not conduct business with any organ of state or be a director of a public or private company conducting business with an organ of state, unless such employee is in an official capacity a director of a company listed in ANNEXURE 2 and 3 of the PFMA”
- (k) Submission of a Request for Proposal and its subsequent receipt by the Breede-Olifants CMA does not represent a commitment on the part of the Breede-Olifants CMA to proceed further with any Respondent or any project;
- (l) No costs incurred by the Respondents in the preparation of their submission will be reimbursed;



- (m) Public Liability - Breede-Olifants CMA shall not be liable in respect of any claims, damages, accidents, etc. to persons, properties, vehicle rights, etc. that may arise from the carrying out of this contract.
- (n) Tender prices must remain valid for a period of **120 days** (calculated from closing date of the bid).

## 21. DISQUALIFICATION

- (a) It must be stressed that any queries relating to this request must be addressed only to [pmahlaba@bocma.co.za](mailto:pmahlaba@bocma.co.za) or [nmafanya@bocma.co.za](mailto:nmafanya@bocma.co.za)/ [tmajola@bocma](mailto:tmajola@bocma.co.za) who are identified as contact persons for this contract; Mrs P Mahlaba or Ms N Mafanya / T Majola: Supply Chain Management Unit Contact Number: 023 – 346 8000. The queries must be in writing addressed to the above-mentioned officials. The queries must be sent to the above-mentioned officials before **20 January 2025**.
- (a) Respondents are not to communicate in any manner or form whatsoever with members of Breede-Olifants Catchment Management Agency's personnel about the RFP until the preferred Supplier(s) has been selected and the procurement process completed;
- (b) Respondents are advised that should there be any contact with Breede-Olifants Catchment Management Agency's staff and the Adjudication Team which could in any way be seen or deemed to constitute a conflict of interest, bribe or otherwise influence the process and the outcome thereof, will result in immediate disqualification;
- (c) Misrepresentation of information presented to the Breede-Olifants Catchment Management Agency, be it on capability statement or empowerment credentials will also lead to disqualification of the respondent.

**RETURNABLE SCHEDULE 1: INVITATION TO BID AND THE TERMS AND CONDITIONS OF BIDDING  
(SBD 1)**

SBD1

**PART A  
INVITATION TO BID**

<b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>					
BID NUMBER:	RFP 2024/07	CLOSING DATE:	30 January 2025	CLOSING TIME:	14:00
DESCRIPTION					
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
<b>BREEDE OLIFANTS CATCHMENT MANAGEMENT AGENCY</b>					
<b>CNR MOUNTAIN MILL AND EAST LAKE ROAD</b>					
<b>WORCESTER</b>					
<b>6850</b>					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	<b>NOXOLO MAFANYA</b>		CONTACT PERSON	<b>Mrs Prudence Mahlaba</b>	
TELEPHONE NUMBER	<b>023 346 8000</b>		TELEPHONE NUMBER	<b>023 346 8000</b>	
FACSIMILE NUMBER	<b>023 347 2012</b>		FACSIMILE NUMBER	<b>023 347 2012</b>	
E-MAIL ADDRESS	<b>nmafanya@bocma.co.za</b>		E-MAIL ADDRESS	<b>pmahlaba@bocma.co.za</b>	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		<b>OR</b>	CENTRAL SUPPLIER DATABASE No:	MAAA
1.1.1.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		1.1.1.2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
<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	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.</b>					

## PART B TERMS AND CONDITIONS FOR BIDDING

<b>1. BID SUBMISSION:</b>
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p> <p>2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."</p>

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

SIGNATURE OF BIDDER: .....

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

DATE: .....

**RETURNABLE SCHEDULE 2: PRICING SCHEDULE  
(SBD 3.3)**

SBD 3.3

**PRICING SCHEDULE  
(Professional Services)**

NAME OF BIDDER: .....	BID NO.: .....
CLOSING TIME 14:00	CLOSING DATE.....

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

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)	
1.	The accompanying information must be used for the formulation of proposals.		
2.	Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project.	R.....	
3.	PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)		
4.	PERSON AND POSITION	HOURLY RATE	DAILY RATE
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
	-----	R-----	-----
5.	PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT		
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days
	-----	R-----	----- days
5.1	Travel expenses (specify, for example rate/km and total km, class of airtravel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.		
	DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY AMOUNT
	-----	.....	..... R.....
	-----	.....	..... R.....
	-----	.....	..... R.....
	-----	.....	..... R.....
		TOTAL: R.....	

“applicable taxes” includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

.2 Other expenses, for example accommodation (specify, eg. Three star hotel, bed and breakfast, telephone cost, reproduction cost, etc.). On basis of these particulars, certified invoices will be checked for correctness. Proof of the expenses must accompany invoices.

DESCRIPTION OF EXPENSE TO BE INCURRED	RATE	QUANTITY	AMOUNT
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
.....	.....	.....	R.....
TOTAL: R.....			

- 6. Period required for commencement with project after acceptance of bid .....  
.....
- 7. Estimated man-days for completion of project .....  
.....
- 8. Are the rates quoted firm for the full period of contract? \*YES/NO
- 9. If not firm for the full period, provide details of the basis on which adjustments will be applied for, for example consumer price index. ....  
.....  
.....  
.....

**\*[DELETE IF NOT APPLICABLE]**

Any enquiries regarding bidding procedures may be directed to the –  
(INSERT NAME AND ADDRESS OF DEPARTMENT/ENTITY)

Tel:

Or for technical information –

(INSERT NAME OF CONTACT PERSON)

Tel:

## **BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

**2. Bidder's declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

<b>Full Name</b>	<b>Identity Number</b>	<b>Name of State institution</b>

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:  
 .....  
 .....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:  
 .....  
 .....

---

<sup>1</sup> the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

**3 DECLARATION**

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

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

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

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

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder

---

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

**RETURNABLE SCHEDULE 4: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)**

**SBD 6.1**

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

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

**NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

*(delete whichever is not applicable for this tender).*

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	<b>80</b>
<b>SPECIFIC GOALS</b>	<b>20</b>
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>



- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim regarding preferences, in any manner required by the organ of state.

## 2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

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

$P_t$  = Price of tender under consideration

$P_{min}$  = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

**Table 1: Specific goals for the tender and points claimed are indicated per the table below.**

***(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.***

***Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)***

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprises 51% or more black women owned	N/A	10	N/A	
Enterprises Owned by people with Disabilities or Youth	N/A	5	N/A	
51 % or more black owned	N/A	5	N/A	
Total	N/A	20	N/A	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number:  
.....

4.5. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

	..... <b>SIGNATURE(S) OF TENDERER(S)</b>
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....