



# Sarah Baartman

DISTRICT MUNICIPALITY

*Province of the Eastern Cape*

*progress through development*

## **BID NO. 46/2023: PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS**

**NAME OF BIDDER** : .....

**CSD SUPPLIER NO.** : MAAA.....

**CONTACT PERSON** : .....

**CONTACT NO.** : .....

**ADDRESS** : .....

## **BID DOCUMENT**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

BID NO: 46/2023

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**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**PART T1: TENDERING PROCEDURES**

**T1.1      Tender Invitation**

**T1.2      Tender Data**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**T1.1: TENDER NOTICE AND INVITATION**

**BID NO. 46/2023: PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS**

Sarah Baartman District Municipality (SBDM) hereby invites suitably qualified and experienced Professional Services Providers (PSPs) to form part of the panel of suitable civil engineering professional service providers. All service providers pre-approved will be registered as preferred suppliers for a period of 36 months during which time they will be invited to tender for work on a project-by-project basis.

Bid documents with the necessary specifications may be obtained at a non-refundable cost of R200.00 from the Supply Chain Management Unit, 4th Floor, 32 Govan Mbeki Avenue, Port Elizabeth, tel. 041 508 7007. Alternatively, bid documents may be downloaded free of charge from the e-Tender Portal (<https://etenders.treasury.gov.za>) or municipal website (<https://www.sarahbaartman.co.za>).

The evaluation process will include a functionality/technical evaluation. No price evaluation will be done at this stage. To be a preferred supplier the service provider shall meet the minimum threshold of 70% for functionality. Only ten (10) bidders will be admitted on the 3 years data base.

**Functionality criteria will be assessed as follows:**

CRITERIA	WEIGHT	VALUE 1-5	MAXIMUM POSSIBLE SCORE
Experience of Company	30	Max 5	150
Experience and Qualifications of Key Personnel	20	Max 5	100
<b>TOTAL</b>	<b>50</b>		<b>250 (MPS)</b>

**Where: 1 = Poor, 2 = Acceptable, 3 = Good, 4 = Very Good, 5 = Excellent**

Bids in a sealed envelope clearly marked "**BID NO. 46/2023: PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS**" must be placed in the Bid box at 4<sup>th</sup> floor, 32 Govan Mbeki Avenue, Gqeberha, before **12h00 noon on Friday, 08 December 2023**. Thereafter, after bids will be opened in public in the Committee Room 1, 6th floor, 32 Govan Mbeki Avenue, Gqeberha.

Prospective bidders must be registered on the Central Supplier Data Base (CSD). Failure to comply shall render the bid non-responsive. Failure to submit any other compulsory document(s) shall render the bid non-responsive.

The original document collected from the municipality must be submitted or, if the documents are printed from the website, printed documents must be submitted. Bids may only be submitted on the bid documentation provided by the municipality.

No late, incomplete, facsimile or emailed bids will be accepted for consideration. The only or lowest bid received shall not necessarily be accepted. SBDM reserves the right to accept part of or the full bid.

**NOTICE 78 OF 2023 DATED 06 NOVEMBER 2023**

**Ms U DANIELS**

**MUNICIPAL MANAGER**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**P O BOX 318  
PORT ELIZABETH  
6000**

**SARAH BAARTMAN MUNICIPALITY****BID NO: 46/2023****T1.2: TENDER DATA**

The conditions of tender are the Standard Conditions of Tender as contained in Annexure F of the CIDB Standard for Uniformity in Construction Procurement as published in Government Gazette No 38960, Board Notice 136 of 2015 of 10 July 2015. (See [www.cidb.org.za](http://www.cidb.org.za)).

Clause	Description
F.1.1	<p>The Employer is: Sarah Baartman District Municipality Address: 32 Govan Mbeki Avenue, Port Elizabeth, 6000</p>
F.1.2	<p>The Tender documents issued by the Employer comprise of 3 Volumes i.e., the following documents:</p> <p><b>Volume 1 - Part T1: Tendering Procedures.</b></p> <p>T1.1 Tender Notice and invitation to tender T1.2 Tender Data</p> <p><b>Volume 2 – Part T2: Returnable Schedules</b></p> <p>T2.1 List of Returnable documents T2.2 Returnable schedules</p> <p><b>Volume 3 – Part C1: The Contract Data</b></p> <p><b>Part C1: Contract Data</b></p> <p>C1.2 Contract Data</p> <p><b>Part C3: Scope of Work</b></p> <p>C3.1 Background C3.2 Project Description C3.3 Scope of Professional Services</p>
F.1.3	<p><b>Interpretation</b> The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions.</p>
F.1.4	<p><b>The Employer's Agent for Technical Information is:</b> Name: Kudakwashe Sanyamandwe Tel: 041 508 7273 E-mail address: <a href="mailto:ksanyamandwe@sbdm.co.za">ksanyamandwe@sbdm.co.za</a></p>

F.1.5.1	<p><b>Reject or accept</b></p> <p>The Employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such a cancellation and rejection but will give written reasons for such action upon written request to do so.</p>
F.2.1	<p><b>Eligibility</b></p> <p>A Tenderer will not be eligible to submit a tender if:</p> <ul style="list-style-type: none"> <li>(a) The Professional Service Provider submitting the tender is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices.</li> <li>(b) The Tenderer does not have the legal capacity to enter into the contract.</li> <li>(c) The Professional Service Provider submitting the tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing.</li> <li>(d) The Tenderer does not comply with the legal requirements stated in the Employer's procurement policy.</li> <li>(e) The Tenderer cannot demonstrate that he possesses the necessary professional and technical qualifications and competence, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract.</li> <li>(f) The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.</li> </ul> <p>In terms of the Supply Chain Management Policy Guideline, all suppliers of goods and services are required to register on the Central Suppliers Database (CSD). Tenderers, or in the event of a Joint Venture (JV), each member of the JV, shall be registered on the National Treasury Central Supplier Database at the closing date for tender submissions. Tenders received from such tenderers who do not comply with this requirement will not be considered.</p>
F.2.2	<p><b>Cost of Tendering</b></p> <p>Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with requirements.</p>
F.2.3	<p><b>Check Documents</b></p> <p>Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.</p>
F.2.4	<p><b>Confidentiality and Copyright of Documents</b></p> <p>The information in this tender document shall be treated as confidential and all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.</p>
F.2.5	<p><b>Reference Documents</b></p> <p>Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.</p>
F.2.6	<p><b>Acknowledge Addenda</b></p> <p>Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.</p>

F.2.7	<b>Clarification Meeting</b> No clarification meeting required.
F.2.8	<b>Seek Clarification</b> Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.
F.2.9	<b>Professional Indemnity Insurance</b> The Tenderer will be responsible for the full insurance cover (Professional Indemnity) required for this project and shall ensure that the institution that provides the cover is fully compliant and registered with Financial Services Board (FSB). It is compulsory that the Tenderer submits proof of such insurance with this tender. Failure to submit such proof shall result in tender disqualification.
F.2.10	<b>Pricing the tender</b> No pricing required at this stage.
F.2.11	Rates and prices must be fixed for the duration of the contract and not subject to adjustments unless escalation rate is provided.
F.2.12	<b>Alterations to documents;</b> The Tenderer must take note of the following; <ul style="list-style-type: none"> <li>a) "No alterations, additions and reductions must be made to the tender document issued by the employer.</li> <li>b) No document must be unbounded or unbundled and other documents which were not part of the document added.</li> <li>c) All additional documents not requested by the employer and the tenderer feels that they might be important, can be attached.</li> <li>d) All signatories to the tender offer shall initial all such alterations.</li> <li>e) Erasures and the use of masking fluid are prohibited.</li> </ul>
F.2.13	<b>Submitting tender offer:</b> <b>A two-envelope procedure will not be followed</b> <ul style="list-style-type: none"> <li>a) All attachments requested must be bound together and submitted as such together with the tender document clearly marker "<b>BID NO. 46/2023: PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS</b>"</li> <li>b) Tenders must be signed by a person duly authorised to do so. No electronic signatures are allowed.</li> <li>c) Tenders submitted by Joint Ventures or Consortiums / Partnerships shall be accompanied by the document of formation of such entities.</li> <li>d) All tender documents shall be completed in black ink and in case of a mistake or an error, a line must be drawn through the error and authorised full signature and date must be attached.</li> </ul>
F.2.13.5	The Employer's address for delivery of Tender offers and identification details to be shown on each Tender offer package are: <b>Delivery address:</b> 32 Govan Mbeki Avenue, Port Elizabeth, 6000 <b>Location of Tender box:</b> 4th Floor <b>Identification details:</b> BID NO. 46/2023: PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS
F2.13.9	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.

F.2.14	The Tenderer must accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.												
F.2.15	<p><b>Closing date and time:</b></p> <p><b>Closing date: Friday, 08 December 2023</b></p> <p><b>Closing Time: 12h00 noon</b></p>												
F.2.16	The Tender offer validity period is 90 days.												
F.2.23	The certificates as required in the Returnable Schedules and Forms must be provided with the tender. In the case of a consortium / joint venture, the certificates must be provided for each party.												
F.3.1.1	The employer may unless otherwise stated in the tender Data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.												
F.3.2	The employer If necessary, may issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.												
F.3.3	All late tenders will immediately be disqualified.												
F.3.4	All Tender offers received will be published on the Sarah Baartman District Municipality website.												
F.3.11.1	<p><b>Evaluation of Tenders</b></p> <p>The evaluation process will include a functionality/technical evaluation. No price evaluation will be done at this stage. Only the top ten (10) bidders with the highest number of points on functionality will be admitted on the 3 years data base.</p> <p>If more than 10 bidders score an equal total number of points, the contract will be awarded to the bidders that scored the highest points for specific goals.</p> <p>If more than 10 bidders score equal total points in all respects, the award will be decided by the drawing of lots.</p> <p><b>Functionality</b></p> <p>The assessment of functionality will be done in terms of the functionality evaluation criteria and the minimum threshold. To be a preferred supplier the service provider shall meet the minimum threshold of 70% for functionality. A bid will be disqualified if it fails to meet the minimum threshold of 70% for functionality.</p> <p><b>Company Experience</b></p> <p>Experience of the company relates to the company's experience in the provision of professional civil engineering services. List of projects <b>completed</b> in the past 10 years from date of advert must be attached. Only South African projects will be considered. Appointment letters with the completion certificates must be attached.</p> <table border="1"> <thead> <tr> <th>Criteria</th> <th>Description</th> <th>Number of Projects</th> <th>Score</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Company Experience</td> <td rowspan="3">Relevant experience in projects with a value above R30 million</td> <td>+5</td> <td>5</td> </tr> <tr> <td>3-5</td> <td>3</td> </tr> <tr> <td>2 or less</td> <td>1</td> </tr> </tbody> </table>	Criteria	Description	Number of Projects	Score	Company Experience	Relevant experience in projects with a value above R30 million	+5	5	3-5	3	2 or less	1
Criteria	Description	Number of Projects	Score										
Company Experience	Relevant experience in projects with a value above R30 million	+5	5										
		3-5	3										
		2 or less	1										

		Relevant experience in projects with a value between R15 million and R30 million	+5	5
			3-5	3
			2 or less	1
		Relevant experience in projects with a value below R15 million	+5	5
			3-5	3
			2 or less	1

### Experience and Qualifications of Key Personnel

Provide company organogram clearly indicating key personnel that can work on a civil engineering project. CVs clearly indicating each personnel's qualification and relevant professional experience must be attached. Certified copies of professional registration must also be attached.

Position	Status/ Qualification	Experience	Score
Project Manager/ Director	Pr. Eng / Pr. Tech Eng ECSA or equivalent	+10 years	5
		7-9 years	3
		0-6 years	1
Design Engineer	Pr. Eng / Pr. Tech Eng ECSA or equivalent	+7 years	5
		4-6 years	3
		0-3 years	1
Resident Engineer/ Engineer's Representative	Pr. Techni Eng ECSA or equivalent	+7 years	5
		4-6 years	3
		0-3 years	1

### Scoring Preference points

Preference points will score a maximum of 10 points allocated for locality and a maximum of 10 for points allocated for B-BBEE status level of contribution as follows:

#### Points allocated for B-BBEE Status Level of Contribution

B-BBEE Status Level of Contributor	Number of Points
1	10
2	9
3	8
4	6
5	4
6	3
7	2
8	1
Non-Compliant Contributor	0

**NB:** In order to claim for these points, Bidders are required to submit an original and valid B-BBEE Status Level Verification Certificates or certified copies or the Sworn Affidavits together with their Bids to substantiate their B-BBEE rating claims.

**Points allocated for Locality**

Locality	Out of 10
Points	
Within the Sarah Baartman District Municipality's area of jurisdiction	10
Within the Eastern Cape province	8
Within South Africa	5
Outside South Africa	1

**NB:** In order to claim points for locality, prospective bidders are required to submit proof of address of office dealing with the project. A valid lease agreement/municipal account in name of bidder must be submitted. Failure will result in preference points not being allocated.

**SARAH BAARTMAN DISTRICT MUNICIPALITY****BID NO: 46/2023****ADDITIONAL CONDITIONS OF TENDER**

The additional conditions of tender are:

Clause	Wording
T.1.2.4.1	<p>Claims arising after Submission of Tender</p> <p>No claims for any extras arising out of any doubt or obscurity as to the true intent and meaning of anything shown on the Contract Drawings or contained in the Conditions of Contract, Scope of Work and Pricing Data, will be admitted by the Employer/Employer's Agent after the submission of any tender and the Tenderer shall be deemed to have:</p> <ol style="list-style-type: none"> <li>1) Inspected the Contract Drawings and read carefully understood the Conditions of Contract</li> <li>2) Read and fully understood the whole text of the Scope of Work and Pricing Data and thoroughly acquainted himself with the nature of the works proposed and generally of all matters which may influence the Contract.</li> <li>3) Visited the site of the proposed works, carefully examined existing conditions, the means of access to the site, the conditions under which the work is to be done, and acquainted himself with any limitations or restrictions that may be imposed by the Municipal or other Authorities in regard to access and transport of materials and plant to and from the site and made the necessary provisions for any additional costs involved thereby.</li> <li>4) Requested the Employer or his duly authorized agent to make clear the actual requirements of anything shown on the Contract Drawings or anything contained in the Scope of Work and Pricing Data, the exact meaning or interpretation of which is not clearly intelligible to the tenderer.</li> </ol>
T.1.2.4.2	<p>Imbalances in Tendered Rates</p> <p>In the event of tendered rates or lump sums being declared by the employer to be unacceptable to it because they are either excessively low or high or not in proper balance with other rates or lump sums, the Tenderer may be required to produce evidence and advance arguments in support of the tendered rates or lump sums objected to. If, after submission of such evidence and any further evidence requested, the Employer is still not satisfied with the tendered rates or lump sums objected to, it may request the tenderer to amend these rates and lump sums along the lines indicated by it.</p> <p>The Tenderer will then have the option to alter and/or amend the rates and lump sums objected to and such other related amounts as are agreed on by the Employer, but this shall be done without altering the Contract Price.</p> <p>Should the Tenderer fail to amend the Tender in a manner acceptable to the employer the employer may reject the Tender.</p>
T.1.2.4.3	<p>Invalid Tenders</p> <p>Tenders shall be considered invalid and shall be endorsed and recorded as such in the tender opening record, by the responsible official who opened the tender, in the following circumstances:</p> <ol style="list-style-type: none"> <li>a) If the tender offer is not submitted on the Form of offer and Acceptance bound into his tender document (form Letter of Tender C1.1);</li> <li>b) If the tender is not completed in non-erasable ink;</li> <li>c) If the offer has not been signed;</li> </ol>

Clause	Wording
T.1.2.4.4	<p>Negotiations with Preferred Tenderers</p> <p>The Employer may negotiate the final terms of a contract with tenderers identified through a competitive tendering process as preferred tenderers provided that such negotiation:</p> <ul style="list-style-type: none"> <li>a) Does not allow any preferred tenderer a second or unfair opportunity</li> <li>b) Is not to the detriment of any other tenderer; and</li> <li>c) Does not lead to a higher price than the tender as submitted.</li> </ul> <p>Minutes of any such negotiations shall be kept for record purposes</p>
T.1.2.4.5	<p>General Supply Chain Management Conditions Applicable to Tenders</p> <p>This tender will be evaluated in terms of the Sarah Baartman District Municipality's Supply Management Policy, as adopted by Council.</p>
T.1.2.4.6	<p>Combating Abuse of the Supply Chain Management Policy</p> <p>The Tenderer shall complete all the MBD forms in this Document.</p>

**SARAH BAARTMAN MUNICIPALITY**

**BID NO: 46/2023**

**PART T2: RETURNABLE DOCUMENTS**

**T2.1 List of Returnable Documents**

**T2.2 Returnable Schedules**

**SARAH BAARTMAN MUNICIPALITY**

**BID NO: 46/2023**

**T2.1: LIST OF RETURNABLE DOCUMENTS**

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

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

- Schedule : 1A Authority for Signatory
- Schedule : 1B Letter of Good Standing with Workmen's Compensation Commissioner
- Schedule : 1C Joint Venture Disclosure Form
- Schedule : 1D Record of Addenda to Tender Documents
- Schedule : 1E Declaration of Interest (MBD4)
- Schedule: 1 F Preference Points Claim Form In Terms Of The Preferential Procurement Regulations 2022 (MBD6.1)
- Schedule : 1G Declaration of Tenderer's Past Supply Chain Management Practices (MBD 8)
- Schedule : 1 H Certificate of Independent Tender Determination (MBD 9)
- Schedule : 1 I Compulsory Enterprise Questionnaire
- Schedule : 1J Particulars of Tenderer

**2. OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES (to be attached with submission)**

- Schedule: 2A Tax Clearance Requirements
- Schedule: 2B Proof of B-BBEE Certification
- Schedule: 2C Municipal Billing
- Schedule: 2D Proof of Locality
- Schedule: 2E Schedule of Tenderer's Experience
- Schedule: 2F Curriculum Vitae of Personnel (All shown in Organogram)
- Schedule : 2G Proof of Validity Indemnity Insurance

**SARAH BAARTMAN MUNICIPALITY****BID NO: 46/2023****SCHEDULE 1A : AUTHORITY FOR SIGNATORY**

Indicate the status of the tenderer by ticking the appropriate box (x) hereunder . The tenderer must complete the certificate set out below for the relevant category.

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

**A. Certificate for Company**

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

**As witnesses :**

1. ..... Chairman : .....  
2. ..... Date : .....

**B. Certificate for Partnership**

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

NAME	ADDRESS	SIGNATURE	DATE

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

**C. Certificate for Joint Venture**

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

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

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME & CAPACITY

Note:

A Copy of the Joint Venture Agreement showing Clearly the percentage contribution of each partner to the joint venture shall be appended to the schedule.

**D. Certificate for Sole Proprietor**

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

.....

**As witnesses:**

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

**E. Certificate for Close Corporation**

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

NAME	ADDRESS	SIGNATURE	DATE

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

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1B : LETTER OF GOOD STANDING WITH WORKMEN'S COMPENSATION  
COMMISIONER**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1C: JOINT VENTURE DISCLOSURE FORM**

General

- i) All the information requested must be filled in the spaces provided. If additional space is required, additional sheets may be used and attached to the original documents
- ii) A copy of the joint venture agreement must be attached to this form, in order to demonstrate the affirmable, Joint Venture Partner's share in the ownership, control, management responsibilities, risks and profits of the joint venture, the proposed joint venture agreement must include specific details relating to:
  - a) The contribution of capital and equipment
  - b) Work items to be performed by the affirmable joint venture partner's own forces
  - c) Work items to be performed under the supervision of the affirmable joint venture partner
- iii) Copies of all written agreements between partners concerning the contract must be attached to this form including those, which relate to ownership options and to restrictions/limits regarding ownership and control.
- iv) ABE partners must complete ABE Declaration affidavits
- v) The joint venture must be formalized. All pages of the joint venture agreement must be signed by all the parties concerned. A letter / notice of intention to formalize a joint venture once the contract has been awarded will not be considered.
- vi) Should any of the above not be complied with, the joint venture will be deemed null and void and will be considered non-responsive.

1. JOINT VENTURE PARTICULARS

- a) Name.....
- b) Postal Address .....
- .....
- .....
- .....
- c) Physical Address .....

d) Telephone .....

e) Fax .....

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1E : RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer :

No.	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

(Attach additional pages if more space is required)

Signed ..... Date .....

Name ..... Position .....

Tenderer .....

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1F: DECLARATION OF INTEREST(MDB4)**

1. No Bid will be accepted from persons in the service of the state<sup>1</sup>.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to Bid. In view of possible allegations of favouritism, should the resulting Bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the Bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid.**

3.1. Full Name of Bidder or his or her representative: .....

3.2. Identity Number: .....

3.3. Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

3.4. Company Registration Number: .....

3.5. Tax Reference Number: .....

3.6. VAT Registration Number: .....

3.7. The names of all directors / trustees / shareholders members, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.

3.8. Are you presently in the service of the state?

**YES / NO**

3.8.1. If yes, furnish particulars. ....

.....

<sup>1</sup>MSCM Regulations: "in the service of the state" means to be –

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

<sup>2</sup> Shareholder" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

3.9. Have you been in the service of the state for the past twelve months? ..... **YES / NO**

3.9.1 If yes, furnish particulars.....

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

3.10.1 If yes, furnish particulars.....

.....

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

3.11.1 If yes, furnish particulars .....

.....

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

3.12.1 If yes, furnish particulars.....

.....

3.13 Are any spouse, child or parent of the company's directors  
trustees, managers, principle shareholders or stakeholders  
in service of the state?

**YES / NO**

3.13.1 If yes, furnish particulars.....  
.....

3.14 Do you or any of the directors, trustees, managers,  
principle shareholders, or stakeholders of this company  
have any interest in any other related companies or  
business whether or not they are Bid for this contract.

**YES / NO**

3.14.1 If yes, furnish particulars.....  
.....

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

**Note:** The full details disclosed hereunder must correlate to “**ownership information**” as per Central Supplier Database (CSD).

Full Name	Identity Number	State Employee Number

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of Bidder

In the presence of:

1. ....

2. ....

**CERTIFICATION OF CORRECTNESS**

I, THE UNDERSIGNED (NAME) .....

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

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

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

.....  
Position

.....  
Name of Bidder

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1H: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (MBD 6.1)**

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

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

**1. GENERAL CONDITIONS**

- 1.1 The following preference point systems are applicable to invitations to tender:
  - the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
  - the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).
- 1.2 **To be completed by the organ of state**  
*(delete whichever is not applicable for this tender).*
  - a) The applicable preference point system for this tender is the 90/10 preference point system.
  - b) The applicable preference point system for this tender is the 80/20 preference point system.
  - c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.
- 1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:
  - (a) Price; and
  - (b) Specific Goals.
- 1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

## 2. DEFINITIONS

(a) **tender** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **price** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **rand value** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **tender for income-generating contracts** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **the Act** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

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

Where

Ps = Points scored for price of tender under consideration  
Pt = Price of tender under consideration  
Pmin = Price of lowest acceptable tender

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

#### 3.2.1. POINTS AWARDED FOR PRICE

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

80/20

or

90/10

$$Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \text{ or} \quad Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

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

### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and

80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

#### **DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

**4.5. TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

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

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
  - (a) disqualify the person from the tendering process;
  - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
  - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
  - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
  - (e) forward the matter for criminal prosecution, if deemed necessary.

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....  
.....

**SARAH BAARTMAN DISTRICT MUNICIPALITY****BID NO: 46/2023****SCHEDULE 1I: DECLARATION OF TENDER'S SUPPLY CHAIN MANAGEMENT PRACTISES(MBD8)****DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**

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

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

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

**CERTIFICATION****I, THE UNDERSIGNED (FULL NAME) .....****CERTIFY THAT THE INFORMATION FURNISHED ON THIS  
DECLARATION FORM TRUE AND CORRECT.****I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN  
AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.****.....**  
Signature**.....**  
Date**.....**  
Position**.....**  
Name of Bidder

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1J : CERTIFICATE OF INDEPENDENT TENDER DETERMINATION(MBD9)**

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

- 1 This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> 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).<sup>2</sup> Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
  - a. take all reasonable steps to prevent such abuse;
  - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
  - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

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

**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. 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
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 consortium<sup>3</sup> 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.

<sup>3</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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

**SARAH BAARTMAN DISTRICT MUNICIPALITY****BID NO: 46/2023****SCHEDULE 1K: COMPULSORY ENTERPRISE QUESTIONNAIRE**

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

**Section 1: Name of enterprise:** .....

**Section 2: VAT registration number, if any:** .....

**Section 3: CIDB registration number, if any:** .....

**Section 4: Particulars of sole proprietors and partners in partnerships**

Name*	Identity number*	Personal income tax number*

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

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record of service of the state**

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

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

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

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

\* Insert separate page if necessary

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

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

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

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

\* Insert separate page if necessary

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

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

Signed

Date

Name

Position

*Enterprise  
name*

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 1L: PARTICULARS OF TENDERER**

Tenderer: .....

Address: .....

.....

.....

Contact Person: .....

Telephone Number: .....

Fax Number: .....

Bank: .....

Branch: .....

Name of Cheque Account: .....

Cheque Account Number: .....

Contact Person: .....

Telephone Number: .....

Guarantee: .....

Branch: .....

Contact Person: .....

Telephone Number: .....

VAT Registration No: .....

Attach original Tax Clearance Certificate to this page

Attach a letter from your bank to this page clearly stating your financial rating according to the codes on page ii, which must also be completed.

.....  
**DATE**

.....  
**SIGNATURE OF TENDERER**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2A: TAX CLEARANCE REQUIREMENTS**

**It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.**

1. In order to meet this requirement bidders are required to apply to SARS for a Tax Clearance Certificate at any SARS branch office nationally.
2. SARS will issue a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The Overall Tax Clearance status indicator of the bidder on the CSD must be **TAX COMPLIANT**.
4. In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must be Tax Compliant on the CSD.
5. Bidders must allow for timeous registration on the CSD and the application and issue of a Tax Clearance Certificate by SARS.
6. Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website [www.sars.gov.za](http://www.sars.gov.za).

**A non-compliant tax status on the CSD will result in the bid not being awarded.**

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2 B: PROOF OF B-BBEE CERTIFICATION**

Bidders are required to submit an original and valid B-BBEE Status Level Verification Certificates or certified copies or the Sworn Affidavits together with their Bids to substantiate their B-BBEE rating claims

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2 C: MUNICIPAL BILLING**

Proof that municipal rates and taxes and municipal service charges are not in arrears. The following is the only acceptable documentation:

- A valid Municipal Billing Clearance Certificate
- Most recent municipal statement
- Valid Lease Agreement if premises are Leased (only if lessee is not responsible for municipal services)

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2 D: Proof of Locality**

Proof of locality relates to the location of the office that will be dealing with the project. The following is the only acceptable documentation:

- Most recent municipal statement
- Valid Lease Agreement if premises are Leased

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2E: SCHEDULE OF TENDERER'S EXPERIENCE**

The following is a statement of similar work successfully executed by the company in the past **10 years**.

No.	Employer, contact person and telephone number (Only Landline)	Description of Contract	Value of Work Inclusive of VAT (Rand)	Date Completed
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

\*Insert separate page if necessary

Signed ..... Date .....

Name ..... Position .....

Tenderer

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2F : CURRICULUM VITAE OF PERSONNEL**

The Tenderer must attach to this page, the organogram and copies of CVs for the key management personnel such as the Project Manager, Design Engineer and Resident Engineer who will be responsible for managing the contract works, as reflected in the Organogram.

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**SCHEDULE 2G : Proof of Professional Indemnity Insurance**

Bidders are required to submit a proof of Valid Professional indemnity insurance.

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

**BID NO: 46/2023**

**C1.2: CONTRACT DATA**

**CONTRACT SPECIFIC DATA PROVIDED BY THE EMPLOYER**

The following contract specific data, referring to the Standard Professional Services Contract, Third Edition of CIDB, 2009, are applicable to this Contract: CIDB document 1014. Each item of data given below is cross-referenced to the clause in the conditions of contract to which it mainly applies

Copies of these conditions of contract may be obtained on the tenderer's own cost from the CIDB website: [www.cidb.org.za](http://www.cidb.org.za). The below conditions will be applicable to any specific project awarded under this contract.

Clause	Conditions of Contract
1.1	The Employer is the <b>Sarah Baartman District Municipality</b>
6.3.5	The authorized and designated representative of the Employer is: Name: <b>Mr. K. Sanyamandwe</b>
5.4.1	The address of receipt of communication is: Telephone: <b>041 508 7273</b> E-mail: <b>ksanyamandwe@sbdm.co.za</b> Address: <b>32 Govan Mbeki Avenue, Port Elizabeth 6000</b>
2.3	<b>PANEL OF ENGINEERING CONSULTING SERVICES FOR A PERIOD OF 3 YEARS</b>
10.2	The Period of Performance is from inception of this Contract until the Service Provider has completed all Deliverables in accordance with the Scope of Services.
10.1	The start date is the date by which the contract is signed.
5.4.1	Communication by e-mail / facsimile is not permitted.
5.5	The Services shall be executed in the Service Provider's own office and on the Project site that would be described in the brief when the need arise. No portion of the work may be performed by a person employed by the State. No portion of the work may be sublet to any other person or persons without the prior written approval of the Employer.
5.6	The consultant may not release public or media statements or publish material related to the services or project under any circumstances.
5.8.2	The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data.
5.11.1	The penalty payable is R1 500 per day subject to maximum of 30% of the contract value.
5.14.1	The programme shall be submitted within 14 days after being allocated a project. .
5.14.2	The consultant shall update the programme at intervals not exceeding 12 weeks.
6.3.4	The Employer is required to assist in the obtaining of approvals, licences and permits from the state, regional and municipal authorities having jurisdiction over the Project.
5.10.3.1	The Consultant is required to provide the following insurance: 1. Insurance against professional indemnity
9.1.1	The Consultant is required to provide personnel in accordance with the provisions of clause 9.2 and to complete the Personnel Schedule.
10.1	The Consultant is to commence the performance of the Services as and when allocated a project.
10.2.1	The contract is concluded when the Consultant has completed all the Deliverables on allocated projects or the expiry of the 3 year period of appointment.
10.5.1.1	The period of suspension under clause 10.5 is not to exceed 2 (two) consecutive years.
11.1	Copyright of documents prepared for the Project shall be vested with the Employer.

13.1	A Consultant may subcontract any work which he has the skill and competency to perform in terms of clause 13 of the Contract.
14.2	Interim settlement of disputes is to be by adjudication.
14.3	Final settlement is by arbitration.
14.2.2	The adjudicator is the person appointed and agreed to by both Parties.
14.2.2	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by CESA.
15.4	Neither the Employer nor the Consultant is liable for any loss or damage resulting from any occurrence unless a claim is formally made within 10 (ten) years from the date of termination or completion of the Contract.
15.5.1	The maximum amount of compensation payable by either Party to the other in respect of liability under the Contract is limited to twice the Contract Price (incl. VAT).
16.2	The interest rate will be prime interest of the Employer's bank plus 2%, at the time that the amount is due.

**SARAH BAARTMAN DISTRICT MUNICIPALITY**

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**PART 2 : DATA PROVIDED BY THE SERVICE PROVIDER**

<b>Clause</b>	<b>Description</b>
1.2	The Service Provider is: ..... Address..... Telephone..... Facsimile.....
1.1	The authorised and designated representative of the service provider is:  Name.....
5.4.1	The address for receipt of communications is:  Telephone: ..... Facsimile: .....  Address (Postal) : ..... Address (Physical) : ..... ..... ..... ..... ..... E-mail address: .....
10.2	The period of performance will be determined by the completion date of the contract
9.1	The key persons and their jobs / functions in relation to the services are:  Name ..... Specific Duty ..... ..... ..... ..... ..... ..... .....

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**PART C3 SCOPE OF WORKS**

**C3.1      Background**

**C3.2      Project Description**

**C3.3      Scope of Professional Services**

## **Introduction**

Sarah Baartman District Municipality (SBDM) hereby invites suitably qualified and experienced Professional Service(s) Providers (PSPs) to form part of the panel of suitable Civil Engineering professional service providers. All service providers pre-approved will be registered as preferred suppliers for a period of three (3) years during which time they will be invited to tender for work on a project-by-project basis. Some of these projects will be awarded as turnkey projects.

## **Background**

Infrastructure development serves as a conduit in creating a conducive environment for decent human livelihoods and their economic activities. As such, the District Municipality seeks to assist its Local Municipalities by providing strategic planning and implementation of bulk water and sanitation services, transport, and human settlement development in an integrated approach. This must all be done whilst ensuring that all relevant legislation regulating development such as those pertaining to environmental management and occupational health and safety are adhered to.

## **Required Professional Disciplines**

To address the above objectives of this bid, the panel shall consist of the following professional discipline registered with their respective professional bodies:

<b>Professional Discipline</b>	<b>Registrational</b>
Civil Engineering	ECSA