# REQUEST FOR PROPOSALS

**YOU ARE HEREBY INVITED TO SUBMIT A BID TO MEET THE REQUIREMENTS OF THE DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED**

<table>
<thead>
<tr>
<th>BID NUMBER:</th>
<th>RFP042/2020</th>
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</table>

**NON-COMPULSORY BRIEFING SESSION DETAILS:**

Tender briefing will be done online via Microsoft teams. Bidders must advise of their interest to participate in this tender by sending an email to LihleSCM@dbsa.org three (3) working days before the briefing meeting so as to be invited. 24 February 2021 @11H00

<table>
<thead>
<tr>
<th>CLOSING DATE:</th>
<th>11 March 2021</th>
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<tr>
<th>CLOSING TIME:</th>
<th>00H00</th>
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| PERIOD FOR WHICH BIDS ARE REQUIRED TO REMAIN OPEN FOR ACCEPTANCE: | 120 days |

**DESCRIPTION OF BID:**

Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

**BID DOCUMENTS DELIVERY ADDRESS:**

1. **ELECTRONIC SUBMISSIONS**

**INSTRUCTIONS:**

- Bidders are required to issue Tender Submission Link requests and all enquiries to LihleSCM@dbsa.org ONLY;
- **No** – Tender Submission Link requests will be accepted after 16h00 on the 8th of March 2021. Any requests after the stipulated date and time will be disregarded.
- Bidders will thereafter receive a OneDrive Link to upload their submission documents electronically.
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

NB: Electronic submission is encouraged for all bidders interested in this tender bid

Closing date 11 March 2021 before 00:00. All bids must be in on the 11th of March 2021.

| NAME OF BIDDER: | |
| CONTACT PERSON: | |
| EMAIL ADDRESS: | |
| TELEPHONE NUMBER: | |
| FAX NUMBER: | |
| BIDDER’S STAMP OR SIGNATURE | |
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF DEVELOPMENT BANK OF SOUTHERN AFRICA LIMITED (“DBSA”)

BID NUMBER: RFP042/2021

DESCRIPTION:

Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

NON-COMPULSORY BRIEFING: 24 February 2021 - Tender briefing will be done online via Microsoft teams. Bidders must advise of their interest to participate in this tender by sending an email to LihleSCM@ dbsa.org three (3) working days before the briefing meeting so as to be invited.

LINK REQUESTS: No – Tender Submission Link requests will be accepted after 16h00 on the 8th March 2021. Any requests after the stipulated date and time will be disregarded.

CLOSING DATE: 11 March 2021
CLOSING TIME: 00H00

The successful Bidder will be required to conclude a service level agreement with the DBSA.
ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

THIS BID IS SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT, WHICH ARE SET OUT IN PART C OF THIS DOCUMENT.

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED).

BIDDERS THAT ARE UNINCORPORATED CONSORTIA CONSISTING OF MORE THAN ONE LEGAL ENTITY MUST SELECT A LEAD ENTITY AND FURNISH THE DETAILS OF THE LEAD ENTITY, UNLESS OTHERWISE SPECIFIED.

| NAME OF BIDDER AND EACH ENTITY IN CONSORTIUM: |  |
| POSTAL ADDRESS: |  |
| STREET ADDRESS: |  |
| CONTACT PERSON (FULL NAME): |  |
| EMAIL ADDRESS: |  |
| TELEPHONE NUMBER: |  |
| FAX NUMBER: |  |
| BIDDER REGISTRATION NUMBER OR REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM |  |
| BIDDER VAT REGISTRATION NUMBER OR VAT REGISTRATION NUMBER OF EACH ENTITY IN CONSORTIUM |  |
| BBBEE STATUS LEVEL VERIFICATION CERTIFICATE /BBBEE STATUS LEVEL SWORN AFFIDAVIT SUBMITTED? | YES | NO |

[TICK APPLICABLE BOX]
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

<table>
<thead>
<tr>
<th>1..1.1</th>
<th>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</th>
<th>☐ Yes ☐ No</th>
</tr>
</thead>
<tbody>
<tr>
<td>1..1.2</td>
<td>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>1..1.3</td>
<td>SIGNATURE OF BIDDER</td>
<td>...........................................................................................</td>
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<tr>
<td>1..1.4</td>
<td>DATE</td>
<td></td>
</tr>
<tr>
<td>1..1.5</td>
<td>FULL NAME OF AUTHORISED REPRESENTATIVE</td>
<td></td>
</tr>
<tr>
<td>1..1.6</td>
<td>CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</td>
<td></td>
</tr>
</tbody>
</table>

IF YES, WHO ISSUED THE CERTIFICATE? | |

REGISTERED WITH THE NATIONAL TREASURY CSD | YES | NO |

[TICK APPLICABLE BOX] | |

CSD REGISTRATION NUMBER | |

TAX COMPLIANCE STATUS PIN (TCS) NUMBER ISSUED BY SARS | |
PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

1.1. BIDS MUST BE SUBMITTED ELECTRONICALLY (ONE DRIVE LINK) BY THE STIPULATED TIME TO THE LINK PROVIDED. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED—(NOT TO BE RE-TYPED) OR ONLINE

1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.

1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1. BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2. BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER’S PROFILE AND TAX STATUS.

2.3. APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4. BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.

2.5. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6. WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO

3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO

3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO

3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

Development Bank of Southern Africa
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RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, Ilembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
PART C

CHECKLIST OF COMPULSORY RETURNABLE SCHEDULES AND DOCUMENTS

Please adhere to the following instructions

- Tick in the relevant block below
- Ensure that the following documents are completed and signed where applicable:
- Use the prescribed sequence in attaching the annexes that complete the Bid Document

NB: Should all of these documents not be included, the Bidder may be disqualified on the basis of non-compliance

YES  NO

One original Bid document in separate folders; Folder 1 - for Pre-Qualifying Criteria and Functional Evaluation Folder 2 - Price / Financial Proposal – Electronic submission

Part A: Invitation to Bid

Part B: Terms and Conditions of Bidding

Part C: Checklist of Compulsory Returnable Schedules and Documents

Part D: Conditions of Tendering and Undertakings by Bidders

Part E: Specifications/Terms of Reference and Project Brief

Annexure A: Price Proposal Requirement

Annexure B: SBD4 Declaration of Interest

Annexure C: SBD6.1 and B-BBEE status level certificate

Annexure D: SBD8: Declaration of Bidder’s Past Supply Chain Practices

Annexure E: SBD9: Certificate of Independent Bid Determination

Annexure F: Certified copies of your CIPC company registration documents listing all members with percentages, in case of a lose corporation
Annexure G: Certified copies of latest share certificates, in case of a company.

Annexure H: (if applicable): A breakdown of how fees and work will be spread between members of the bidding consortium.

Annexure I: Supporting documents to responses to Pre-Qualifying Criteria and Functional Evaluation Criteria.

Annexure J: General Condition of Contract

Annexure K: CSD Tax Compliance Status and Registration Requirements Report
PART D
CONDITIONS OF TENDERING AND UNDERTAKINGS BY BIDDER

1. DEFINITIONS
In this Request for Proposals, unless a contrary intention is apparent:

1.1 B-BBEE means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act, 2003;

1.2 B-BBEE Act means the Broad-Based Black Economic Empowerment Act, 2003;

1.3 B-BBEE status level of contributor means the B-BBEE status received by a measured entity based on its overall performance used to claim points in terms of regulation 6 and 7 of the Preferential Procurement Regulations, 2017.

1.4 Business Day means a day which is not a Saturday, Sunday or public holiday.

1.5 Bid means a written offer in the prescribed or stipulated form lodged by a Bidder in response to an invitation in this Request for Proposal, containing an offer to provide goods, works or services in accordance with the Specification as provided in this RFP.

1.6 Bidder means a person or legal entity, or an unincorporated group of persons or legal entities that submit a Bid.

1.7 Companies Act means the Companies Act, 2008.

1.8 Compulsory Documents means the list of compulsory schedules and documents set out in Part B.

1.9 Closing Time means the time, specified as such under the clause 4 (Bid Timetable) in Part C, by which Tenders must be received.

1.10 DBSA means the Development Bank of Southern Africa Limited.

1.11 DFI means Development Finance Institution.

1.12 Evaluation Criteria means the criteria set out under the clause 27 (Evaluation Process) of this Part C, which includes the Qualifying Criteria, Functional Criteria and Price and Preferential Points Assessment.

1.13 Functional Criteria means the criteria set out in clause 27 of this Part C.

1.14 Intellectual Property Rights includes copyright and neighbouring rights, and all proprietary rights in relation to inventions (including patents) registered and unregistered trademarks (including service marks), registered designs, confidential information (including trade secrets and know how) and circuit layouts, and all other proprietary rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields.

1.15 PFMA means the Public Finance Management Act, 1999.

1.17 **PPPFA Regulations** means the Preferential Procurement Regulations, 2017 published in terms of the PPPFA.

1.18 **Pre-Qualifying Criteria** means the criteria set out in clause 27.3 of this Part C.

1.19 **Price and Preferential Points Assessment** means the process described in clause 27.6 of this Part C, as prescribed by the PPPFA.

1.20 **Proposed Contract** means the agreement including any other terms and conditions contained in or referred to in this RFP that may be executed between the DBSA and the successful Bidder.

1.21 **Request for Proposal** or **RFP** means this document (comprising each of the parts identified under Part A, Part B, Part C and Part D) including all annexures and any other documents so designated by the DBSA.

1.22 **SARS** means the South African Revenue Service.

1.23 **Services** means the services required by the DBSA, as specified in this RFP Part D.

1.24 **SLA** means service level agreement.

1.25 **SOE** means State Owned Enterprise, as defined by the Companies’ Act.

1.26 **Specification** means the conditions of tender set and any specification or description of the DBSA’s requirements contained in this RFP.

1.27 **State** means the Republic of South Africa.

1.28 **Statement of Compliance** means the statement forming part of a Tender indicating the Bidders compliance with the Specification.

1.29 **Tendering Process** means the process commenced by the issuing of this Request for Proposals and concluding upon formal announcement by the DBSA of the selection of a successful Bidder(s) or upon the earlier termination of the process.

1.30 **Website** means a website administered by DBSA under its name with web address [www.dbsa.org](http://www.dbsa.org)

2. **INTERPRETATIONS**

   In this RFP, unless expressly provided otherwise a reference to:

2.1 “includes” or “including” means includes or including without limitation; and

2.2 “R” or “Rand” is a reference to the lawful currency of the Republic of South Africa.

3. **TENDER TECHNICAL AND GENERAL QUERIES**

   Queries pertaining to this tender must be directed to:-
   
   DBSA Supply Chain Management Unit
   
   Email: [LihleSCM@dbsa.org](mailto:LihleSCM@dbsa.org)

   No questions will be answered telephonically.
4. **BID TIMETABLE**

   This timetable is provided as an indication of the timing of the tender process. It is indicative only and subject to change by the DBSA. Bidders are to provide proposals that will allow achievement of the intended commencement date.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
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<tbody>
<tr>
<td>Advertisement of tender</td>
<td>19/02/2021</td>
</tr>
<tr>
<td>RFP document available</td>
<td>19/02/2021</td>
</tr>
<tr>
<td>Closing date for tender enquiries</td>
<td>08/03/2021</td>
</tr>
<tr>
<td>Link requests</td>
<td>08/03/2021 by 16h00</td>
</tr>
<tr>
<td>Closing date and time</td>
<td>11/03/2021 at 00h00</td>
</tr>
<tr>
<td>Intended completion of evaluation of tenders</td>
<td>TBA</td>
</tr>
<tr>
<td>Intended formal notification of successful Bidder(s)</td>
<td>TBA</td>
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<tr>
<td>Signing of Service Level Agreement</td>
<td>TBA</td>
</tr>
<tr>
<td>Effective date</td>
<td>TBA</td>
</tr>
</tbody>
</table>

5. **SUBMISSION OF TENDERS**

   **Instructions:**

   - Bidders are required to issue Tender Submission Link requests and all other enquiries to LihleSCM@dbsa.org ONLY;
   - **No** – Tender Submission Link requests will be accepted after **16h00 on the 8th of March 2021**. Any requests after the stipulated date and time will be disregarded.
   - Bidders will thereafter receive a OneDrive Link to upload their tender submission documents electronically.

   **NB:** No Physical submission will be accepted for this bid. Bidders must ensure that they follow the instructions for the electronic submission.
6. RULES GOVERNING THIS RFP AND THE TENDERING PROCESS

6.1 Participation in the tender process is subject to compliance with the rules contained in this RFP Part C.

6.2 All persons (whether or not a participant in this tender process) having obtained or received this RFP may only use it, and the information contained herein, in compliance with the rules contained in this RFP.

6.3 All Bidders are deemed to accept the rules contained in this RFP Part C.

6.4 The rules contained in this RFP Part C apply to:

6.4.1 The RFP and any other information given, received or made available in connection with this RFP, and any revisions or annexure;

6.4.2 the Tendering Process; and

6.4.3 any communications (including any briefings, presentations, meetings and negotiations) relating to the RFP or the Tendering Process.

7. STATUS OF REQUEST FOR PROPOSAL

7.1 This RFP is an invitation for person(s) to submit a proposal(s) for the provision of the services as set out in the Specification contained in this RFP. Accordingly, this RFP must not be construed, interpreted, or relied upon, whether expressly or implicitly, as an offer capable of acceptance by any person(s), or as creating any form of contractual, promissory or other rights. No binding contract or other understanding for the supply of services will exist between the DBSA and any Bidder unless and until the DBSA has executed a formal written contract with the successful Bidder.

8. ACCURACY OF REQUEST FOR PROPOSAL

8.1 Whilst all due care has been taken in connection with the preparation of this RFP, the DBSA makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The DBSA, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete.

8.2 If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA (other than minor clerical matters), the Bidder must promptly notify the DBSA in writing of such discrepancy,
ambiguity, error or inconsistency in order to afford the DBSA an opportunity to consider what corrective action is necessary (if any).

8.3 Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the DBSA will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice.

9. ADDITIONS AND AMENDMENTS TO THE RFP

9.1 The DBSA reserves the right to change any information in, or to issue any addendum to this RFP before the Closing Time. The DBSA and its officers, employees and advisors will not be liable in connection with either the exercise of, or failure to exercise this right.

9.2 If the DBSA exercises its right to change information in terms of clause 9.1, it may seek amended Tenders from all Bidders.

10. REPRESENTATIONS

No representations made by or on behalf of the DBSA in relation to this RFP will be binding on the DBSA unless that representation is expressly incorporated into the contract ultimately entered into between the DBSA and the successful Bidder.

11. CONFIDENTIALITY

11.1 All persons (including all Bidders) obtaining or receiving this RFP and any other information in connection with this RFP or the Tendering Process must keep the contents of the RFP and other such information confidential, and not disclose or use the information except as required for the purpose of developing a proposal in response to this RFP.

12. REQUESTS FOR CLARIFICATION OR FURTHER INFORMATION

12.1 All communications relating to this RFP and the Tendering Process must be directed to the Tender Officer.

12.2 All questions or requests for further information or clarification of this RFP or any other document issued in connection with the Tendering Process must be submitted to the Tender Officer in writing, and most preferably by e-mail to lihleSCM@dbsa.org

12.3 Any communication by a Bidder to the DBSA will be effective upon receipt by the Tender Officer (provided such communication is in the required format).

12.4 The DBSA has restricted the period during which it will accept questions or requests for further information or clarification and reserves the right not to respond to any enquiry or request, irrespective of when such enquiry or request is received.
12.5 Except where the DBSA is of the opinion that issues raised apply only to an individual Bidder, questions submitted and answers provided will be made available to all Bidders by e-mail, as well as on the DBSA’s website without identifying the person or organisation which submitted the question.
12.6 In all other instances, the DBSA may directly provide any written notification or response to a Bidder by email to the address of the Bidder (as notified by the Bidder to the Tender Manager).
12.7 A Bidder may, by notifying the Tender Officer in writing, withdraw a question submitted in accordance with clause 12, in circumstances where the Bidder does not wish the DBSA to publish its response to the question to all Bidders.

13. UNAUTHORISED COMMUNICATIONS

13.1 Communications (including promotional or advertising activities) with staff of the DBSA or their advisors assisting with the Tendering Process are not permitted during the Tendering Process, or otherwise with the prior consent of the Tender Officer. Nothing in this clause 13 is intended to prevent communications with staff of, or advisors to, the DBSA to the extent that such communications do not relate to this RFP or the Tendering Process.

13.2 Bidders must not otherwise engage in any activities that may be perceived as, or that may have the effect of, influencing the outcomes of the Tendering Process in any way.

14. IMPROPER ASSISTANCE, FRAUD AND CORRUPTION

14.1 Bidders may not seek or obtain the assistance of employees of the DBSA in the preparation of their tender responses.
14.2 The DBSA may in its absolute discretion, immediately disqualify a Bidder that it believes has sought or obtained such improper assistance.
14.3 Bidders are to be familiar with the implications of contravening the Prevention and Combating of Corrupt Activities Act, 2004 and any other relevant legislation.

15. ANTI-COMPETITIVE CONDUCT

15.1 Bidders and their respective officers, employees, agents and advisors must not engage in any collusion, anti-competitive conduct or any other similar conduct in respect of this Tendering Process with any other Bidder or any other person(s) in relation to:
   15.1.1 the preparation or lodgement of their Bid
   15.1.2 the evaluation and clarification of their Bid; and
   15.1.3 the conduct of negotiations with the DBSA.

15.2 For the purposes of this clause 15, collusion, anti-competitive conduct or any other similar conduct may include disclosure, exchange and clarification of information whether or not such information is confidential to the DBSA or any other Bidder or any other person or organisation.
15.3 In addition to any other remedies available to it under law or contract, the DBSA may, in its absolute discretion, immediately disqualify a Bidder that it believes has engaged in any collusive, anti-competitive conduct or any other similar conduct during or before the Tendering Process.

16. COMPLAINTS ABOUT THE TENDERING PROCESS

16.1 Any complaint about the RFP or the Tendering Process must be submitted to the Supply Chain Management Unit in writing, by email, immediately upon the cause of the complaint arising or becoming known to the Bidder, (lihleSCM@dbsa.org).

16.2 The written complaint must set out:
   16.2.1 the basis for the complaint, specifying the issues involved;
   16.2.2 how the subject of the complaint affects the organisation or person making the complaint;
   16.2.3 any relevant background information; and
   16.2.4 the outcome desired by the person or organisation making the complaint.

16.3 If the matter relates to the conduct of an employee of the DBSA, the complaint should be addressed in writing marked for the attention of the Chief Executive Officer of the DBSA, and delivered to the physical address of the DBSA, as notified.

17. CONFLICT OF INTEREST

17.1 A Bidder must not, and must ensure that its officers, employees, agents and advisors do not place themselves in a position that may give rise to actual, potential or perceived conflict of interest between the interests of the DBSA and the Bidder’s interests during the Tender Process.

17.2 The Bidder is required to provide details of any interests, relationships or clients which may or do give rise to a conflict of interest in relation to the supply of the services under any contract that may result from this RFP. If the Bidder submits its Bid and a subsequent conflict of interest arises, or is likely to arise, which was not disclosed in the Bid, the Bidder must notify the DBSA immediately in writing of that conflict.

17.3 The DBSA may immediately disqualify a Bidder from the Tendering Process if the Bidder fails to notify the DBSA of the conflict as required.

18. LATE BIDS

18.1 Bids must be delivered by the Closing Time. The Closing Time may be extended by the DBSA in its absolute discretion by providing written notice to Bidders.

18.2 Bids delivered after the Closing Time or lodged at a location or in a manner that is contrary to that specified in this RFP will be disqualified from the Tendering Process and will be ineligible.
Development Bank of Southern Africa

RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

for consideration. However, a late Bid may be accepted where the Bidder can clearly demonstrate (to the satisfaction of the DBSA, in its sole discretion) that late lodgement of the Bid was caused by the DBSA; that access was denied or hindered in relation to the physical tender box; or that a major/critical incident hindered the delivery of the Bid and, in all cases, that the integrity of the Tendering Process will not be compromised by accepting a Bid after the Closing Time.

18.3 The determination of the DBSA as to the actual time that a Bid is lodged is final. Subject to clause 18.2, all Bids lodged after the Closing Time will be recorded by the DBSA and will only be opened for the purposes of identifying a business name and address of the Bidder. The DBSA will inform a Bidder whose Bid was lodged after the Closing Time of its ineligibility for consideration. The general operating practice is for the late Bid to be returned within 5 (five) working days of receipt or within 5 (five) working days after determination not to accept a late Bid.

19. BIDDER’S RESPONSIBILITIES

19.1 Bidders are responsible for:

19.1.1 examining this RFP and any documents referenced or attached to this RFP and any other information made or to be made available by the DBSA to Bidders in connection with this RFP;

19.1.2 fully informing themselves in relation to all matters arising from this RFP, including all matters regarding the DBSA’s requirements for the provision of the Services;

19.1.3 ensuring that their Bids are accurate and complete;

19.1.4 making their own enquiries and assessing all risks regarding this RFP, and fully considering and incorporating the impact of any known and unknown risks into their Bid;

19.1.5 ensuring that they comply with all applicable laws in regards to the Tendering Process particularly as specified by National Treasury Regulations, Guidelines, Instruction Notes and Practice Notes and other relevant legislation as published from time to time in the Government Gazette; and

19.1.6 submitting all Compulsory Documents.

19.2 Bidders with annual total revenue of R10 million or less qualify as Exempted Micro Enterprises (EMEs) in terms of the B-BBEE Act must submit a certificate issued by a registered, independent auditor (who or which is not the Bidder or a part of the Bidder) or an accredited verification agency.
19.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy, or a sworn affidavit thereof, substantiating their B-BBEE status. The submission of such certificates must comply with the requirements of instructions and guidelines issued by National Treasury and be in accordance with the applicable notices published by the Department of Trade and Industry in the Government Gazette.

19.4 The DBSA 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 DBSA.

19.5 Failure to provide the required information may result in disqualification of the Bidder.

20. PREPARATION OF BIDS

20.1 Bidders must ensure that:

20.1.1 their Bid is submitted in the required format as stipulated in this RFP; and
20.1.2 all the required information fields in the Bid are completed in full and contain the information requested by the DBSA.

20.2 The DBSA may in its absolute discretion reject a Bid that does not include the information requested or is not in the format required.

20.3 Unnecessarily elaborate responses or other representations beyond that which is sufficient to present a complete and effective tender proposal are not desired or required. Elaborate and expensive visual and other presentation aids are not necessary.

20.4 Where the Bidder is unwilling to accept a specified condition, the non-acceptance must be clearly and expressly stated. Prominence must be given to the statement detailing the non-acceptance. It is not sufficient that the statement appears only as part of an attachment to the Bid, or be included in a general statement of the Bidder’s usual operating conditions.

20.5 An incomplete Bid may be disqualified or assessed solely on the information completed or received with the Bid.

21. ILLEGIBLE CONTENT, ALTERATION AND ERASURES

21.1 Incomplete Bids may be disqualified or evaluated solely on information contained in the Bid.

21.2 The DBSA may disregard any content in a Tender that is illegible and will be under no obligation whatsoever to seek clarification from the Bidder.

21.3 The DBSA may permit a Bidder to correct an unintentional error in its Bid where that error becomes known or apparent after the Closing Time, but in no event will any correction be permitted if the DBSA reasonably considers that the correction would materially alter the substance of the Bid or effect the fairness of the Tendering Process.
22. **OBLIGATION TO NOTIFY ERRORS**

If, after a Bidder’s Response has been submitted, the Bidder becomes aware of an error in the Bidders Response (including an error in pricing, but excluding clerical errors which would have no bearing on the evaluation of the Bid), the Bidder must promptly notify the DBSA of such error.

23. **RESPONSIBILITY FOR BIDDING COSTS**

23.1 The Bidders participation or involvement in any stage of the Tendering Process is at the Bidders sole risk, cost and expense. The DBSA will not be held responsible for, or pay for, any expense or loss that may be incurred by Bidders in relation to the preparation or lodgement of their Bid.

23.2 The DBSA is not liable to the Bidder for any costs on the basis of any contractual, promissory or restitutionary grounds whatsoever as a consequence of any matter relating to the Bidders participation in the Tendering Process, including without limitation, instances where:

   23.2.1 the Bidder is not engaged to perform under any contract; or
   23.2.2 the DBSA exercises any right under this RFP or at law.

24. **DISCLOSURE OF BID CONTENTS AND BID INFORMATION**

24.1 All Bids received by the DBSA will be treated as confidential. The DBSA will not disclose contents of any Bid and Bid information, except:

   24.1.1 as required by law;
   24.1.2 for the purpose of investigations by other government authorities having relevant jurisdiction;
   24.1.3 to external consultants and advisors of the DBSA engaged to assist with the Tendering Process; or for the general information of Bidders required to be disclosed as per National Treasury Regulations, Guidelines, Instruction Notes or Practice Notes.

25. **USE OF BIDS**

25.1 Upon submission in accordance with the requirements relating to the submission of Bids, all Bids submitted become the property of the DBSA. Bidders will retain all ownership rights in any intellectual property contained in the Bids.

25.2 Each Bidder, by submission of their Bid, is deemed to have licensed the DBSA to reproduce the whole, or any portion, of their Bid for the sole purposes of enabling the DBSA to evaluate the Bid.
26. **BID ACCEPTANCE**

All Bids received must remain open for acceptance for a minimum period of 90 (Ninety) days from the Closing Time. This period may be extended by written mutual agreement between the DBSA and the Bidder.

27. **EVALUATION PROCESS**

27.1 The Bids will be evaluated and adjudicated as follows:

27.1.1 **First Stage – Test for administrative Responsiveness**

The test for administrative responsiveness will include the following:

**Stage 1: Responsiveness**

The Tenderer should be able to provide all the relevant information required in the Supplier Information Form (SIF) which will include but not limited to;

**A. Tenderers who do not adhere to those criteria listed a PRE-QUALIFIER, will be disqualified immediately.**

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Prequalifying Criteria</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Adherence in submitting Tender as two stage folders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Folder 1 - Prequalifying and Functionality proposal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Folder 2 - Pricing and Preferential Assessment</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>2. Compulsory Briefing session</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>3. In terms of the DBSA Transformation Imperative Targets, the DBSA will consider companies that are EME’s and QSE’s with a minimum B-BBEE status of Level 2 who will contribute to meaningful B-BBEE initiatives as part of the tender process.</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
<tr>
<td>4. The successful Tenderer, if not itself an EME or QSE with a minimum B-BBEE status level 2, as per Section 4(1)(a) and (b) of the PPR 2017, must subcontract a minimum of 30% of the value to the following category referred to in Section 4(1)(c) of the PPR 2017:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i). an EME or QSE which is at least 51% owned by black people.</td>
<td>Pre-Qualifier</td>
<td>Y</td>
</tr>
</tbody>
</table>
B. Tenderers who do not adhere to the indicated response time for clarifications requested by the Employer will be deemed to be non-responsive and their submissions will not be evaluated further.

<table>
<thead>
<tr>
<th>Responsiveness Criteria</th>
<th>Clarification Time</th>
<th>Applicable to this Tender (Y/N)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 Standard conditions of tender as required.</td>
<td>48 hours</td>
<td>Y</td>
</tr>
<tr>
<td>6 Returnable documents completed and signed.</td>
<td>48 hours</td>
<td>Y</td>
</tr>
<tr>
<td>7 Submission of Proof of Registration with National Treasury Central Supplier Database (CSD) Summary Report or A Valid and Active Tax Compliance Status Pin issued by SARS for Tax Compliance Status Verification: N.B - Bidder must be fully registered &amp; tax compliant in order to do business with the DBSA.</td>
<td>7 Working days</td>
<td>Y</td>
</tr>
</tbody>
</table>

Only those Bidders which satisfy all of the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all of the Pre-Qualifying Criteria will not be evaluated further.

27.1.2 Second Stage – Functional criteria

27.1.1 Only those Bidders which score [70] points or higher (out of a possible 100) during the functional evaluation will be evaluated during the second stage of the Bid. Bidders are required to submit supporting documentation evidencing their compliance with each requirement, where applicable.

Bidders will be assessed on the functional criteria set out in this RFP. Only those Bidders which comply with the eligibility criteria will proceed to the next stage.

27.1.2 Third Stage – price and preferential points

27.1.2.1 Those Bidders which have passed the initial and first stages of the tender process will be scored on the basis of price and preference point allocation in accordance with the applicable legislation.

27.1.2.2 The successful Bidder will be the Bidder that scores the highest number of points in the second stage of the Bid evaluation, unless the DBSA exercises its right to cancel the RFP, in line with the PPPFA Regulations.

27.2 NB: Bidders are required to submit, as Annexure J to their Bids, any documentation which supports the responses provided in respect of the Eligibility Criteria below.
27.3 **Qualification: Pre-Qualifying Criteria**

Only those Bidders which satisfy all of the Pre-Qualifying Criteria will be eligible to participate in the Tendering Process further. Bids which do not satisfy all of the Pre-Qualifying Criteria will not be evaluated further. Please refer to the table above.

**Note:** A tender that fails to meet any Pre-Qualifying Criteria stipulated herein in the tender documents is an unacceptable tender. Please refer to the table above.

27.4 **Second Stage: Functional Criteria**

The Functional Criteria that will be used to test the capability of Bidders are as follows: The technical proposal will be evaluated according to the following criteria and scoring system. The technical score will be calculated out of 100 points, and only those bids that achieve a threshold of **70 points** for the technical proposal will move to the next level of evaluation where a score for price and BBBEE.

<table>
<thead>
<tr>
<th>Item no.</th>
<th>Assessment Criteria</th>
<th>Description</th>
<th>score</th>
<th>% Weighting</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td><strong>Service Provider’s specific experience over the past 10 years. (Planning, financial close &amp; Implementation)</strong></td>
<td></td>
<td>45%</td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Technical – Experience with respect to conducting bankable feasibility studies, registration of projects for grant funding; Familiar with promoting a green climate smart economy and with working with ecosystem services, biodiversity, circular economy, resource efficiency and promoting green engineering designs, climate change agenda, mitigation and adaptation approach, and have implemented such projects; designs and commissioning of the tertiary wastewater treatment plants, pump stations, outfall sewer pipeline including Conducted bankable feasibility studies &amp; designed for the following: (1) 5% = three tertiary wastewater treatment plant projects in South Africa with a capacity between 20 and 15 ML/day, including commercialisation of by-products and incorporation of wastewater reuse principles;</td>
<td></td>
<td>10%</td>
<td></td>
</tr>
</tbody>
</table>
commercialisation of by-products and wastewater reuse principles. Ability to apply social, economic, environmental and institutional good practices and global standards, Bank safeguard gap analysis, develop commitment plans, identify indicators and targets to measure and monitor progress against development results frameworks. Ability to understand and work with emerging carbon markets. Two traceable reverences should be submitted.

pump stations & out fall sewer pipelines.

(2) 3% = two tertiary wastewater treatment plant projects in South Africa with a capacity between 15 and 10 ML/day, including commercialisation of by-products and incorporated wastewater reuse concept; pump stations & out fall sewer pipelines.

(3) 2% = two tertiary wastewater treatment plant projects in South Africa with a capacity of Less than 10 ML/day, including commercialisation of by-products and incorporated wastewater reuse concept; pump stations & out fall sewer pipelines.

(4) 2% = Registration of projects for grant funding.

(5) 2% = Familiar with with ecosystem services, biodiversity, promoting green engineering, resource efficiency and circular economy, Climate Change Agenda, mitigation & adaptation approach, and have implemented such projects.

(6) 2% safeguards gap analysis and development results reporting with a comprehensive list of environmental and social indicators.
### 1.2 Technical – Experience with respect to conducting bankable feasibility studies, registration of the projects for grant funding, designs for Bulk Water Supply pipelines and associated works (i.e. pump station etc.). Two traceable reverences should be submitted.

- Familiar with ecosystem services, biodiversity, circular economy, resource efficiency and promoting and advancing green engineering designs, the global emerging climate change agenda, mitigation and adaptation approaches, and have implemented such projects;
- Ability to apply social, economic, environmental and institutional international good practices, Bank safeguard gap analysis, develop commitment plans, identify indicators and targets to measure and monitor progress against development results frameworks.

<table>
<thead>
<tr>
<th>Conducted bankable feasibility studies &amp; designed for the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 3% = Bulk water supply pipeline with a diameter greater than 950 mm and associated works;</td>
</tr>
<tr>
<td>(2) 2% = Bulk water supply pipeline with a diameter greater than 750mm but less than 950mm, and associated works;</td>
</tr>
<tr>
<td>(3) 1% = Bulk water supply pipeline with a diameter greater than 750mm but less than 315 mm, and associated works</td>
</tr>
<tr>
<td>(4) 2% = Registration of projects for grant funding.</td>
</tr>
</tbody>
</table>

### 1.3 Technical – Experience with respect to conducting bankable feasibility studies, registration of the projects for grant funding, designs of the Electricity Substations and associated works including Power Factor Correction, and Centralised Network Control Centre. Two traceable reverences should be submitted. Familiar with ecosystem services, biodiversity, circular economy, resource efficiency and green engineering designs, climate change agenda, mitigation and adaptation approach, and have implemented such projects;

- Ability to apply social, economic, environmental and institutional good practices, Bank safeguard gap analysis, develop commitment plans, identify indicators and targets to measure and monitor progress against development results frameworks

<table>
<thead>
<tr>
<th>Conducted bankable feasibility studies &amp; designed for the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 4% = Two Electricity Substation with a capacity of &gt;30 MVA</td>
</tr>
<tr>
<td>(2) 3% = Two Electricity Substation with a capacity between 30 and 20 MVA</td>
</tr>
<tr>
<td>(3) 2% = Two Electricity Substation with a capacity of 20 MVA</td>
</tr>
<tr>
<td>(4) 1% = Two Electricity Substation with a capacity of less than 20 MVA</td>
</tr>
<tr>
<td>(5) 2% = Registration of projects for grant funding.</td>
</tr>
</tbody>
</table>
### 1.4 Technical – Experience in investigating bulk water supply sources and augmentation of such sources:

Conducting bankable feasibility studies, registration of the project for grant funding, familiar with climate Change Agenda, mitigation & adaptation approach, Familiar with ecosystem services, biodiversity, circular economy, resource efficiency and green engineering designs, climate change agenda, mitigation and adaptation approach, Ability to apply social, economic, environmental and institutional good practices, Bank safeguard gap analysis, develop commitment plans, identify indicators and targets to measure and monitor progress against development results frameworks; and have implemented such project; designs for bulk infrastructure for water supply. Two traceable reverences should be submitted.

Conducted detailed investigation and bankable feasibility studies for bulk water supply sources and augmentation.

1. **3%** = The Bidder should demonstrate to have been involved in three detailed investigations for bulk water supply sources, augmentation of such resources; designed of infrastructure for bulk water supply for large size scheme.

2. **2%** = The Bidder should demonstrate to have been involved in two detailed investigations for bulk water supply sources, augmentation of such resources; designed of infrastructure for bulk water supply for medium size scheme.

3. **1%** = The Bidder should demonstrate to have been involved in two detailed investigations for bulk water supply sources, augmentation of such resources; designed of infrastructure for bulk water supply for small size scheme.

4. **2%** = Registration of projects for grant funding.

| Financial & Legal | 5% |
1.5 Municipal Finance Aspects:
The Bidder should demonstrate experience with an emphasis on Financial Planning and Budgeting predominantly in Local Government Environment (municipal finance). Two traceable reverences should be submitted.

Furthermore, the Bidders should have been involved in projects that entails the following:
1. Project Financing Structure / Alternative funding mechanism
2. Raising debt finance for the implementation of their projects
3. Financial analysis and modelling
4. Understand the principle of blended finance
5. Supported the municipalities to implement the construction phase with accounting process and financial management.
6. Understand the legal implications and relevant Acts such as MFMA, MSA, MSA which may be relevant to PSP Model.
7. Understand how to disaggregate green climate finance costs from mainstream costs and prepare projects for green bond markets

1.6 Legal Aspects:
The Bidder should be able to demonstrate experience in the following with emphasis to local government environment:
- Familiar with the MFMA, Municipal Systems Act, Municipal Structures Act in relation to PPP.
- Experience in working with project finance related to electricity, water, sanitation.
- Experience with Contract Law
- Experience with bank safeguards
- Experience with international and local environmental laws

Years’ experience in Municipal Finance:
- 10% = > 10 years in budgeting and planning, of which 6 years were in local government environment
- 8% = > 8 years in budgeting and planning, of which at least 4 years were in local government environment
- 6% = > 5 years in budgeting and planning of which at least 2 years were in local government environment
- 4% = > 3 years in budgeting and planning of which at least 1 year were in local government environment
- 2% = < 3 years in budgeting and planning in local government environment

Years’ experience in dealing with Contracting, Regulatory and Legislative Assignments in local government environment:
- 10% = > 10 years in Contract Law, Regulations and Legislative Assignments, of which 6 years were in local government environment
- 8% = > 8 years in Contract Law, Regulations and Legislative Assignments, of
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<table>
<thead>
<tr>
<th>Total Section 1</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2. Methodology &amp; Work Plan</strong></td>
</tr>
<tr>
<td><strong>2.1 Proposed Methodology (approach)</strong></td>
</tr>
<tr>
<td><strong>General planning:</strong></td>
</tr>
<tr>
<td>• Understanding of the municipal space and planning processes,</td>
</tr>
<tr>
<td>• Understanding of the municipal finance systems and the cycle,</td>
</tr>
<tr>
<td>• Clear analysis of the key challenges associated with planning, financial &amp;</td>
</tr>
<tr>
<td>legal aspects projects at hand,</td>
</tr>
<tr>
<td>• Technical, Financial and Socio-economic viability of the projects</td>
</tr>
<tr>
<td>• Environmental and sustainability and detailed safeguard assessment aligned</td>
</tr>
<tr>
<td>with SDGs, and global policy advancements in climate change and ecosystem</td>
</tr>
<tr>
<td>restoration – emphasis is on ensuring an integrated water and natural</td>
</tr>
<tr>
<td>resource management approach is adopted and that projects seek opportunities</td>
</tr>
<tr>
<td>for net which at least 4 years were in local government environment</td>
</tr>
<tr>
<td>6% = &gt; 5 years in Contract Law, Regulations and Legislative Assignments of</td>
</tr>
<tr>
<td>which at least 2 years were in local government environment</td>
</tr>
<tr>
<td>4% = &gt; 3 years in Contract Law, Regulations and Legislative Assignments of</td>
</tr>
<tr>
<td>which at least 1 year were in local government environment</td>
</tr>
<tr>
<td>2% = &lt; 3 years in Contract Law, Regulations and Legislative Assignments in</td>
</tr>
<tr>
<td>local government environment</td>
</tr>
</tbody>
</table>

(1) 5% = Submission that is detailed and excellent, covering all aspects of the Terms of Reference.

(2) 4% = Submission that is very good covering all the aspects of the Terms of Reference.

(3) 3% = Submission that is good covering all the aspects of the Terms of Reference.

(4) 1% = Submission lacking in detail and not covering all aspect of the Term of Reference.

**Note:**
positive ecosystem investments in the catchments they receive water from (this is a holistic approach to integrating ecological and engineering services and it requires transitional thinking rather than repeating past conventional patterns of designing works)

- Social and environmental indicators, metrics and reporting to ensure net positive environmental and social benefits/impacts

**Financial Aspects:**
- Address the Local Government Segment particularly with respect to provision of infrastructure in Water & Sanitation (WWTWs) and Electricity,
- Municipal revenue streams,
- Funding models including project finance structuring, financial modelling (including tariff structures), socio-economic analysis,
- Applicable regulations and legislation Private Sector Mobilization etc.

**Legal:**
- Undertake due diligence for the preferred type of contracting for all projects in water, sanitation and electricity sectors,
- Consider applicable local governments Acts e.g. MFMA, Municipal Systems Act & Municipal Structures Act
- Consider applicable international environmental and water related policy and laws and many more, please refer to legal aspect Section (f) under scope of work.

**Specialist Activities:**
Provide details on how the specialist activities such as environmental (including ecosystem services), climate mitigation and adaption assessments (including stress testing and climate modelling), geohydrology, process design, mechanical designs, geotechnical, survey, electrical designs and social facilitation will be addressed aligned with global good practices.

<table>
<thead>
<tr>
<th>Rating</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Excellent</td>
<td>means that the proposed methodology is of the highest standard and comprehensively covers every possible aspect of the required work.</td>
</tr>
<tr>
<td>Very good</td>
<td>means that the proposed methodology is a high standard, however does not comprehensively cover every possible aspect of the required work.</td>
</tr>
<tr>
<td>Good</td>
<td>means that the proposed methodology is of expected standard, however does not adequately cover every possible aspect of the required work.</td>
</tr>
</tbody>
</table>
Provide details on how net positive environmental and social benefits and outcomes will be approached to promote restoration of ecosystems and interlinkages between engineering elements and ecological systems and how pricing projects will take this into account.

### 2.2 Work Plan & Time-table

Quality of the proposed work plan and time-table for the execution of the assignment in line with requirements of ToR, proposed methodology, and resource allocation.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 5%</td>
<td>Submission that is detailed and excellent, covering all aspect of ToR.</td>
<td></td>
</tr>
<tr>
<td>(2) 4%</td>
<td>Submission that is very good covering all the aspect of ToR.</td>
<td></td>
</tr>
<tr>
<td>(3) 3%</td>
<td>Submission that is good and covering all aspect of ToR.</td>
<td></td>
</tr>
<tr>
<td>(4) 2%</td>
<td>Submission that is partly covering the aspect of ToR.</td>
<td></td>
</tr>
<tr>
<td>(5) 1%</td>
<td>Submission that is lacking details and partly covering the aspect of ToR.</td>
<td></td>
</tr>
</tbody>
</table>

#### Total section 2

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>3. Quality and presentation of the proposal</td>
<td></td>
<td>5%</td>
</tr>
</tbody>
</table>

Quality of the submission with respect to the following:
- Details, concise to the point and completeness
- Project Comprehension and
- strategy to enable the project to reach Financial Close.

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) 5%</td>
<td>Clear understanding of the project needs, comprehension and appropriate/robust strategy to reach Financial Close.</td>
<td></td>
</tr>
<tr>
<td>(2) 4%</td>
<td>Reasonable understanding of project comprehension and acceptable strategy to reach Financial Close.</td>
<td></td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Total Section 3</th>
<th>40%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4. Personnel &amp; Staffing: Requirements &amp; Qualification</strong></td>
<td></td>
</tr>
<tr>
<td>4.1 CV’s and Qualifications of proposed resources (All CV’s and Copies of Qualification of individual resources’ to be provided). <strong>All CVs must not exceed 5 pages and should be in font size 11 having margins at each side no less the 2.54 cm and line spacing of 1.5</strong></td>
<td></td>
</tr>
<tr>
<td>Project Manager and Team Leader</td>
<td></td>
</tr>
<tr>
<td>Bachelor’s degree in Civil Engineering or Construction Management together with registration as a Professional Engineer in terms of the Engineering Professions Act, 2000 or as a Construction Project Manager in terms of the Project and Construction Management Professions Act, 2000. Should preferably have at least 7 years’ post-registration experience in the planning, design, project preparation, and project management of the delivery of infrastructure (water, sanitation, electricity, waste management, etc.) in South Africa.</td>
<td></td>
</tr>
<tr>
<td>5% = Personnel/Professional Team member meets all the requirements &amp; qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.</td>
<td></td>
</tr>
<tr>
<td>0% = Personnel/Professional Team member not meeting the minimum requirements &amp; qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment.</td>
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</tr>
</tbody>
</table>

(3) 3% = Average understanding of project comprehension and strategy to reach Financial Close.

(4) 2% = Limited understanding of project comprehension and strategy to reach Financial Close.

(5) 15 = Limited understanding of project comprehension and strategy to reach Financial Close.
<table>
<thead>
<tr>
<th>Section</th>
<th>Position</th>
<th>Education and Experience Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2</td>
<td>Civil Engineer (Municipal Services: Water &amp; Sanitation)</td>
<td>Bachelor's degree in Civil Engineering with registration as a Professional Engineer. Preferably 7 years' post-registration experience in planning, design, project preparation, and management of water and sanitation infrastructure in South Africa.</td>
</tr>
<tr>
<td>4.3</td>
<td>Electrical Engineer</td>
<td>Bachelor's degree in Electrical Engineering with registration as a Professional Engineer. Preferably 7 years' post-registration experience in planning, design, project preparation, and project management of electrical works.</td>
</tr>
<tr>
<td>4.4</td>
<td>Structural Engineer</td>
<td>Bachelor's degree in Civil Engineering. Must be a Professional Engineer or Professional Engineering Technologist. Preferably 7 years' post-registration experience in structural engineering.</td>
</tr>
</tbody>
</table>

**Personnel/Professional Team Member Requirements:****

- **4% = Personnel/Professional Team member** meets all the requirements & qualifications; demonstrates in-depth experience in line with the ToR and is available for the assignment.
- **0% = Personnel/Professional Team member** not meeting the minimum requirements & qualifications, demonstrates limited in-depth experience in line with the ToR and is available for the assignment.

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RFP042/2021: Appointment of a Professional Service Provider to conduct detail feasibility studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
### Geo-Hydrologist

Bachelor’s degree in Civil Engineering or Geotechnical Engineering, or Engineering Geologist, or Hydrologist. Must be registered as a Professional Engineer, or as a Professional Natural Scientist in terms of the Engineering Professions Act, 2000 or the Natural Scientific Professions Act, 2003. Should preferably have at least 7 years’ post-registration experience in the provision of geo-hydrological services on infrastructure delivery projects.

- **2%** = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in-depth experience in line with the ToR and is available for the assignment.

- **0%** = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in-depth experience in line with the ToR and is available for the assignment.

### Mechanical Engineer

Bachelor’s degree in Mechanical Engineering. Must be a registered Professional Engineer in terms of the Engineering Professions Act, 2000. Should preferably have at least 7 years’ post-registration experience in the design and implementation of mechanical engineering works associated with buildings and other infrastructure services.

- **3%** = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in-depth experience in line with the ToR and is available for the assignment.

- **0%** = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in-depth experience in line with the ToR and is available for the assignment.
<table>
<thead>
<tr>
<th>4.7</th>
<th><strong>Municipal Finance Professional</strong></th>
</tr>
</thead>
</table>
| Professional registration as a Chartered Accountant CA (SA), or as a Chartered Financial Analyst (CFA). Must be a member of the Chartered Institute of Public Finance and Accountancy (CIPFA) or similar public-sector professional body. Should preferably have at least 7 years’ post-registration overall experience within any of the following areas: Municipal Finance Management, Management Accounting, Revenue Management, Debt Management, Credit Control, and Financial Analysis. | 3% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment. 
0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment |

<table>
<thead>
<tr>
<th>4.8</th>
<th><strong>Contract Law Expert</strong></th>
</tr>
</thead>
</table>
| Bachelors’ degree in Law (LLB). Must be registered as an attorney by the Law Society of South Africa. Should have at least 7 years post-registration experience in engineering and contract law in relation to the delivery of infrastructure programmes and projects. Experience and understanding of the applicable Acts in Local Government key. | 3% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment. 
0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment |

<table>
<thead>
<tr>
<th>4.9</th>
<th><strong>Regulatory Expert</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Bachelors’ degree in Law (LLB). Must be registered as an attorney by the Law Society of South Africa. Should have at least 7 years post-registration experience in engineering and contract law in relation to the delivery of infrastructure programmes and projects.</td>
<td>3% = Personnel/Professional Team member meets all the requirements &amp; qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.</td>
</tr>
<tr>
<td>Experience and understanding of the applicable Acts in Local Government.</td>
<td>0% = Personnel/Professional Team member not meeting the minimum requirements &amp; qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment.</td>
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</tbody>
</table>
| **Environmental Specialist**
Bachelor’s degree in Environmental Studies or Natural Science plus professional registration as a Professional Natural Scientist in terms of the National Scientific Professions Act, 2003. Should preferably have at least 7 years post-registration experience in the environmental impact assessments, compliance and management aspects of solid waste management, construction projects and other infrastructure delivery programmes.
Familiar and skilled in
- Project carbon footprinting and mitigation planning
- Promoting green engineering such as resource efficiency/circular economy and biomimicry
- Climate adaptation assessments and action plans
- Undertaking comprehensive and detailed safeguard gap analysis and supporting clients to develop a response plan to identified gaps
- Development results frameworks, monitoring and reporting
- Water resource management | 2% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.  
0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment.  
2% |
### 4.11 Infrastructure Investment Analyst
Professional registration as a Chartered Accountant CA (SA), or as a Chartered Financial Analyst (CFA). Must be a member of the Chartered Institute of Public Finance and Accountancy (CIPFA) or similar public-sector professional body. Should preferably have at least 7 years’ post-registration overall experience within any of the following areas: Project Finance, Investment Analysis, Investment Planning, Financial Planning, Financial Analysis, and Municipal Financial Management.

3% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.

0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment.

<table>
<thead>
<tr>
<th>Personnel/Professional Team member</th>
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<tr>
<td>3%</td>
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### 4.12 WWTWs Process/Chemical Engineer
Bachelor of Science degree in a field related to wastewater engineering, such as civil, environmental or chemical engineering. Must be a registered Professional Engineer in terms of the Engineering Professions Act, 2000/professional registration as a Professional Natural Scientist in terms of the National Scientific Professions Act, 2003. (Primary objective in requiring such skills is to ensure that designs of various WWTWS systems are designed to safely treat wastewater to remove any harmful substances and return it to the ecosystem. The Expert will lay out the specifications for pumping and lifting systems that bring wastewater to the treatment plants).

4% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.

0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in de-depth experience in line with the ToR and is available for the assignment.

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<tr>
<th>Personnel/Professional Team member</th>
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<tbody>
<tr>
<td>4%</td>
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</tbody>
</table>

### 4.13 Development / Social Facilitation Professional
Bachelor’s degree in Social Sciences, Development Studies, or Human Resources. Should preferably have at least 7 years post-graduation (working) experience in Development Facilitation / Social Facilitation on public / private sector infrastructure delivery programmes and.

2% = Personnel/Professional Team member meets all the requirements & qualifications; demonstrates in de-depth experience in line with the ToR and is available for the assignment.

<table>
<thead>
<tr>
<th>Personnel/Professional Team member</th>
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<tr>
<td>2%</td>
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Development Bank of Southern Africa
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
projects. Ability to set up grievance procedures, stakeholder analysis and plans, ensure lessons learnt captured and presented for interested parties

| 0% = Personnel/Professional Team member not meeting the minimum requirements & qualifications, demonstrates limited in depth experience in line with the ToR and is available for the assignment |

<table>
<thead>
<tr>
<th>Total Section 4</th>
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<tbody>
<tr>
<td>Minimum Threshold</td>
</tr>
<tr>
<td>Total Weighting</td>
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</table>

27.5 A minimum of 70 points out of a 100 for the functional evaluation will qualify the Bid to move on to the second stage of evaluation, which is price and preferential point's evaluation. Bidders that do not score 70 points or higher at this stage of the evaluation will not be evaluated during the second stage of the evaluation.

27.6 **Third Stage: Price and Preferential Points Assessment**

27.6.1 the second stage of evaluation of the Bids will be in respect of price and preferential procurement only. Points will be allocated to Bidders at this stage of the evaluation in accordance with the PPPFA and the PPPFA Regulations, as follows:

- Price points 80/90
- Preferential procurement points 20/10

27.6.2 **Price points**

The following formula will be used to calculate the points for price:

\[
Ps = 80 \times (1 - \frac{(Pt - Pmin)}{Pmin}) \quad \text{OR} \quad Ps = 90 \times (1 - \frac{(Pt - Pmin)}{Pmin})
\]

Where:
- \(Ps\) = Points scored for comparative price of tender or offer under consideration;
- \(Pt\) = Comparative price of tender or offer under consideration; and
- \(Pmin\) = Comparative price of lowest acceptable tender or offer.

27.6.3 **Preferential procurement points**

A maximum of 20/10 points may be awarded in respect of preferential procurement, which points must be awarded to a tenderer for attaining their B-BBEE Status Level in accordance with the table below:
An unincorporated 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.

### 27.6.4 Total

The total points scored by each Bidder will be calculated by adding the points scored for price (out of 80/90) to the points scored for preferential procurement (out of 20/10).

The successful Bidder will be the Bidder which has the highest total points (out of 100) for both price and preferential procurement (unless there is a basis for selecting a different successful Bidder in accordance with section 2(1)(f) of the PPPFA).

### 28. STATUS OF BID

#### 28.1 Each Bid constitutes an irrevocable offer by the Bidder to the DBSA to provide the Services required and otherwise to satisfy the requirements of the Specification as set out in this RFP.

#### 28.2 A Bid must not be conditional on:

- 28.2.1 the Board approval of the Bidder or any related governing body of the Bidder being obtained;
- 28.2.2 the Bidder conducting due diligence or any other form of enquiry or investigation;
- 28.2.3 the Bidder (or any other party) obtaining any regulatory approval or consent;
- 28.2.4 the Bidder obtaining the consent or approval of any third party; or

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<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
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<tr>
<td>2</td>
<td>9</td>
<td>18</td>
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<td>7</td>
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<td>4</td>
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<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

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RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
28.2.5 the Bidder stating that it wishes to discuss or negotiate any commercial terms of the contract.

28.3 The DBSA may, in its absolute discretion, disregard any Bid that is, or is stated to be, subject to any one or more of the conditions detailed above (or any other relevant conditions).

28.4 The DBSA reserves the right to accept a Bid in part or in whole or to negotiate with a Bidder in accordance with the provisions of this RFP and the applicable laws and regulations.

29. CLARIFICATION OF BIDS

29.1 The DBSA may seek clarification from and enter into discussions with any or all of the Bidders in relation to their Bid. The DBSA may use the information obtained when clarification is sought or discussions are had in interpreting the Bid and evaluating the cost and risk of accepting the Bid. Failure to supply clarification to the satisfaction of the DBSA may render the Bid liable to disqualification.

29.2 The DBSA is under no obligation to seek clarification of anything in a Bid and reserves the right to disregard any clarification that the DBSA considers to be unsolicited or otherwise impermissible or irrelevant in accordance with the rules set out in this RFP.

30. DISCUSSION WITH BIDDERS

30.1 The DBSA may elect to engage in detailed discussions with any one or more Bidder(s), with a view to maximising the benefits of this RFP as measured against the evaluation criteria and in fully understanding a Bidder’s offer.

30.2 As part of the evaluation of this Bid, DBSA will invite Bidders to give a presentation to the DBSA in relation to their submissions.

30.3 The DBSA is under no obligation to undertake discussions with, and Bidders.

30.4 In addition to presentations and discussions, the DBSA may request some or all Bidders to:
   30.4.1 conduct a site visit, if applicable;
   30.4.2 provide references or additional information; and/or
   30.4.3 make themselves available for panel interviews.

31. SUCCESSFUL BIDS

31.1 Selection as a successful Bidder does not give rise to a contract (express or implied) between the successful Bidder and the DBSA for the supply of the Services. No legal relationship will exist between the DBSA and a successful Bidder for the supply of the Services until such time as a binding contract is executed by them.

31.2 The DBSA may, in its absolute discretion, decide not to enter into pre-contractual negotiations with a successful Bidder.
31.3 A Bidder is bound by its Bid and all other documents forming part of the Bidder’s Response and, if selected as a successful Bidder, must enter into a contract on the basis of the Bid with or without further negotiation.

32. **NO OBLIGATION TO ENTER INTO CONTRACT**

32.1 The DBSA is under no obligation to appoint a successful Bidder or Bidders (as the case may be), or to enter into a contract with a successful Bidder or any other person, if it is unable to identify a Bid that complies in all relevant respects with the requirements of the DBSA, or if due to changed circumstances, there is no longer a need for the Services requested, or if funds are no longer available to cover the total envisaged expenditure. For the avoidance of any doubt, in these circumstances the DBSA will be free to proceed via any alternative process.

32.2 The DBSA may conduct a debriefing session for all Bidders (successful and unsuccessful). Attendance at such debriefing session is optional.

33. **BIDDER WARRANTIES**

33.1 By submitting a Bid, a Bidder warrants that:

33.1.1 it did not rely on any express or implied statement, warranty or representation, whether oral, written, or otherwise made by or on behalf of the DBSA, its officers, employees, or advisers other than any statement, warranty or representation expressly contained in the RFP;

33.1.2 it did not use the improper assistance of DBSA’s employees or information unlawfully obtained from them in compiling its Bid;

33.1.3 it is responsible for all costs and expenses related to the preparation and lodgement of its Bid, any subsequent negotiation, and any future process connected with or relating to the Tendering Process;

33.1.4 it accepts and will comply with the terms set out in this RFP; and

33.1.5 it will provide additional information in a timely manner as requested by the DBSA to clarify any matters contained in the Bid.

34. **DBSA’S RIGHTS**

34.1 Notwithstanding anything else in this RFP, and without limiting its rights at law or otherwise, the DBSA reserves the right, in its absolute discretion at any time, to:

34.1.1 cease to proceed with, or suspend the Tendering Process prior to the execution of a formal written contract;

34.1.2 alter the structure and/or the timing of this RFP or the Tendering Process;

34.1.3 vary or extend any time or date specified in this RFP.
34.1.4 terminate the participation of any Bidder or any other person in the Tendering Process;
34.1.5 require additional information or clarification from any Bidder or any other person;
34.1.6 provide additional information or clarification;
34.1.7 negotiate with any one or more Bidder;
34.1.8 call for new Bid;
34.1.9 reject any Bid received after the Closing Time; or
34.1.10 reject any Bid that does not comply with the requirements of this RFP;
34.1.11 Reduce the scope of the assignment or the number of municipalities due to unforeseen circumstances in one or more municipalities that are supported. All responding bidders must seriously take note of this clause.

35. GOVERNING LAWS
35.1 This RFP and the Tendering Process are governed by the laws of the Republic of South Africa.
35.2 Each Bidder must comply with all relevant laws in preparing and lodging its Bid and in taking part in the Tendering Process.
35.3 All Bids must be completed using the English language and all costing must be in South African Rand.

36. MANDATORY QUESTIONS
36.1 Bidders shall provide full and accurate answers to all (including mandatory) questions posed in this document, and, are required to explicitly state "Comply/Accept" or "Do not comply/Do not accept" (with a √ or an X) regarding compliance with the requirements. Where necessary, the Bidders shall substantiate their response to a specific question.

NOTE: It is mandatory for Bidders to complete or answer this part fully; failure to do so result the Bid being treated as incomplete and the Bid may be disqualified.

This Bid is subject to the General Conditions of Contract stipulated in this RFP document.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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36.1.2

| The laws of the Republic of South Africa shall govern this RFP and the Bidders hereby accept that the courts of the Republic of South Africa shall have the jurisdiction. | Comply/Accept | Do not comply/Do not accept |

36.1.3

| The DBSA shall not be liable for any costs incurred by the Bidder in the preparation of response to this RFP. The preparation of response shall be made without obligation to acquire any of the items included in any Bidder’s proposal or to select any proposal, or to discuss the reasons why such vendor’s or any other proposal was accepted or rejected. | Comply/Accept | Do not comply/Do not accept |

36.1.4

| The DBSA may request written clarification or further information regarding any aspect of this proposal. The Bidders must supply the requested information in writing within two working days after the request has been made, otherwise the proposal may be disqualified. | Comply/Accept | Do not comply/Do not accept |

36.1.5

| In the case of Consortium, Joint Venture or subcontractors, Bidders are required to provide copies of signed agreements stipulating the work split and Rand value. | Comply/Accept | Do not comply/Do not accept |

36.1.6

| In the case of Consortium, Joint Venture or subcontractors, all Bidders are required to provide mandatory documents as stipulated in Part C: Checklist of Compulsory Returnable Schedules and Documents of the Tender Document. | Comply/Accept | Do not comply/Do not accept |
36.1.7

The DBSA reserves the right to; cancel or reject any proposal and not to award the proposal to the lowest Bidder or award parts of the proposal to different Bidders, or not to award the proposal at all.

<table>
<thead>
<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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36.1.8

Where applicable, Bidders who are distributors, resellers and installers of network equipment are required to submit back-to-back agreements and service level agreements with their principals.

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<th>Comply/Accept</th>
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36.1.9

By submitting a proposal in response to this RFP, the Bidders accept the evaluation criteria as it stands.

<table>
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<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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36.1.10

Where applicable, the DBSA reserves the right to run benchmarks on the requirements equipment during the evaluation and after the evaluation.

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<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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</table>

36.1.11

The DBSA reserves the right to conduct a pre-award survey during the source selection process to evaluate contractors’ capabilities to meet the requirements specified in the RFP and supporting documents.

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<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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36.1.12

Only the solution commercially available at the proposal closing date shall be considered. No Bids for future solutions shall be accepted.

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<tr>
<th>Comply/Accept</th>
<th>Do not comply/Do not accept</th>
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36.1.13

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<thead>
<tr>
<th>The Bidder should not qualify the proposal with own conditions.</th>
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<tbody>
<tr>
<td><strong>Caution:</strong> If the Bidder does not specifically withdraw its own conditions of proposal when called upon to do so, the proposal response shall be declared invalid.</td>
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<th>Comply/Accept</th>
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36.1.14

| Delivery of and acceptance of correspondence between the DBSA and the Bidder sent by prepaid registered post (by air mail if appropriate) in a correctly addressed envelope to either party’s postal address or address for service of legal documents shall be deemed to have been received and accepted after (2) two days from the date of postage to the South African Post Office Ltd. |

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<th>Comply/Accept</th>
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36.1.15

| Should the parties at any time before and/or after the award of the proposal and prior to, and-or after conclusion of the contract fail to agree on any significant product price or service price adjustments, change in technical specification, change in services, etc. The DBSA shall be entitled within 14 (fourteen) days of such failure to agree, to recall the letter of award and cancel the proposal by giving the Bidder not less than 90 (ninety) days written notice of such cancellation, in which event all fees on which the parties failed to agree increases or decreases shall, for the duration of such notice period, remain fixed on those fee/price applicable prior to the negotiations. Such cancellation shall mean that the DBSA reserves the right to award the same proposal to next best Bidders as it deems fit. |

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<th>Comply/Accept</th>
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### 36.1.16

In the case of a consortium or JV, each of the authorised enterprise’s members and/or partners of the different enterprises must co-sign this document.

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<thead>
<tr>
<th>Comply/Accept</th>
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### 36.1.17

Any amendment or change of any nature made to this RFP shall only be of force and effect if it is in writing, signed by the DBSA signatory and added to this RFP as an addendum.

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<th>Comply/Accept</th>
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### 36.1.18

Failure or neglect by either party to (at any time) enforce any of the provisions of this proposal shall not, in any manner, be construed to be a waiver of any of that party’s right in that regard and in terms of this proposal. Such failure or neglect shall not, in any manner, affect the continued, unaltered validity of this proposal, or prejudice the right of that party to institute subsequent action.

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### 36.1.19

**Bidders who make use of subcontractors:**

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1. It is the responsibility of the Bidder to select competent subcontractors that meet all the tender requirements stipulated in this tender document.

2. The Bidder shall be responsible for all due diligence of the selected subcontractors and will be held liable for any non-performance of the subcontractor.

3. Bidders are required to provide documentation (such as BBBEE Certificate/Sworn Affidavit, Valid or Active Tax Compliance Status Pin Issued by SARS, CSD Summary Report, Valid or Active CIDB Certificate etc.) for the
relevant subcontractor as a minimum in support of the subcontracting arrangement.

4. Subcontracting must not contradict any Regulation or Legislation.

5. No separate contract shall be entered into between the DBSA and any such subcontractors. Copies of the signed agreements between the relevant parties must be attached to the proposal responses.

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<tr>
<th>36.1.20</th>
<th>All services supplied in accordance with this proposal must be certified to all legal requirements as per the South African law.</th>
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<th>36.1.21</th>
<th>No interest shall be payable on accounts due to the successful Bidder in an event of a dispute arising on any stipulation in the contract.</th>
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| 36.1.22 | Evaluation of Bids shall be performed by an evaluation panel established by the DBSA. Bids shall be evaluated on the basis of conformance to the required specifications (functionality) as outlined in the RFP. For Bids considered for price and preference evaluation, points shall be allocated to each Bidder, on the basis that the maximum number of points that may be scored for price is 80, and the maximum number of preference points that may be claimed for B-BBEE status level of contributor (according to the PPPFA Regulations) is 20. | Comply/Accept | Do not comply/Do not accept |
36.1.23

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<td>If the successful Bidder disregards contractual specifications, this action may result in the termination of the contract.</td>
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<tr>
<td>The Bidders’ response to this Bid, or parts of the response, shall be included as a whole or by reference in the final contract.</td>
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<td>Should the evaluation of this Bid not be completed within the validity period of the Bid, the DBSA has discretion to extend the validity period.</td>
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<td>Upon receipt of the request to extend the validity period of the Bid, the Bidder must respond within the required time frames and in writing on whether or not he agrees to hold his original Bid response valid under the same terms and conditions for a further period.</td>
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36.1.27

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<tr>
<td>Should the Bidder change any wording or phrase in this document, the Bid shall be evaluated as though no change has been effected and the original wording or phrasing shall be used.</td>
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36.1.28

Tax Compliance Status either on CSD National Treasury Database or SARS eFiling System as a Condition for Appointment/Award of the Bid.

This requirement is mandatory and has to be satisfied by the successful bidder. The successful bidder must be tax compliant prior to appointment/award of the bid as no bid will be awarded to persons who are not tax compliant.

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36.1.29

Company registration with CSD National Treasury Database as a Condition for Appointment/Award of the Bid.

This requirement is mandatory and has to be satisfied by the successful bidder. The successful bidder must be registered on the CSD National Treasury site prior to appointment/award of the bid.

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36.1.30

The following will be grounds for disqualification:
- Unsatisfactory performance under a previous public contract in the past 5 years, provided that

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Development Bank of Southern Africa

Name of Bidder (in block letters)
Postal address (in block letters)
Domicilium citandi et executandi in the RSA (full street address of this place) (in block letters)

notice of such unsatisfactory performance has been given to the bidder; and/or
- The bidder or any of its directors have committed a corrupt or fraudulent act in competing for the appointment; and/or
- The bidder or any of its directors have been convicted of fraud or corruption in the last 5 years; and/or
- The bidder or any of its directors have been listed in the Register for Tender Defaulters under section 9 of the Prevention and Combating of Corrupt Activities Act; and/or
- Bids received after the stipulated closure time will be immediately disqualified; and/or
- Bidders whom have recently completed or currently performing, or to commence work on specific categories of services may be excluded to enable the Bank manage its concentration risk. This threshold is currently set at R10 million for consultancy services.

Signature(s) of Bidder or assignee(s)  Date

Name of signing person (in block letters)
Capacity

Are you duly authorized to sign this Bid?

Name of Bidder (in block letters)
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

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Cell Number: ........................................

Email Address: ........................................
PART E

TERMS OF REFERENCE & PROJECT BRIEF

1.0 BACKGROUND

The National Treasury has established the Infrastructure Fund (IF) for Local Government (Municipalities) to leverage non-government investment in public infrastructure, ensure more efficient and effective use of resources. The IF will transform public infrastructure finance through the use of “blended” finance in combining capital from the public and private sector, Development Finance Institutions (DFIs), Multilateral Development Bank (MDBs), such as the New Development Bank established under BRICS etc. It is also envisaged that the IF will harness skills and capacity from private sector to improve the quality of the projects prepared to attract investment.

The Development Bank of Southern Africa (DBSA) has been given the responsibility to manage the Project Preparation Funds for potential IF projects and programmes. It is through this background that the DBSA has gone out on this Request for Proposals to undertake the pilot projects which will inform the rolling out of the programmatic approach in addressing the project pipeline of selected projects in six municipalities and mobilization of private sector participation for municipal infrastructure.

Six Municipalities, namely: Sekhukhune District Municipality, Vhembe District Municipality, Ugu District Municipality iLembe District Municipality, Ray Nkonyeni Local Municipality and Sol Plaatje Local Municipality have applied to the DBSA for assistance with project preparation for projects in various sectors, namely Water, Sanitation & Electricity.

2.0 PROJECT DETAIL PER MUNICIPALITY

It is the view of the DBSA that the Private Sector Participation Model (PSP Model) developed by Government in partnership with the private sector could be the solution to address the challenges of the municipalities in raising debt finance for the implementation of their projects, resulting in the projects taking long to complete and incurring escalation cost. However, the feasibility studies should thoroughly look at the suitable model to successfully implement these projects.

Operation and Maintenance is one area that is a serious concern hence the feasibility studies should thoroughly investigate how best this could be addressed. The successful Professional
Service Provider will be expected to put a proposal forward on how to address the Operations & Maintenance challenges experienced by the municipalities.

The successful Professional Service Provider will also be expected to investigate in detail, the opportunities to promote sustainable designs, water re-use opportunities, biproduct beneficiation and off-taker opportunities for all the WWTWs.

2.1 Sekhukhune District Municipality (SDM)
The District Municipality is currently faced with a challenge with respect to bulk Waste Water Treatment Works for Steelpoort and Jane Furse towns.

Through the preliminary/high-level investigations, it has been concluded that two Waste-water Treatment Works at Steelpoort (10 ML/day) and Jane Furse (16 ML/day) towns could be the solution to address the municipality’s wastewater treatment bulk infrastructure challenges.

Furthermore, it is important to note that Steelpoort town has been declared as a Special Economic Zone and Jane Furse is planned as a future Government Precinct. The successful bidder will be expected to do the following:

- Confirm the information provided by the municipality,
- Conduct all required investigations (technical etc.) pertaining to the proposed two WWTWs (existing works, catchment areas, etc).
- Conduct a detailed bankable feasibility study which will include (Technical, Financial, Economic and Socio-economic and environmental and climate viability), provide options taking into consideration new and existing technology,
- Investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model,
- Register the WWTWs for grant funding, for an example MIG, RBIG etc.
- Engage with all the Stakeholders that are involved with the project or will benefit from the two WWTWs (Private Sector, Limpopo Economic Development Agent – SEZ, Sekhukhune District Municipality Local Development Agent, Sector Departments, environmental and social NGOs etc.
- It is important to note that the site for Steelpoort WWTW has been donated to the municipality by a private landowner. However, suitability of the site should be investigated thoroughly and confirmed,
- Investigate the suitability of various implementation and (Operation & maintenance) models inclusive of Private Sector Participation model.
- Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.

- Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.

- Disaggregate green and climate measures and costs using IFC and AFD and DBSA acceptable methodologies.

- Ensure budgets accommodate short and long term environmental/catchment benefits mainstreamed into the design and project budget.

- Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying particular attention to developing metrics to measure catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.

- World Bank and DBSA safeguards assessment and alignment with good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for social economic and environmental aspects (including biodiversity, water, waste, energy, ecosystem services) of the project.

2.2 Ugu District Municipality (UDM)

In Ugu District Municipality, the two Waste Water Treatment Works have been registered for MIG. For both works the following applies:

- Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.

- Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.

- Disaggregate green and climate measures and costs using IFC and AFD and DBSA acceptable methodologies.

- Ensure budgets accommodate short and long term net environmental/catchment benefits mainstreamed into the design and project budget.
• Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying particular attention to developing metrics to measure carbon footprint, water and biodiversity impacts, catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.

• World Bank and DBSA safeguards assessment and plug gaps to ensure alignment with safeguards and associated good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for social economic and environmental (including biodiversity, water, waste, energy, ecosystem services) aspects of the project.

Details of outstanding work still to be done for uMbango WWTW:

• uMbango WWTW is an existing works which requires upgrades,

• The outstanding work includes the following:
  ➢ Environmental Impact Assessment (EIA) Study and required approvals, Geotechnical investigation, detailed design.
  ➢ Investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model.
  ➢ Investigate the suitable modality to be followed in implementing the construction phase and financing thereof including the operation and maintenance arrangement to be considered going forward. Engage with all the Stakeholders that are involved with the project or will benefit from the WWTWs (Ugu District Municipality, Local Development Agent, Sector Departments, etc.)

Details of outstanding work still to be done for Melville WWTW:

• Melville WWTW will be new, with capacity is estimated at 1.5 Ml/day,

• The project has been registered MIG,

• Land/site for the WWTW has been identified by the municipality and preliminary survey conducted.

• Outstanding work to be undertaken by the successful bidder which will culminate in the bankable feasibility study include the following:
➢ Detailed designs (takeover of the work done by previous Professional Service Provider principles will apply), EIA and required approvals, Geotechnical investigation, detailed designs,
➢ Investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model,
➢ Investigate the suitable modality to be followed in implementing the construction phase and financing thereof including the operation and maintenance arrangement to be considered going forward. Engage with all the Stakeholders that are involved with the project or will benefit from the WWTWs (Ugu District Municipality, Local Development Agent, Sector Departments, etc.)

2.3 Vhembe District Municipality (VDM)

Vhembe District Municipality has two Waste Water Treatment Works (WWTW) in Musina town, namely Musina WWTW (South) and Nancefield WWTW (North). The two WWTWs started off initially as oxidation ponds and upgrades projects were undertaken to increase their capacity. However, the two Works have reached their design capacity and do not meet the standard as set by the Department of Water and Sanitation (DWS).

For all projects the following environmental work will be undertaken:

• Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.
• Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.
• Disaggregate green and climate measures and costs using IFC or AFD or DBSA acceptable methodologies.
• Ensure budgets accommodate short and long term net environmental/catchment benefits mainstreamed into the design and project budget.
• Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying particular attention to developing metrics to measure catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.
• World Bank and DBSA safeguards assessment, and plug gaps to ensure alignment with safeguards and associated good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon
assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for social economic and environmental (including biodiversity, water, waste, energy, ecosystem services) aspects of the project.

2.3.1 Musina WWTW (Southern WWTW):

- Musina WWTW (Southern WWTW) was built prior to 1980, its designed capacity is reported to be 3.6 Ml/day.
- Preliminary investigations conducted by the municipality have indicated that the works is now operating close to its design capacity and will not be able to accommodate additional future sewer inflows as the area develops further.

2.3.2 Nancefield WWTW (Northern WWTW):

- The Nancefield WWTW (Northern WWTW) was built in the early 1990’s with a design capacity of 5 Ml/day.
- Nancefield WWTW is reported to be operating over its design capacity. It is reported that Nancefield WWTW receives effluent estimated at 10 Ml/day.

2.3.3 Augmentation of Bulk Water Supply to Musina town and surrounding areas

- The whole of Musina area including Nancefield town receive bulk water supply from the sand-well abstraction (through 20 boreholes) of which the source is the Limpopo River. The investigations have shown that this source is adequate. However, the Limpopo River runs dry during the winter period leaving the municipality with raw water supply challenges.

Work to be undertaken by the successful bidder which will culminate to a bankable feasibility study will include the following:

- All the above mentioned environmental work to promote a sustainable project
- Investigate to establish if the two WWTW can continue to run independently. If so, propose the upgrades required, if not investigate the feasibility of a centralised WWTW.
- Conduct catchment investigation and proposed township expansion in the surrounding areas.
- Determine the cost implications of the preferred option.
➢ Investigate how the raw water source for Musina town and surrounding areas can be augmented, and costs associated.
➢ Register the resulting projects for grant funding.
➢ Investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model,
➢ Investigate the suitable modality to be followed in implementing the construction phase and financing thereof including the operation and maintenance arrangement to be considered going forwardEngage with all the Stakeholders that are involved with the project or will benefit from the WWTWs (Vhembe District Municipality, Local Development Agent, Sector Departments etc.)

2.4 iLembe District Municipality (IDM)

The District Municipality has undertaken the feasibility studies for the three Waste Water Treatment Works, namely: KwaDukuza Regional WWTW (18 Ml/day new WWTW), Maphumulo WWTW (1.5 Ml/day) and Sundumbili WWTW (upgrade from 12 ml/day to 18 Ml/day).

The municipality has appointed the Professional Service Provider for Feasibility Studies up until stage six in line with ECSA guidelines.

Work to be undertaken by the successful bidder will culminate to the bankable feasibility study which will include the following:

➢ Catchment management and water quality investigation – uMoti river – KwaDukuza WWTW
➢ Investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model,
➢ Investigate the suitability of various implementation and (Operation & maintenance) models inclusive of Private Sector Participation model.
➢ Engage with all the Stakeholders that are involved with the project or will benefit from the WWTWs (iLembe District Municipality, Local Development Agent, Appointed Professional Service Providers, Sector Departments etc.)
➢ Support with environmental matters where applicable.
➢ Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and
ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.

➢ Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalize any externalities in a transparent manner.

➢ Disaggregate green and climate measures and costs using IFC or AFD or DBSA acceptable methodologies.

➢ Ensure budgets accommodate short- and long-term net environmental/catchment benefits mainstreamed into the design and project budget.

➢ Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying attention to developing metrics to measure catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.

➢ World Bank and DBSA safeguards assessment and plug gaps to ensure alignment with safeguards and associated good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for social economic and environmental (including biodiversity, water, waste, energy, ecosystem services) aspects of the project.

2.5 Sol Plaatje LM (SPLM)

Sol Plaatje Local Municipality's project involves updating of the feasibility study for the bulk water supply line between Riverton abstraction works and Newton storage facility that has been undertaken by the municipality.

Furthermore, investigate the opportunities for blended finance through conducting the financial analysis and modelling, mobilization of the Private Sector Participation through the PSP Model, investigate the suitability of various implementation and (Operation & maintenance) models. Engage with all the Stakeholders that are involved with the project or will benefit from the Bulk Water Supply pipeline (Sol Plaatje Local Municipality, Local Development Agent, Sector Departments etc.).

➢ Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and...
ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.

- Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.
- Disaggregate green and climate measures and costs using IFC or AFD or DBSA acceptable methodologies.
- Ensure budgets accommodate short and long term net environmental/catchment benefits mainstreamed into the design and project budget.
- Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying particular attention to developing metrics to measure catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.
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2.6 Ray Nkonyeni LM (RNLM)

Conduct a feasibility study for a design and construction of:

(1) Electricity power Substation at New Oslo Beach in the South Coast - KZN.

(2) Power Factor Correction,

(3) Equipment Upgrade and

(4) Centralized Network Control Centre.

Oslo beach substation

Assessment of three possible substation sites and identify an optimal site. Conduct all Environmental Impact Assessment with all associated specialist studies i.e. Soil analysis; Geotech; etc. expected output will be an engineering design of new 132/11KV 2x20 MVa Substation. Substation +- 5 - 8 km 132 KV feeder line.
Power factor Correction (Memorial Switching Substation)

Objective of the project is to correct the Ray Nkonyeni power factor to be optimal at 0.96 (currently at 0.88), to conduct a power factor and harmonic study which will include network modelling and site measurements for verifications after which will be the design of the power factor equipment at the 11 KV Memorial Switching Substation.

Equipment upgrade

Objective of the project is to conduct a detailed audit and assessment of electricity network and to identify electricity infrastructure equipment to be replaced; refurbished or upgrade in order to improve reliability electricity supply within the distribution area. Output will be electricity network redesign and optimisation. Memorial and Reynolds switchboards need to be replaced with new technology that allows for remote control, with latest numerical type protection relays, arc flash monitoring, protection and with communication interfaces.

Centralised Network Control Centre:

Objective of this project is to establish a centralised network control room for controlling and monitoring the Municipality’s distribution network. It will involve the design and specification for ease of fault finding which improves network operations etc.

The feasibility study should also include a thorough investigation for blended finance opportunities. Furthermore, conduct a financial analysis and modelling, investigated the mobilization of the Private Sector Participation through the PSP Model and the suitable implementation and operation & maintenance (O & M) models.

The successful bidder will be expected to engage with all the Stakeholders that are involved with the project or will benefit from the Electricity Enhancements and new Substation (Ray Nkonyeni Local Municipality, Local Development Agent, Sector Departments, etc.)

- Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.
- Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.
- Disaggregate green and climate measures and costs using IFC or AFD or DBSA acceptable methodologies.
- Ensure budgets accommodate short and long term net environmental/catchment benefits mainstreamed into the design and project budget.
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- World Bank and DBSA safeguards assessment and plug gaps to ensure alignment with safeguards and associated good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for social economic and environmental (including biodiversity, water, waste, energy, ecosystem services) aspects of the project.

3.0 PROCUREMENT PROCEDURES

The DBSA will follow an open tender process where the Professional Service Providers are invited through issuing Request for Proposal (RFP) and it will be a two envelop system.

4.0 SCOPE OF WORK

4.1 The overall scope of work for the Professional Services Provider will involve the following, however, this work will not be necessary in a specific sequence of activities:

- Verifying and updating the project information provided by each municipality.
- Conduct the feasibility Studies for each project at all six municipalities with the objective to propose the purpose fit solution, implementation modality, timelines, financial implications and project financing structure or any alternative funding mechanism.
- Register the projects for grant funding where applicable, which will include producing of technical reports, business plan and supporting the municipalities with grant funding registration process. Whereever possible green/blue/sustainable bond principles and metrics to apply.
Investigate the effect of climate change on the project areas and project, derive mitigations measures and how best the project can assist with adaptation and building resilient communities and landscapes.

Analysis of the Municipal Conditional Grants with respect to performance in the previous MTREF periods and commitment in the future.

Stakeholder engagement including Sector Departments and Private Sector in the project areas.

Through analysis and exploration of Blended Finance opportunities, compile a suitable project finance structure per project.

Propose a suitable implementation model based on the findings for each municipality.

Attend to legal, policy and regulatory aspects related to the chosen implementation model.

Produce a report that will be considered to develop the programme to support the municipalities in a programmatic approach.

Develop a strategy and the necessary documentation for the mobilization of Private Sector through Private Sector Participation Model.

Outline clear principle or strategic environmental, sustainability and climate objectives. Assess ecosystem services and biodiversity dependencies, risks and impacts and develop suitable approaches to ensure net positive benefits for environment including climate, biodiversity and ecosystem services. Investigate sustainable design options such as integrating ecosystem services and engineering designs.

Undertake clear cost benefit analysis that include environmental risks, impacts and dependencies and internalise any externalities in a transparent manner.

Disaggregate green and climate measures and costs using IFC or AFD or DBSA acceptable methodologies.

Ensure budgets accommodate short and long term net environmental/catchment benefits mainstreamed into the design and project budget.

Provide a detailed Development Results Framework with comprehensive indicators that cover social, environmental, climate and economic factors paying particular attention to developing metrics to measure catchment management, sustainable land use practices, water quality and quantity, biodiversity, ecosystem services and gender impacts.

World Bank and DBSA safeguards assessment, and plug gaps to ensure alignment with safeguards and associated good practice guidelines (using IFC Industrial Sector Social and Environmental Guidelines, World Bank and IFC Climate Good Practice Notes for both carbon assessments and adaptation assessments and associated design interventions such as climate adaptation and mitigation plans). Align projects with green bond, blue bond or sustainable bond generic principles and practices that promote net positive impacts for
social economic and environmental (including biodiversity, water, waste, energy, ecosystem services) aspects of the project.

4.2 The project stages can be explained as follows:

➢ **Stage 1: Inception** – Study available information and confirm status of the projects in all municipalities; conduct all preliminary investigations; develop inception report confirming the scope of work; develop implementation plan with scale, timelines, deliverables and project costs or budget, etc.

➢ **Stage 2: Feasibility Studies** - Conduct the feasibility studies for all projects for six municipalities (covering the technical, financial and socio-economic environmental aspects); register projects for grant funding; conduct financial analysis which will include funding of the projects leveraging on grant funding, external sources of finance, off and on balance sheet funding, potential green bonds, emerging carbon markets etc.; investigate the legalities with respect to the implementation model proposed for each project in each municipality; produce a detailed feasibility study report and produce detail designs where applicable.

➢ **Stage 3: Project Financing Structure/Alternative funding mechanism** – Confirmation of the preferred implementation model (e.g. EPC type of contracting including operations & maintenance contracting, etc.); Finalization of the financial model; come up with the project financing structure; draft terms of reference to mobilise private sector; provide support in the procurement process to mobilize private sector (tender documentation, evaluation and award to the preferred bidder for financing and construction, etc.); support with the development of a cost recovery plan.

➢ **Stage 4: Contracting and Construction** – Support the DBSA with monitoring of construction, commissioning and sign-off at completion (including safeguard and development results framework metrics reporting)

➢ **Stage 5: Operation and maintenance (O & M)** – Draft O & M Manuals as applicable or Term of Reference for the appointment of the O M Service Provider in the event of O & M contracts with external entities like Water Boards and alike required; support
with procurement process for O & M Contractors; ensure mechanisms for transfer of skills for asset(s) care and operations.

5.0 DETAILED TERMS OF REFERENCE

With the information provided under Section 2.0 and 4.0 above, the Professional Service Provider is required to carry out the feasibility studies in the six municipalities with an objective of developing a programmatic approach that could be rolled out at other municipalities. The assignment will be detailed and will cover the following aspects, namely: (a) Technical, (b) Financial, (c) Stakeholder engagements including the municipalities and (d) Mobilization of Private Sector to participate in the programme and (e) ensuring principle and strategic objectives to achieve net gains for environment (including ecosystem services, biodiversity, water quality and quantity, waste management, and climate smart (climate adaptation and mitigation) option selection and design.

(a) Technical Aspects

- The successful bidder will be required to verify all the information provided on the projects.
- Conduct the feasibility studies which will look at technical, financial and socio-economic viability of each project, and financial implications.
- Option analysis and recommendations.
- Assist the municipality with the registration process for grant funding.
- Develop designs and procurement documentation for construction activities in line with the municipalities’ specifications.
- Develop standard specifications and procurement documentation for the operation and maintenance of the developed infrastructure, for use if and when required.

(b) Financial aspects for Waste-Water Treatment Works, Bulk Water Supply and Electricity Projects

- Financial inputs or outputs including:
  - Prepare project CAPEX and OPEX plans that address long term and short-term sustainability.
  - Prepare Cash Flow forecasts
  - Conduct analysis of Grant funding with regards to commitment, performance for the last two MTREF periods and future medium term.
  - Investment Management, balancing Equity and Debt to ensure that the financial hurdle rates of the project are met reasonably.
- Tariff analysis and forecasting going forward.
- Analysis of historic O & M costs and provisions
- Analysis of the provision of running costs or contingencies (up to the end of the design life and/or debt term, in particular the assets under review)
- Financial model analysis, including full financial statements according to a project finance structure for projects in the Water and Electricity Sectors. A comprehensive sensitivity analysis also needs to be conducted on all inputs to the financial model to ensure that all sensitive parameters are identified and managed accordingly.
- Determine each municipality’s capacity to raise finance for the project(s) including preparing projects for potential green/blue/sustainable bond markets.
- Assist the municipalities to “Ring fence” funds to finance the project(s)
- Explore opportunities for Blended Finance (Municipality’s own funding source, Grant funding, revenue generated through the assets and debt finance, etc.)

(c) Stakeholder Engagements

The assignment will include engagement with various stakeholders such as the Department of Water and Sanitation, CoGTA, Private Sector, environmental and community NGO’s etc. for the purposes of grant funding registration and off-take discussions and facilitation for the drafting of agreements.

(d) Private Sector Participation Model (PSP Model)

Government and the Private Sector is partnering in the development of an interventionist model to solve the water and sanitation challenges experienced in the municipal environment.

A Technical Steering Committee and Technical Task Team has been established in response to Government’s Economic Stimulus Plan, comprising various government departments and private sector role players under the leadership of MISA:

- From Government MISA (DCOG, DWS, NT, SALGA, DBSA)
- From the Private Sector BBC, ASISA, BLSA, NBI, BUSA

The PSP Model is based on the following approach of the Terms of Reference:
- Finance, Design and Construction by Private Sector and Operations Maintenance Support to municipalities on a longer-term contract basis.

- Financing crowding in of private sector funding on a blended finance basis which will be complemented by alternative revenue sources, grants funding and other CSI initiatives.

- Effective application and discounting of future government grant funding to ensure that infrastructure is constructed properly, ensure effective operation and maintenance process which will result in sustainable service delivery.

(e) Environmental aspects:
Ensuring principle and strategic objectives to achieve net gains for environment (including ecosystem services, biodiversity, water quality and quantity, catchment management, waste management, and climate smart (climate adaptation and mitigation)

- Objectives clearly articulated and carried through in environmental studies, management plans for construction years, management systems for operational years, institutional arrangements, design options selection, and project budgets.

- IFC and DBSA Safeguard assessment, gap analysis and gap resolution

- Comprehensive social and environmental development results framework with indicators and targets (aligned with SDGs)- inputs, outputs, outcomes and impacts for each indicator.

(f) Legal aspects:
DBSA requires expert commercial and corporate legal advice on corporate transactions and all areas of projects including project development and project finance. Bidders are expected to provide clear and concise advice on the legal frameworks including legal risks of local government space and projects. Bidders must have experience in lending and investment banking activities within South Africa in infrastructural development projects. Bidders must demonstrate proven expertise and experience in the following areas:

- Banking, Finance, Project Development and Project Finance
Development Bank of Southern Africa

RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

6.0 SKILLS AND EXPERIENCE REQUIRED (Refer to functional criteria in clause 27.4)

Based on the scope of work as outlined above, it is envisaged that the successful bidder or Professional Service provider will comprise of a team of suitably qualified and professional key team members with the requisite experience and skills to be able to undertake the assignment.

7.0 KEY DELIVERABLES

- Detail Feasibility Study Reports, including the items listed below:
  - Relevant safeguard gap analysis, and compilation of augmented and detailed Environmental Impact Assessments, Environmental Management Plans, Environmental Management Systems, Ecosystem/Biodiversity/Climate mitigation and adaption Plans/budgets. Associated Safeguard Commitment Plans for each project to take safeguards forward through implementation. Development Results templates to supply a range of detailed green and climate indicators and metrics and track project progress on an annual basis.
  - Registration for the relevant Government Grant Funding (e.g. MIG, etc.),
  - Outcome of the analysis of each municipality’s performance and commitments with respect to government grant funding for the previous and future MTREF periods,
➢ Analysis of Blended Finance opportunities, suitable project finance structure,
➢ Analysis of the suitability of the project(s) for Private Sector Participation,
➢ Analysis of the suitable Implementation Model (e.g. Appoint a contractor for Design, Build, Operation & Maintenance, Train Municipality’s Officials and Transfer the responsibility to the Municipality at the end of the contract term).
➢ Recommendations on how best a programmatic approach can be rolled-out,
➢ Terms of References to mobilize the Private Sector Participation (Post the feasibility study stage),
➢ Support the DBSA with the procurement process for mobilization of the Private Sector Participation.
➢ Provide templates for municipalities for tendering and procuring services that promote the green and circular economy and ensure net positive social and environmental benefits/impacts (noting this will be over and above legal requirements)
➢ Provide environmental legal conditions for loan agreements to ensure safeguards are met and to ensure environmental and social positive net impact is secured throughout the project life cycle – this could include incentives and punitive measures applying.

8.0 CONTRACTING WITH THE SUCCESSFUL BIDDER

It is the DBSA’s intention to appoint ONE successful bidder or Professional Service Provider for the full scope of work. However, the Bank may decide to split up the appointment should the circumstances dictate. All bidders should note that the Instruction to Proceed with Work principle will be applied throughout the stages of the assignment.

9.0 RFP RESPONSE FORMAT

To facilitate the analysis of responses to this RFP, all interested parties are required to prepare their response in accordance with the instructions outlined in this section. All proposals should be electronically generated, and the printed original signed in ink by individual(s) legally authorized to bind the respondents. Legibility, clarity and completeness are important and essential.

Responses shall be prepared as simply as possible (prepared in a word processing format then printed to PDF) answering each question as labelled, providing a straightforward, concise description of the interested parties’ capabilities and recommendations to satisfy the requirements
of the RFP. Emphasis should be concentrated on accuracy, completeness and clarity of content. All parts, pages, figures and tables should be numbered and labelled clearly. The response should be organized as suggested below and should be cross referenced with the functionality criteria in clause 27.4 above:

This bid will follow a two envelop approach:

1. First envelop will contain the Technical information and all related information,
2. Second envelop will contain the Financial information.

**TABLE INDICATING HOW TO RESPOND TO THE RFP**

<table>
<thead>
<tr>
<th>Ref</th>
<th>Title</th>
<th>Content</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>First Envelop: Technical Information</strong></td>
<td></td>
</tr>
<tr>
<td>A</td>
<td>Executive Summary</td>
<td>The Executive Summary should be a brief overview of the engagement and should identify the main features and benefits of the proposed work.</td>
</tr>
<tr>
<td>B</td>
<td>Company Background</td>
<td>Responses to schedule V: Company information and the following supporting information:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Brief company profile detailing your business.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Any previous/current relationship, if any, with the DBSA or its affiliates</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Audited financial statements for the past three years.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Registered office address and the name(s) of the director(s) or other responsible officer(s) who will have ultimate responsibility for the management of the contract if awarded.</td>
</tr>
<tr>
<td>C</td>
<td>Understanding of Scope</td>
<td>Your understanding of the scope of work, TOR and an articulation of the DBSA’s requirements.</td>
</tr>
<tr>
<td>D</td>
<td>Project Approach (Methodology)</td>
<td>Your proposed approach to the project highlighting:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Your proposed solution set and applicable modules</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• A project work plan, staffing approach, major milestones and deliverables</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Any assumptions made in developing your proposed approach</td>
</tr>
</tbody>
</table>

| Reference (section in this document) |

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RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.
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<table>
<thead>
<tr>
<th>E</th>
<th>Personnel &amp; Staffing</th>
<th>CV’s and Qualifications of proposed resources (All CV’s and Copies of Qualification of individual resources’ to be provided)</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>BBBEE proposal</td>
<td>Your current B-BBEE status as contributor and proof of contributor status level.</td>
</tr>
</tbody>
</table>

Second envelop: Financial Proposal

<table>
<thead>
<tr>
<th>G</th>
<th>Price Proposal</th>
<th>Your Fee Proposal</th>
</tr>
</thead>
<tbody>
<tr>
<td>H</td>
<td>Tender Documents</td>
<td>Completed tender and returnable documents as outlined in Annexure B through K of this RFP.</td>
</tr>
</tbody>
</table>

Failure by the bidder to furnish information as requested in this document may lead to the bidder being summarily disqualified from this process at the sole discretion of the DBSA.
Annexure A

Price proposal

PRICING INSTRUCTIONS


2. Bidders must the price to conduct feasibility studies per municipality (All six municipalities).

3. Price evaluation will be for all six municipalities, each with its total.

4. Activities must be completed to the satisfaction of the DBSA and the Project Steering Committee (PSC), written approval should be issued for each stage.

5. The invoices shall be paid within thirty (30) days once they have been approved by the PSC, on the South African currency.

6. Once the deliverables have been accepted by the PSC an Instruction to Proceed with the Work (next stage) will be issued.

7. The employer reserves the right, by giving written notice to the successful bidder, to stop the progress of a particular project/stage at any time due to poor performance or any other reason given by the employer. Should the employer exercise this right, the employer will pay the successful bidder for work done and expenses incurred only up to the time that the notice was given. Due process will be followed.

8. This will be a fixed contract with no adjustment/escalation on the professional fees hence the bidders shall make allowances for escalation. Based on the complexity of the Waste Water Treatment Works, it is estimated that the assignment will take 24 months at the most. Some project may be completed sooner than the others. This will be informed by the work plan provided by each bidder.
Annexure B

Brief profile (of no longer than a page) of each member of the proposed team and the role that they will play in the services.

This document(s) is to be prepared and submitted by the bidders as Annexure B to their Bid.
Annexure C

Fees and Assumptions

FORM OF OFFER AND ACCEPTANCE (AGREEMENT)

FORM OF OFFER

THE CONSULTANT IS TO COMPLETE AND SIGN THE FORM OF OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following services:

RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

The Tenderer, identified in the Offer signature block below, has examined the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the consultant 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.
RFP042/2021: Appointment of a Professional Service Provider to conduct detail Feasibility Studies for the six municipalities, namely: Ugu DM, Sekhukhune DM, Vhembe DM, iLembe DM, Ray Nkonyeni LM and Sol Plaatje LM. The assignment will, apart from the feasibility studies, include the Registration of the projects for Grant funding, Analysis of Blended Finance opportunities, Private Sector Participation mobilization and investigation of a suitable model for implementation of the projects in each of the six municipalities located in KZN, Limpopo and Northern Cape. The projects are in the following sectors: Water, Sanitation and Electricity.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS

(in words); ZAR (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 Tender Data, whereupon the Tenderer becomes the party named as the consultant in the Conditions of Contract identified in the Contract Data.

Signature(s)

Name(s)

Capacity

For the Tenderer

(Name and address of organisation)

Name and signature of witness

Date
Annexure D

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or

- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

2.1 Full Name of bidder or his or her representative: .................................................................

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder²): .................................................................

2.4 Company Registration Number:

2.5 Tax Reference Number:

2.6 VAT Registration Number: .................................................................

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

(a) 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);

(b) any municipality or municipal entity;

(c) provincial legislature;

(d) national Assembly or the national Council of provinces; or
2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member: .....................................................
Name of state institution at which you or the person connected to the bidder is employed: ..................................................
Position occupied in the state institution: .....................................................

Any other particulars:

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

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO

2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

2.8 Did you or your spouse, or any of the company’s directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO

2.8.1 If so, furnish particulars:

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

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with...
2.9.1 If so, furnish particulars.

2.10 Are you, or any person connected with the bidder, YES/NO aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

2.10.1 If so, furnish particulars.

2.11 Do you or any of the directors / trustees / shareholders / members YES/NO of the company have any interest in any other related companies whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

3. Full details of directors / trustees / members / shareholders.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Identity Number</th>
<th>Personal Tax Reference Number</th>
<th>State Employee Number / Persal Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>
4. DECLARATION

I, THE UNDERSIGNED (NAME)………………………………………………………………………………………………

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

........................................  ........................................
Signature                        Date

........................................  ........................................
Position                        Name of bidder
Annexure E

SBD 6.1

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

1.1.7

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


1. GENERAL CONDITIONS

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

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

1.2

a) The value of this bid is estimated not exceed and exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 or 90/10 preference point system shall be applicable; or

b) Either the 80/20 or 90/10 preference point system will be applicable to this tender.

1.3 Points for this bid shall be awarded for:

(a) Price; and

(b) B-BBEE Status Level of Contributor.

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

<table>
<thead>
<tr>
<th>POINTS</th>
<th>POINTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>PRICE</td>
<td>80</td>
</tr>
<tr>
<td>B-BBEE STATUS LEVEL OF CONTRIBUTION</td>
<td>20</td>
</tr>
<tr>
<td>Total points for Price and B-BBEE must not exceed</td>
<td>100</td>
</tr>
</tbody>
</table>

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

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

2. DEFINITIONS

(a) "B-BBEE" means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

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

(c) “bid” means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

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

(e) “EME” means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

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

(g) “prices” includes all applicable taxes less all unconditional discounts;

(h) “proof of B-BBEE status level of contributor” means:
   1) B-BBEE Status level certificate issued by an authorized body or person;
   2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
   3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) “QSE” means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(j) “rand value” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
3. POINTS AWARDED FOR PRICE

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

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

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

Where
- \(P_s\) = Points scored for price of bid under consideration
- \(P_t\) = Price of bid under consideration
- \(P_{\text{min}}\) = Price of lowest acceptable bid

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

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

<table>
<thead>
<tr>
<th>B-BBEE Status Level of Contributor</th>
<th>Number of points (90/10 system)</th>
<th>Number of points (80/20 system)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>2</td>
<td>9</td>
<td>18</td>
</tr>
<tr>
<td>3</td>
<td>8</td>
<td>16</td>
</tr>
<tr>
<td>4</td>
<td>5</td>
<td>12</td>
</tr>
<tr>
<td>5</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>6</td>
<td>3</td>
<td>6</td>
</tr>
<tr>
<td>7</td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td>8</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Non-compliant contributor</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:
6. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

   6.1 B-BBEE Status Level of Contributor:  
   = ……..(maximum of 10 or 20 points)

   (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. **SUB-CONTRACTING**

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

   *(Tick applicable box)*

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

   7.1.1 If yes, indicate:

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

   *(Tick applicable box)*

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
</table>

   v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations,2017:

   **Designated Group: An EME or QSE which is at least 51% owned by:**

<table>
<thead>
<tr>
<th>EME</th>
<th>QSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td>✓</td>
</tr>
</tbody>
</table>

   Black people
   Black people who are youth
   Black people who are women
   Black people with disabilities
   Black people living in rural or underdeveloped areas or townships
   Cooperative owned by black people
   Black people who are military veterans

   **OR**

   Any EME
   Any QSE
8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number: ...........................................................

8.3 Company registration number: ......................................................

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;

iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
(a) disqualify the person from the bidding process;
(b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
(e) forward the matter for criminal prosecution.

WITNESSES
1. ........................................
2. ........................................

SIGNATURE(S) OF BIDDERS(S)
DATE:......................................
ADDRESS....................................
........................................
........................................
Annexure F

DECLARATION OF BIDDER’S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Standard Bidding Document must form part of all bids invited.

2. It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
   a. abused the institution’s supply chain management system;
   b. committed fraud or any other improper conduct in relation to such system; or
   c. failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

<table>
<thead>
<tr>
<th>Item</th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
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<tbody>
<tr>
<td>4.1</td>
<td>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? (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 <em>audi alteram partem</em> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.1.1</td>
<td>If so, furnish particulars:</td>
<td></td>
<td></td>
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<tr>
<td>4.2</td>
<td>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)? The Register for Tender Defaulters can be accessed on the National Treasury’s website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>4.2.1</td>
<td>If so, furnish particulars:</td>
<td></td>
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### 4.3
Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?

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<tr>
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<th>Yes</th>
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#### 4.3.1
If so, furnish particulars:

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### 4.4
Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?

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#### 4.4.1
If so, furnish particulars:

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### SBD 8

**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.

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………………………………………...  ……………………………..

Signature  Date

………………………………………...  ……………………………..

Position  Name of Bidder

………………………………………...  ……………………………..

Position  Name of Bidder
Annexure G

CERTIFICATE OF INDEPENDENT BID DETERMINATION

1 This Standard Bidding Document (SBD) 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 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
   a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution’s supply chain management system and or committed fraud or any other improper conduct in relation to such system.
   b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.

4 This SBD 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 (SBD 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 Institution)

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. Each 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. For 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

SBD 9

6. 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 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;
   (b) geographical area where product or service will be rendered (market allocation)
   (c) methods, factors or formulas used to calculate prices;
   (d) the intention or decision to submit or not to submit, a bid;
   (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
Bidders are required to include, as Annexure F to their Bids, certified copies of all relevant CIPC registration documents listing all members with percentages, in the case of a close corporation.
Annexure I

Bidders are required, as annexure G to their Bids, to submit certified copies of the latest share certificates of all relevant companies.
Annexure J

Bidders which submit Bids as an unincorporated joint venture, consortium or other association of persons are required to submit, as Annexure H, a breakdown of how the percentage (%) fees and work will be split between the various people or entities which constitute the Bidder.
Annexure K

Bidders are required to include, as Annexure I to their Bids, supporting documents to their responses to the Pre-Qualifying Criteria and Evaluation Criteria.

Where the supporting document is the profile of a member of the Bidder’s proposed team, this should be indicated.
Annexure L

[General Conditions of Contract]

PLEASE NOTE THAT ALL BIDDERS ARE REQUIRED TO READ THROUGH THE GENERAL CONDITIONS OF CONTRACT PRESCRIBED BY THE NATIONAL TREASURY. SUCH GENERAL CONDITIONS OF CONTRACT CAN BE ACCESSED ON THE NATIONAL TREASURY WEBSITE.

PLEASE NOTE FURTHER THAT ALL BIDDERS MUST ENSURE THAT THEY ARE WELL ACQUINTED WITH THE RIGHTS AND OBLIGATIONS OF ALL PARTIES INVOLVED IN DOING BUSINESS WITH GOVERNMENT.

NOTE: All Bidders are required to confirm (Tick applicable box) below:

<table>
<thead>
<tr>
<th>Item</th>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the Bidder familiar with the General Conditions of Contract prescribed by the National Treasury?</td>
<td></td>
<td></td>
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</table>
Annexure M

Tax Compliant Status and CSD Registration Requirements

All PROSPECTIVE BIDDERS MUST HAVE A TAX COMPLIANT STATUS EITHER ON THE CENTRAL SUPPLIER DATABASE (CSD) OF THE NATIONAL TREASURY OR SARS E FILING PRIOR TO APPOINTMENT/AWARD OF THE BID.

REGISTRATION ON THE CSD SITE OF THE NATIONAL TREASURY IS A COMPULSORY REQUIREMENT FOR A BIDDER TO BE APPOINTED, TO CONDUCT BUSINESS WITH THE DBSA. THE ONUS IS ON THE SUCCESSFUL BIDDER TO REGISTER ON THE CSD SITE AND PROVIDE PROOF OF SUCH REGISTRATION PRIOR TO APPOINTMENT/AWARD OF THE BID.

CSD Registration Number:

The Development Bank of Southern Africa has a Zero Tolerance on Fraud and Corruption.
Report any incidents of Fraud and Corruption to Whistle Blowers on any of the following:

TollFree : 0800 20 49 33
Email : dbsa@whistleblowing.co.za
Free Post : Free Post KZN 665 | Musgrave | 4062
SMS : 33490