



**DEPARTMENT OF WATER AND SANITATION
REPUBLIC OF SOUTH AFRICA**

DUE AT 11:00 ON

(CLOSING DATE: 23 FEBRUARY 2023)

BID DWS23-1222 WTE

**OLIFANTS-DOORN RIVER WATER RESOURCES PROJECT: RAISING OF CLANWILLIAM
DAM: PROFESSIONAL MULTI-DISCIPLINARY SERVICES**

SUBMIT BID DOCUMENTS TO:

POSTAL ADDRESS

DIRECTOR-GENERAL:
WATER AND SANITATION
PRIVATE BAG X313
PRETORIA, 0001

OR

TO BE DEPOSITED IN:

THE BID BOX AT THE ENTRANCE
OF ZWAMADAKA BUILDING
157 FRANCIS BAARD STREET
PRETORIA, 0001

Compulsory briefing session

Date: 20 January 2023

Time: 10:00am

Venue: Clanwilliam Dam, Construction South.

GPS Coordinates: 32°11'07.2"S 18°52'24.1"E

TENDERER: (Company address and stamp)

**COMPILED BY:
DEPARTMENT OF WATER AND SANITATION:**

T1.1 PART A

SBD 1

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DWS23-1222 WTE	CLOSING DATE:	23 February 2023	CLOSING TIME:	11:00
DESCRIPTION	OLIFANTS-DOORN RIVER WATER RESOURCES PROJECT: RAISING OF CLANWILLIAM DAM: PROFESSIONAL MULTI-DISCIPLINARY SERVICES				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
THE BID BOX AT THE ENTRANCE OF ZWAMADAKA BUILDING 15 FRANCIS BAARD STREET PRETORIA 0001					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Bid Office		CONTACT PERSON	Mr Ezekiel Koadinabe/ Mr. Burger Tielman	
TELEPHONE NUMBER	012 336-6562 /7780 / 8241 / 7596		TELEPHONE NUMBER	0663007766/ 060 554 9450	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	bidenquirieswte@dws.gov.za		E-MAIL ADDRESS	KoadibaneE@dws.gov.za/BurgerT@dws.gov.za.	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No	
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
<i>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		<i>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

**T1.2 PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. 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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3.	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 SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / 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.
2.7	NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

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

DATE:



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

DIRECTORATE: CIVIL ENGINEERING

TERMS OF REFERENCE

**OLIFANTS-DOORN RIVER WATER RESOURCES PROJECT: RAISING OF CLANWILLIAM
DAM
PROFESSIONAL MULTI-DISCIPLINARY SERVICES**

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LIST OF ACRONYMS AND ABBREVIATIONS

B-BBEE	Broad based black economic empowerment
BOQ	Bill of quantities
CD: ES	Chief Directorate: Engineering Services
CD: ID	Chief Directorate: Infrastructure Development
CD: PI	Chief Directorate: Project Implementation
CD:WROM	Chief Directorate: Water Resources Operations and Maintenance
DWS	Department of Water and Sanitation
DDT	Dam Design Team
EME	Exempt Micro Enterprises
FSL	Full supply level
O&M	Operation and maintenance
OHS	Occupational Health and Safety
ODRWRP	Olifants-Doorn River Water Resource Project
PSP	Professional Service Provider
PPPFA	Preferential Procurement Policy Framework Act (Act No. 5 of 2000)
PPR	Preferential Procurement Regulations of 2017
QSE	Qualifying Small Enterprises
RID	Record of Implementation Decisions

LIST OF UNITS AND SYMBOLS

GW	Gigawatt
GWh	Gigawatt hour
Ha	Hectare
km	Kilometre
km ²	Square kilometre
m	Metre
m ²	Square metre
mamsl	Metre above mean sea level
million m ³	Million cubic metres
million m ³ /a	Million cubic metres per annum
Mℓ	Megalitre
Mℓ/d	Megalitres per day
mm/a	Millimetres per annum
m ³ /s	Cubic metres per second
MW	Megawatt
MWh	Megawatt hour

OLIFANTS-DOORN RIVER WATER RESOURCES PROJECT (ODRWRP)

TERMS OF REFERENCE FOR RAISING OF CLANWILLIAM DAM: PROFESSIONAL MULTI-DISCIPLINARY SERVICES

1 Introduction

1.1 Background on the project

The Olifants-Doorn River Water Resources Project (ODRWRP), raising of Clanwilliam Dam is being implemented by the Department of Water and Sanitation (DWS).

Clanwilliam Dam is located on the Olifants River in the Western Cape, approximately two kilometers southwest of the town of Clanwilliam. The existing dam is a concrete gravity structure, consisting of a controlled ogee spillway with 13 vertical crest gates, and is equipped with post tensioned anchors for stability. The height of the dam is currently 43 m and the total length of the dam wall is 225 m.

Clanwilliam Dam has been classified as a Category III dam in terms of the Dam Safety Regulations published in the Government Gazette R1560 in 1988. Dam safety inspections (2016 and 2020) showed that remedial work should be conducted to improve the safety of the dam. The raising of the dam would involve major construction that would provide an opportunity to increase the storage capacity of the dam as well as improve the stability of the current structure.

The DWS inhouse construction unit Chief Directorate: Project Implementation (CD:PI), previously known as Chief Directorate: Construction Management (CD:CM), has been appointed to complete the construction. Site establishment by the contractor has been completed and preliminary works on site has also started.

1.2 Background on the provision of site supervision and contract administration

Proper site supervision and contract administration is required to ensure that the raising of the Clanwilliam Dam is successfully completed in terms of quality and financial management. Site supervision is also a requirement as per Government Notice R.139 dated 24 February 2012, based on Section 123(1) of the National Water Act No. 36 of 1998. The department has decided to outsource the site supervision and contract administration to private sector with close cooperation required with the DWS team.

1.3 The Record of Implementation Decisions (RID)

The Record of Implementation Decision (RID) is the official documentation to transfer a project from the feasibility stage to the implementation stage (detailed design, construction, including site supervision and commissioning). The RID records the scheme configuration and other requirements for implementation, after approval by the Minister. The RID describes the scope of the project, specific configuration of the scheme, summarizes all decisions as approved, stipulates the required implementation timelines together with the financing or funding/arrangements and the finalization of required institutional arrangements.

The RID for the implementation of the raising of the Clanwilliam Dam was issued in April 2013 and should be read in conjunction with the feasibility and detailed design report for Clanwilliam Dam.

1.4 Current status of project

The bulk of the detailed design and drawings have been completed and a license to construct from the National Dam Safety Office has been obtained in terms of the legislative prescripts. The Contractor has been

mobilised to site and the site establishment has been completed. The scope of the services required by the successful bidder will therefore need to be aligned and implemented in conjunction with the Contractor's approved construction programme.

2 General Project Information

The site supervision contract will be administered by the DWS: Infrastructure Management Branch. For this appointment the following is applicable:

- The Employer's Representative is represented by the Chief Directorate: Infrastructure Development (CD:ID).
- The Employer's Agent is represented by the Chief Directorate: Engineering Services (CD: ES) and will serve as the point of contact for the successful bidder and DWS.
- The Contractor for the implementation of the raising of the Clanwilliam Dam is the Chief Directorate: Project Implementation (CD:PI) through their Construction South Unit.
- The dam and appurtenant works will be operated by the Chief Directorate: Water Resources Infrastructure Operations and Maintenance (CD:WRIOM) during and post completion of the raising.

3 Compensation

The contract is a **fixed-price amount**. The successful bidder, hereafter referred to as the Professional Service Provider (PSP), will be remunerated on a **time and cost basis** against the deliverables as per **Table 9.1: Deliverables**.

4 Timeline

The contract term is for five years (60 months) and the starting date for all services will be the date on the DWS purchase order and the end date will be as per the programme accompanying the financial proposal submitted by the PSP or five years, whichever is less.

5 Available Documents

The full list of reports for attached to this bid is as follows:-

- Recommendation of Implementation Decisions
- Record of Decisions
- Revised Environmental Management Programme
- 1st Engineering Geological report
- 2nd Engineering Geological report
- SRK RB Geotechnical investigation report
- Tender Design Report
- 5th Dam Safety Evaluation Report
- Drawings

**** NOTE**:** *All above reports are available on the attached CD to be issued to each potential bidder. The successful bidder will be provided with and required to review all other design and contractual documents not included in the bid document regarding the project to date on their own account to enable successful provision of their services.*

6 Proposed Organogram and Lines of Communications

The Proposed Site Supervision Organogram should allow for the positions as indicated however. the PSP can propose an alternative organogram based on his cost proposal for consideration. All **personnel will only be mobilized to site upon approval by CD:ES (Employer’s Agent) to do so** and the DWS reserves the right to request the PSP to demobilize staff based on the extent of the works to be conducted.

It is also a requirement that positions be created for experiential training for DWS candidates within the built environment and science field as suggested in the proposed organogram under Figure 6.2 below.

Delegated powers to the PSP are as defined in the General Condition of Contract 2015 on site as the Employer's Agent's Representative. Technical and progress meetings will be chaired by CD: ES (Employer’s Agent) and the PSP shall be responsible to compile the minutes.

Close co-operation between the Dam Design Team (DDT) and the PSP Site Supervision Team, as well as between the PSP Site Supervision Team and the Dam Contractor, will be required in order to successfully complete the construction of the dam

Figure 6.1: Proposed General Organogram

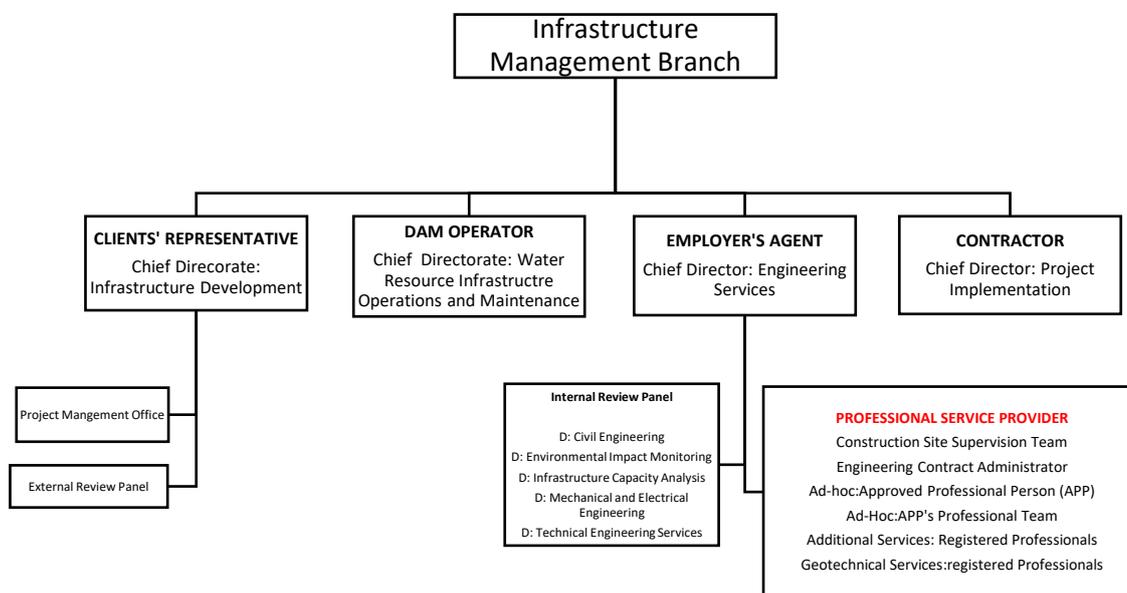
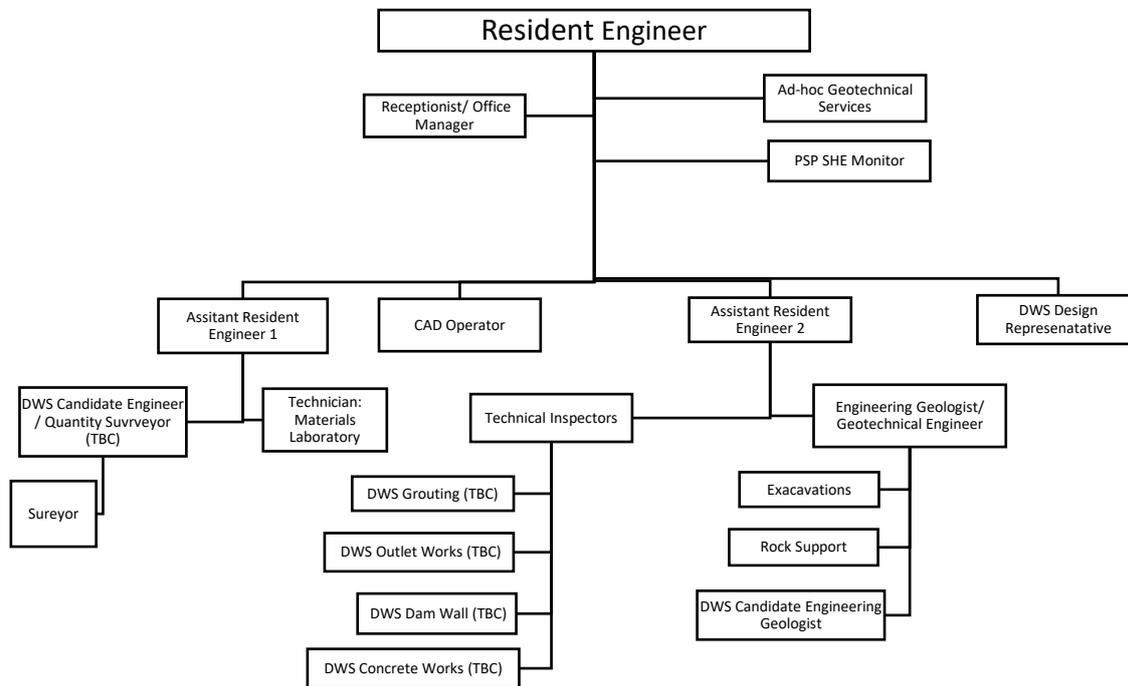


Figure 6.2: Proposed PSP Construction Site Supervision Team



7 Services Required

The various tasks described in Section 8 needs to be implemented based on the PSP's approved implementation programme, in a coordinated manner with CD:ES as well as CD:ID, to ensure efficiency and value for money, to comply to the in terms of the Public Finance Management Act, as well as compliance to ECSA Board Notice 41 of 2017 for registered persons.

8 Scope of Services required

The scope of services required is primarily based on the published Government Gazette Vol 669, No 44333 dated March 2021, available at www.gpwonline.co.za at no cost.

In the event of a discrepancy between this document and the aforementioned gazette, the discrepancy shall be resolved by the DWS and the PSP before the execution of the work under the relevant item.

8.1 Normal Services

8.1.1 Stage 5 – Contract Administration and Site Inspection

Defined as: Manage, administer, and monitor the construction contract and processes including preparation and coordination of procedures and documentation to facilitate practical completion of the works.

1. Issue construction documentation in accordance with the documentation schedule including, in the case of structural engineering, reinforcing bending schedules and detailing and specifications of structural steel sections and connections.
2. Carry out contract administration procedures in terms of the contract.
3. Prepare schedules of predicted cash flow.
4. Prepare pro-active estimates of proposed variations for the DWS decision making.
5. Attend regular site, technical and progress meetings.

6. Inspect the works for conformity to contract documentation in accordance with the specifications and design drawings. The PSP shall ensure that the required construction details and specifications are in order before the work commence, as per the approved construction programme.
7. The PSP shall notify the DWS and/or Employer's Agent in writing to provide the necessary details to prevent any claims for extension of time and cost timeously.
8. The PSP shall develop and/ or maintain a Quality Management System in accordance with recognised standards such as ISO 9001 with the following objectives:
 - a. Ensure compliance with statutory and regulatory requirements.
 - b. To continually improve their system and associated documents to enhance the quality of service they provide.
9. Full-time Construction Monitoring. The Proposed Site Supervision Organogram should allow for the positions as indicated in clause 6 above with allowance made for possible secondees from DWS for experiential training. The successful bidder can propose an alternative organogram based on his cost proposal for consideration. All **personnel will only be mobilized upon approval by CD:ES (Employer's Agent) to do so** and the CD:ES reserves the right to request the successful bidder to demobilize staff based on the extent of the works to be conducted:
 - a. The full-time construction monitoring staff must:-
 - i. Maintain a full-time presence on site to constantly review samples of materials and work procedures, for conformity to contract documentation, and review completed work prior to covering up, or on completion, as appropriate.
 - ii. Assist with the preparation of as-built records and drawings to the extent required in the agreement with client.
 - iii. Review and recommend to the DDT the Contractor's proposals on work methods, and all submissions for permanent Works for the contract.
 - iv. Where the consulting engineer is the sole PSP or principal agent, carry out such administration of the project as is necessary on behalf of the client.
 - v. Mobilization of staff will be authorized only upon approval of the Employer's Agent on a proposal basis. The Employer's Agent reserves the right to request the successful bidder to demobilize certain staff members based on the extent of works to be conducted.
 - vi. The supervisory team services to include checking the safety of the existing dam wall during large excavations as per the Contractor's method statements, and identifying potential solutions to address stability concerns of the following activities:
 1. Spillway stability with downstream excavations
 2. Intake tower safety
 3. Left Bank Non-Overspill Crest (NOC) stability with downstream excavation
 4. Right Bank Non-Overspill Crest (NOC) stability with downstream excavation.
10. Review the outputs of quality assurance procedures and advise the contractor and DWS on the adequacy and need for additional controls, inspections and testing.

11. Verify the contractors surveys, setting out or staking out the works and indicating any boundary beacons and other reference marks.
12. Adjudicate and resolve financial claims by Contractor(s).
13. Assist in the resolution of contractual claims by the contractor.
14. Establish and maintain a financial control system.
15. Clarify details and descriptions during construction as required.
16. Prepare valuations for payment certificates to be issued by the principal agent.
17. Witness and review all tests and mock-ups carried out on site.
18. Instruct witness and review all tests and mock-ups carried out both on and off site.
19. Check and approve construction drawings for design intent and for compliance with contract documents.
20. Update and issue drawings register.
21. Issue contract instructions as and when required.
22. Review and comment on operation and maintenance manuals, guarantee certificates and warranties.
23. Inspect the works and issue practical completion and defects lists.
24. Arrange for the delivery of all test certificates, statutory (regulatory) and other approvals, as built drawings and operating manuals.
25. The PSP shall provide any special report related to the Works as reasonably requested by the DWS. Submissions and required number of copies are listed in Table 8.1. below:

Table 8.1: Submittals for Approved

Submission	No of reports*
Monthly Summary Progress Report	60
Interim Payment Certificates (IPC)	60
Financial Reviews	5
Technical Reports	5
Completion Reports	5

****NOTE**:** *The number of copies shall be subject to change and to the approval by the DWS.*

8.1.2 Stage 6 – Close-Out

Fulfill and complete the project close-out including necessary documentation to facilitate effective completion, handover and operation of the project.

1. Inspect and verify the rectification of defects.
2. Receive, comment and approve relevant payment valuations and completion certificates.
3. Facilitate and/or procure final operations and maintenance manuals, guarantees and warranties.
4. Prepare as-built drawings and documentation.
5. Conclude the final accounts where relevant.

8.2 Additional Services

The following services are additional to the normal services provided by the professional service provider, unless specifically agreed otherwise between the PSP and the client (DWS). Additional services shall be in line with compensation based on clause 4.3.2 of the Government Gazette Vol 669, No 44333 dated March 2021.

****NOTE**:** *The agreement on the services and remuneration shall be in writing and should, if at all possible, be concluded before such services are rendered.*

8.2.1 Additional Services pertaining to all Stages of the Project

1. All services related to defining the scope of work that are normally paid for on time and cost basis.
2. Enquiries not directly concerned with the works and its subsequent utilization.
3. Valuation for purchase, sale or leasing of plant, equipment, material, systems, land or buildings or arranging for such valuation.
4. Making arrangements for way leaves, servitudes or expropriations.
5. Negotiating and arranging for the provision or diversion of services not forming part of the works.
6. Additional work in obtaining the formal approval of the appropriate Government Department or Public Authorities and Utilities, including the making of such revisions as may be required as a result of decisions of such Departments or Authorities arising out of changes in policy, undue delay, or other causes beyond the consulting engineer's control.
7. Additional work related to monitoring as required by any Government Departments or Authorities in order to facilitate regulatory approvals and certification (e.g. Mines Health and Safety Act 29 of 1996).
8. Topographical and environmental surveys, analyses, tests and site or foundation or other investigations, model tests, laboratory tests and analyses carried out on behalf of the client.

9. Preparation of drawings for manufacture and installation or detailed checking of such for erection or installation fit.
10. Detailed inspection, reviewing and checking of designs and drawings not prepared by the consulting engineer and submitted by any contractor or potential contractor as alternative to those embodied in tender or similar documents prepared by the consulting engineer.
11. Travel and accommodation costs related to offsite inspection and testing of materials and plant during manufacture and/or prior to delivery to site.
12. Preparing and setting out particulars and calculations in a form required by any relevant authority.
13. Abnormal additional services by, or costs incurred by the professional service provider due to the failure of a contractor or others to perform their required duties adequately and on time. For example:-
 - a. When the works Contract is extended beyond the awarded contract period due to poor contractor performance or any other unforeseen circumstances beyond the control of the professional service provider, attendance at meetings and related inspections are considered as additional services. Alternatively, the portion of the fee due for the Contract Administration and Inspection Stage is adjusted pro-rata to the extended duration versus the originally expected duration.
 - b. Where more frequent inspections are required due to poor contractor performance or other extraneous factors beyond the control of the professional service provider, these are normally considered to be additional services.
 - c. Dealing with excessive, unreasonable and spurious claims by the Contractor.
14. Executing or arranging for the periodic monitoring and adjustment of the works, after final handover and completion of construction and commissioning, in order to optimize or maintain proper functioning of any process or system.
15. Investigating or reporting on tariffs or charges leviable by or to the client.
16. Advance ordering or reservation of materials and obtaining licenses and permits.
17. Preparing detailed operating, operation and maintenance manuals.
- 18. Additional services, duties and/or work resulting from project scope changes, alterations and/or instructions by client, or his duly authorized agents, requiring the professional service provider to advise upon, review, adapt and/or alter his complete designs and/or any other documentation and/or change the services and/or duties. Such additional services are subject to agreement in writing between the professional service provider and client prior to executing thereof.**
19. The frequency and extent of site administration and inspections that are required relative to the norm: the frequency and duration of works inspections will depend on many factors, such as the nature, complexity and duration of the project, site location, project programme, contractor competence, important elements of the works being enclosed or covered etc. The norm is that meetings and

inspections should occur at an average frequency of once every 2 weeks with more frequent occurrences during critical stages of the works as described for Level 1 Construction Monitoring in clause 4.3.2. When the frequency of meetings and inspections exceeds this norm then such additional attendance at meetings and related inspections are considered as additional services.

20. Be available to conduct meetings and/or make presentations about the Works and the progress thereof to visitors, dignitaries, representatives of funding agencies, etc. in person or online when required to do so by the Client's Representative or the Employer's Agent.
21. Work and/or services related to targeted procurement that could entail, but is not necessarily limited to any or all of the following:
 - a. Incorporation of any targeted participation goals and training outcomes.
 - b. The measuring of key participation indicators.
 - c. The selection, appointment and administration of participation and;
 - d. Auditing compliance with the above by any contractors and/or professional consultant.
22. Exceptional arrangements, communication, facilitation and agreements with any stakeholders other than the client and contractors appointed for the works on which the consulting engineer provides services.
23. Any other additional services, of whatever nature, specifically agreed to in writing between the consulting engineer and client.
24. Arranging forward cover for imported goods, materials or services.
25. As Directed by the Client, the PSP shall assist the Client in carrying out specific task directly or indirectly related to the project, such as, but not limited to, the following:
 - a. Assist in Conducting meetings and site visits for dignitaries, representatives of funding agencies, etc.
 - b. Project management assistance upon request and approved proposal basis only.
26. Safety, Health and Environmental (SHE)

Should the client require the professional service provider to undertake duties falling under The Occupational Health and Safety Act, 85 of 1993 and the Construction Regulations in terms of thereof, on behalf of the Client the additional services may include the following:

 - a. The Professional service provider must arrange, formally and in writing, for the contractor to provide documentary evidence of compliance with the requirements of the Occupational Health and Safety Act, 85 of 1993.
 - b. The professional service provider must execute the duties of the client, as his appointed agent, as contemplated in the Construction Regulations to the Occupational Health and Safety Act, 85 of 1993.

8.2.2 Ad-hoc services

The PSP shall also make provision for the following services. Ad-hoc services shall be **on an assignment basis** with compensation based on clause 4.3.2 of the Government Gazette Vol 669, No 44333, dated March 2021 and within the provisional amounts indicated in the financial proposal under clause 10.2.3 of this document.

1. Approved Professional Person

A registered Approved Professional Person (APP) as defined in section 117(a) of the National Water Act, 1998 (Act 36 of 1998) should be part of the professional service providers team.

Quarterly DWS Dam Safety Reports shall be prepared and submitted by the Approved Professional Person (APP). The reports shall be submitted in compliance with the national Dam Safety Office requirements and approved and/or signed off by the APP. Reports on unusual occurrences should be submitted promptly to the Client.

****NOTE**:** *A provisional sum is indicated for the provision of APP Services. **These services will be negotiated with the successful bidder, after an appointment has been made.***

2. Professional Team Members

The following provisions need to be made in terms of members to serve as part of the APP's Professional Team as defined in section 117(a) of the National Water Act, 1998 (Act 36 of 1998) as part of the PSP's extended team:

- a. Engineering Geologist / Geotechnical Engineer
- b. Hydraulic Engineer
- c. Structural Engineer
- d. Concrete Specialist

****NOTE**:** ***Financial provision should be made for these services and members will be utilized on an assignment basis.***

3. Geotechnical Services

The professional service provider should make provision for a registered engineering geologist and/or Geotechnical Engineer (APP professional team member) on his team, for inspection and approval of excavations and foundations, as well as approval of method statements regarding geological and geotechnical components such as excavations, rock support, and any other geological and geotechnical aspects and analysis that might be required during construction. This person should have proven competency with regard to dam foundations, large excavations, rock support, and experience with regard to tunneling an added requirement.

4. Assignments that occur due to construction conditions

The professional service provider should make specific provision to advise upon, review, adapt and/or alter complete designs and/or any other documentation and/or change the services and/or duties to ensure the safety of the dam and temporary works during construction on request. This include any further investigations that would be required and specialist services such as blasting, rock support, deep excavations, hydraulics, etc. that might need to be altered during the design on request and approval by the client.

5. Computer hardware and software management

- a. M-Files Server

The PSP will be required to main and update the existing M-files Server and use it as a quality control management tool and administrative control.

b. Leapfrog Model

The PSP will be required to procure software licenses to run the existing leapfrog model essential for the implementation of the project. The software and any associated files and updates will become the property of the DWS on the completion of the PSP contract or construction period, whichever comes first. The Site Supervisory Team site offices, office equipment, and all computer hardware and software requirements to be specified in the Bill of Quantities for the dam construction and will be provided by the Main Contractor under the dam construction contract and will become the property of DWS upon completion of construction.

9 Deliverables

The following outputs/outcomes are expected from the PSP as per the Government Gazette Vol 669, No 4433 dated March 2021.:-

Table 9.1: Deliverables

Deliverables per each stage/ activity	Due dates
<p>Stage 5 – Contract Administration and Site Inspection</p> <ul style="list-style-type: none"> • Schedule of predicted cash flow • Dayworks schedules • Construction documentation • Drawings register • Estimates for proposed variations • Contract instructions • Financial control reports • Valuations for payment certificates • Progressive and draft final account(s) • Practical completion and defects list(s) • All statutory certification and certificates of compliance as required by the local and other Statutory Authorities. • Operation and Maintenance Manual(s) • Quarterly Dam Safety Reports 	<p>As per programme in the financial proposal submitted by the Professional Services Provider</p>
<p>Stage 6 – Close-Out</p> <ul style="list-style-type: none"> • Construction Completion Reports • Valuations for payment certificates • Works and final completion list • Operations and maintenance manuals, guarantees and warranties • As-built drawings and documentation • Final accounts 	<p>As per programme in the financial proposal submitted by the Professional Services Provider</p>

<p>Capacity Building and Training</p> <ul style="list-style-type: none"> • Positions made available for DWS built environment and scientific candidates training, to enable professional registration • Two training workshops presented 	<p>As per programme in the financial proposal submitted by the Professional Services Provider</p>
<p>Additional Services</p> <p>Proposed design amendments and assessment which may be required due to project scope changes/ alterations:</p> <ul style="list-style-type: none"> • Safety assessment of spillway stability during excavations with design amendments changes to or development of working drawings. • Safety assessment of intake tower lower shaft excavations design amendments and changes to working drawings. • Left Bank NOC stability with downstream excavations and working drawings • Right Bank NOC stability with downstream excavations and working drawings • Outlet works design amendments 	<p>On assignment basis, as and when required, as approved by Engineers Agent</p>
<p>Ad-hoc Services</p> <ul style="list-style-type: none"> • Approved Professional Person Services • Services of Engineering Geologist / Geotechnical Engineer • Services of Hydraulic Engineer • Services of Structural Engineer • Services of Concrete Specialist • Geotechnical Services • Assignments that occur due to construction conditions estimated provision • M-Files Server • Leapfrog model analysis and associated software 	<p>On assignment basis, as and when required, as approved by Engineers Agent</p>

10 Project Proposal

Bidders are required to submit, at their own cost, a Proposal (Bid), which consists of the following documents:

- Standard Bidding Documents, as described under **Section 10.3**;
- A Technical Proposal, to demonstrate the capability of the bidder to perform the full scope presented in this Terms of Reference; and
- A Financial Proposal, to provide the cost to undertake this assignment.

Bidders should submit comprehensive Technical and Financial Proposals as this project is managed to avoid variation orders as far as possible. There is a limit to the amount of variation of the original Contract Amount that is permitted by National Treasury regulations; and any variation of scope or cost requires the approval of DWS regardless of extent. Bids that show a lack of understanding of the Scope of Services and that are not comprehensive enough will be evaluated accordingly.

10.1 Technical Proposal

10.1.1 Introduction

An introductory section should provide a brief overview of the bidding organization with particular emphasis on available capacity to perform this assignment.

The DWS reserves the right to second DWS officials to the team of the PSP for assistance and/or training, as shown on the site supervision organogram. The seconded personnel will be paid by the DWS.

10.1.2 Past Experience

Bidders are required to provide information on dam engineering related projects undertaken by the bidding organisation. Specific details must be given to indicate the extent of each past dam engineering related projects. The Client organisation and contact details (name and telephone number), indicative professional fees and duration of the work programme must also be specified for each assignment.

10.1.3 Approach and Methodology

The Scope of Services indicates that this assignment should be undertaken in a modular manner, structured around clearly defined and related tasks.

Bidders are expected to provide a brief description of the approach, methodology and comments on the Terms of Reference (TOR), illustrating their understanding of the challenges of the Deliverables in Table 9.1, time frames, and proposed methods to complete the project on programme. The bidder is required to provide a brief outline of the work to be undertaken, placing emphasis on the important or critical aspects of each task. Particular attention must be given to compliance with standing legislation.

Where the Scope of Services is silent on particular issues, bidders must be clear in stating which issues can be expected to arise during each stage and which additional tasks may be necessary. These assumptions / additional tasks must be clearly indicated in the Technical Proposal.

Bidders are required to propose their own programme of work, in a Gantt chart in MS Project, illustrating their understanding of the best way to organise the Project. This representation should show phases of the assignment, tasks within stages and, where necessary, sub-tasks. The work programme must also indicate the dates at which critical milestones can be reached and the critical path.

10.1.4 Team Capability and Availability

Bidders are required to provide a team of professionals with the necessary knowledge, experience and expertise to undertake and complete all the tasks contained in this Terms of Reference. A **project team organogram** must be presented indicating key positions such as APP and Professional Team members. Persons proposed for these positions must be identified and supported by CVs of one to two A4 pages each, which are to be included in an Appendix. Brief capability statements must be given for each designated team member, emphasising recent experience relevant to the task envisaged.

The availability of each designated team member for the expected duration of the assignment must be indicated by reference to limitations that may be placed by other known commitments. Information must also be given on the key support staff envisaged for the assignment, supported by brief CVs, also included in an Appendix. **CVs, with telephone numbers, must be signed and dated** to show commitment by each team member.

Company profiles and other commercial information may be **provided in a separate appendix** but will not be used for the evaluation of bids, so keep this section to a minimum.

10.2 Financial Proposal

The **Financial Proposal** is a stand-alone document that should provide comprehensive information on the cost of undertaking all the deliverables required in **Table 9.1**. The Financial Proposal must be labelled accordingly and be submitted in the same envelope with the Technical Proposal.

Bidders shall make provision in their Financial Proposal for all costs and expenses to undertake and complete the tasks described in the Scope of Services and deliverables under **Table 9.1**, including provision for necessary **Contingencies** and bidders must include a fixed cost under the Financial Proposal. The financial proposal under section 10.2.3 should be prepared taking the following into consideration:

1. All costs and expenses to undertake and complete the tasks described in the section 8: Scope of Services, and deliverables under Table 9.1, including provision for necessary contingencies. All Ad-Hoc services to be priced for adequately in the proposal in line with the bidders foreseen requirements to successfully complete this project.
2. Escalation of professional fees over the contract period must be built into the deliverable costs and may not be claimed separately later. However, escalation of professional fees beyond the contract period, if the contract is extended, must be stated separately as a percentage.
3. Preparation of any reports shall be carried out as part of the appointment and no separate reimbursement shall be made to produce such reports.
4. The DWS shall not pay for additional hours worked, which might include extended working hours of the Contractor and/or night shift. It shall be deemed that the PSP has made provision for additional hours in their rates for site supervision staff.
5. The DWS shall not provide accommodation for the staff employed by the PSP for this assignment. The PSP shall make allowance for accommodation, rates and taxes as a separate line item and provide for it in the schedule as part of the financial proposal.

6. Only official kilometres traveled on site will be remunerated with a maximum vehicle size of MP3500D. A financial cost of the travelling for all members of the PSP's team must be provided for as a separate line item as part of the financial proposal.

The Financial Proposal shall include the following:

- **Breakdown of deliverables** and associated costs based on the allocation of resources to the various tasks, sub-tasks and other activities described in the Scope of Services;
- **Escalation of professional fees** over the contract period must be built into the deliverable costs and may not be claimed separately later. However, escalation of professional fees beyond the contract period, if the contract is extended, must be stated separately as a percentage;
- **Monthly cash flow** for the contract period based on the work programme; and
- **Breakdown of professional fees** to show the amount earned by each team member and the fees earned by **subcontracting parties**.
- **Value Added Tax (VAT)** at 15% on the total estimated cost. VAT must only be added as a penultimate item before the total cost, right at the bottom of the table;

10.2.1 Cost of Deliverables

The cost of deliverables must be defined in the **Financial Proposal** as it is the intention to manage this Construction Supervision based on deliverables in Table 9.1 and not on the number of hours worked, except for full-time site supervision which will be man-months claimed per approved time sheet. The person-hours, which also need to be provided, must therefore be linked to suitable deliverables that can be achieved on a regular basis to provide a smooth cash flow that meets the requirements of the PSP. Past experience has shown that, on average, most service providers cannot survive periods longer than three months without a payment. The expected deliverables have been presented in Table 9.1 and must be linked to professional fees as per section 10.2.3 below.

This information on the cost of deliverables will form the basis of the **Budget** and shall include the following:

- a) Professional time-based costs and disbursements for each task;
- b) Sub-consultants whose costs are part of this Bid;
- c) Provisional Sums provided by DWS (refer **10.2.2** below);
- d) Cash flow and estimated total cost;
- e) Links to the proposed work programme;
- f) Breakdown by study team member fees including fees earned by subcontracting parties; and
- g) Value Added Tax (VAT) at 15% on the total estimated cost (must appear on Summary Sheet).

10.2.2 Specialist sub-contractors and sub-consultants

Specialist sub-contractors and sub-consultants may need to be appointed by the PSP from time-to-time as the need arises during the implementation of the project.

Bidders are **not** required to provide an estimate in the **Financial Proposal** for the payment of these sub-contractors and sub-consultants. Bidders may, however, make provision for the management fees for these tasks.

DWS shall provide a **Provisional Sums** in the **Budget** for the payment of sub-contractors and sub-consultants, which will be paid through the **Contract** of the **appointed PSP**.

An **Administrative Fee** of 10% shall cover the handling by the PSP of the appointment, management and payment of any additional nominated specialist sub-contractors and sub-consultants, on behalf of DWS. DWS will also make provision for this fee in the **Budget**.

10.2.3 Schedule of Tasks: Basis for Financial Proposal

Activity	Costs (R)
To be listed as per the individual stages shown in Table 9.1: Deliverables	
Provisional Amount: Specialist sub-contractors and sub-consultants	15 000 000 - 00
Provisional Amount: APP Services	30 000 000 - 00
VAT (15%)	
Total	

****NOTE**:** Payment will be made strictly as per the deliverables indicated in the above **Table 9.1**, and on for **approved assignments**. The end of each stage will constitute a hold-point and the PSP will not proceed to the next stage unless the Employer's Agent (CD:ES) has given written approval to that extent.

10.3 Evaluation System

The Department of Water and Sanitation shall evaluate all proposals (bids) in terms of the latest Preferential Procurement Regulations. A copy of the Preferential Procurement Regulations 2017 can be downloaded from www.treasury.gov.za. In accordance with the preferential procurement regulations, submissions are adjudicated on the 90/10 points system and the specified evaluation criteria.

Bids will be evaluated in five (5) phases as per the Preferential Procurement Regulation, 2017, issued in terms of section 5 of the Preferential Procurement Policy Framework Act, Act number 5 of 2000 (PPPFA). The bidder scoring the highest points in phase 5 price and preference (90/10) will be recommended for award. Five (5) evaluation phases are as follows:

- Phase 1: Mandatory requirements;
- Phase 2: Pre-qualification criteria;
- Phase 3: Functional / Technical evaluation;
- Phase 4: Administrative compliance; and
- Phase 5: Price and Preference Points claimed

10.3.1 Phase 1: Mandatory requirements

Bidders are required to **comply** with the following listed below: Failure to comply will render your bid non-responsive and the bid will be disqualified.

No	Criteria	Yes	No
1	Bidders must attend a compulsory on-site / physical briefing session and bidders name must appear on the attendance register.		
2	The Lead Professional Engineer must submit an active and valid certified copy of Professional Registration with the Engineering Council of South Africa (ECSA) and a comprehensive Curriculum Vitae (CV).		
3	Company must submit proof of valid and current professional indemnity insurance to the value of bid price.		

10.3.2 Phase 2: Pre-qualification criteria

Prequalification qualifications to be as follows: to give effect to the Preferential Procurement Regulations, 2017 pertaining to the Preferential Procurement Policy Act (Act No. 5 of 2000), the prequalification criteria in terms of Regulation 9, will be applicable:

The successful tenderer must subcontract a minimum of 30% of the value of the contract to-

- (a) an EME or QSE which is at least 51% owned by black people;
- (b) an EME or QSE which is at least 51% owned by black people who are youth;
- (c) an EME or QSE which is at least 51% owned by black people who are women;
- (d) an EME or QSE which is at least 51% owned by black people with disabilities;
- (e) an EME or QSE which is 51% owned by black people living in rural or underdeveloped areas or townships;
- (f) a cooperative which is at least 51% owned by black people;
- (g) an EME or QSE which is at least 51% owned by black people who are military veterans;

10.3.3 Phase 3: Functionality / Technical Evaluation

Bidders must score at least 70% for functionality to qualify for Phase 5 of adjudication. Bids that score less than 70% will be disqualified as technically incompetent, unacceptable and non-responsive.

Functionality Evaluation Criteria	Points value	Weighting Points Awarded	Bidder Score
<p>Past Experience: (In dam engineering only)</p> <p>The experience of the company to be indicated by the bidder and a company profile must be provided for each member of a joint venture and/or consortium.</p> <p>**NOTE**: <i>Number of successful completed dam engineering projects as per the scope of service. Completion certificates of completed projects must be submitted. In the event of projects currently being undertaken reference letters should be provided.</i></p>		10	
10 projects or more	10		
8 to 9 projects	8		
6 to 7 projects	6		
4 to 5 projects	4		
2 to 3 projects	2		
0 to 1 projects	0		
<p>Methodology:</p> <p>The methodology provided by bidders will be evaluated according to the following criteria:</p> <ul style="list-style-type: none"> a) Detailed method statement for each deliverable in Table 9.1 b) The critical aspects of deliverable are emphasised c) The expected challenges associated with each deliverable are highlighted d) A detailed work programme for the deliverables in Table 9.1 is provided 		20	
All 4 criteria are adequately addressed in Technical Proposal	20		
3 criteria are adequately addressed in Technical Proposal	15		

Functionality Evaluation Criteria	Points value	Weighting Points Awarded	Bidder Score
2 criteria are adequately addressed in Technical Proposal	10		
1 criterion is adequately addressed in Technical Proposal	5		
None (0) of the criteria is adequately addressed in Technical Proposal	0		
<p>Site Supervision Team: Team Leader (Pr. Eng.)</p> <p>The Team Leader needs to comply with the following criteria: <i>**Must be registered as a Professional Engineer with ECSA with a minimum 10 years dam engineering project experience.</i></p>		30	
ECSA Professional Engineer with 20 years or more dam engineering experience.	30		
ECSA Professional Engineer with 17 to 19 years dam engineering experience.	24		
ECSA Professional Engineer with 15 to 16 years dam engineering experience.	18		
ECSA Professional Engineer with 13 to 14 years dam engineering experience.	12		
ECSA Professional Engineer with 10 to 12 years dam engineering experience.	6		
ECSA Professional Engineer with 0 to 9 years dam engineering experience.	0		

Functionality Evaluation Criteria	Points value	Weighting Points Awarded	Bidder Score																		
<p>Team Capability: Support Personnel for Ad-hoc Services</p> <p>Refer to Table 9.1: Proposed design amendments and assessment which may be required due to project scope changes/ alterations</p> <p>**NOTE**: <i>Affirmative = Professional Capacity available and certificate attached and;</i> <i>Professional refers to person registered in terms of Engineering Council of South Africa (ECSA) and/ or South African Council for Natural Scientific Professions (SACNSP)</i></p> <table border="1" data-bbox="137 640 1002 1258"> <thead> <tr> <th data-bbox="137 640 603 741">Minimum Professional Team members</th> <th data-bbox="603 640 820 741">Professional Capacity available</th> <th data-bbox="820 640 1002 741">Certificate Attached (Yes/ No)</th> </tr> </thead> <tbody> <tr> <td data-bbox="137 741 603 842">Professional available for safety assessment of spillway and design amendments</td> <td data-bbox="603 741 820 842"></td> <td data-bbox="820 741 1002 842"></td> </tr> <tr> <td data-bbox="137 842 603 943">Professional available for safety assessment of intake tower and design amendments</td> <td data-bbox="603 842 820 943"></td> <td data-bbox="820 842 1002 943"></td> </tr> <tr> <td data-bbox="137 943 603 1043">Professional available for LB NOC stability and design amendments</td> <td data-bbox="603 943 820 1043"></td> <td data-bbox="820 943 1002 1043"></td> </tr> <tr> <td data-bbox="137 1043 603 1144">Professional available for RB NOC stability and design amendments</td> <td data-bbox="603 1043 820 1144"></td> <td data-bbox="820 1043 1002 1144"></td> </tr> <tr> <td data-bbox="137 1144 603 1258">Professional available for Outlet structure and design amendments</td> <td data-bbox="603 1144 820 1258"></td> <td data-bbox="820 1144 1002 1258"></td> </tr> </tbody> </table>	Minimum Professional Team members	Professional Capacity available	Certificate Attached (Yes/ No)	Professional available for safety assessment of spillway and design amendments			Professional available for safety assessment of intake tower and design amendments			Professional available for LB NOC stability and design amendments			Professional available for RB NOC stability and design amendments			Professional available for Outlet structure and design amendments				15	
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For total of 4 affirmatives	12																				
For total of 3 affirmatives	9																				
For total 2 affirmatives	6																				
For total of 1 affirmative	3																				
For total of 0 affirmatives	0																				

Functionality Evaluation Criteria	Points value	Weighting Points Awarded	Bidder Score																								
<p>Team Capability: Support Personnel for Additional Services</p> <p>**NOTE**: <i>Affirmative = Professional Capacity available and certificate attached and Professional registered in terms of Engineering Council of South Africa (ECSA) and/ or South African Council for Natural Scientific Professions (SACNSP).</i></p> <p><i>Affirmative for M-Files and Leapfrog model = Registered professional for use of software and proof of availability or procurement of software attached (M-Files, Leapfrog model).</i></p> <table border="1" data-bbox="137 607 978 1491"> <thead> <tr> <th data-bbox="137 607 517 842">Minimum Professional Team members</th> <th data-bbox="517 607 724 842">Professional Capacity available / Not available</th> <th data-bbox="724 607 978 842">Certificate Attached/ Proof of software attached (Yes/ No)</th> </tr> </thead> <tbody> <tr> <td data-bbox="137 842 517 943">Professional Engineering Geologist / Geotechnical Engineer</td> <td data-bbox="517 842 724 943"></td> <td data-bbox="724 842 978 943"></td> </tr> <tr> <td data-bbox="137 943 517 1010">Professional Hydraulic Engineer</td> <td data-bbox="517 943 724 1010"></td> <td data-bbox="724 943 978 1010"></td> </tr> <tr> <td data-bbox="137 1010 517 1077">Professional Structural Engineer</td> <td data-bbox="517 1010 724 1077"></td> <td data-bbox="724 1010 978 1077"></td> </tr> <tr> <td data-bbox="137 1077 517 1122">Geotechnical Services</td> <td data-bbox="517 1077 724 1122"></td> <td data-bbox="724 1077 978 1122"></td> </tr> <tr> <td data-bbox="137 1122 517 1346">Proposed design amendments and assessment which may be required due to project scope changes/ alterations (See Table 9.1)</td> <td data-bbox="517 1122 724 1346"></td> <td data-bbox="724 1122 978 1346"></td> </tr> <tr> <td data-bbox="137 1346 517 1413">M-Files server management</td> <td data-bbox="517 1346 724 1413"></td> <td data-bbox="724 1346 978 1413"></td> </tr> <tr> <td data-bbox="137 1413 517 1480">Leapfrog model analysis and software procurement</td> <td data-bbox="517 1413 724 1480"></td> <td data-bbox="724 1413 978 1480"></td> </tr> </tbody> </table>	Minimum Professional Team members	Professional Capacity available / Not available	Certificate Attached/ Proof of software attached (Yes/ No)	Professional Engineering Geologist / Geotechnical Engineer			Professional Hydraulic Engineer			Professional Structural Engineer			Geotechnical Services			Proposed design amendments and assessment which may be required due to project scope changes/ alterations (See Table 9.1)			M-Files server management			Leapfrog model analysis and software procurement				15	
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For total 2-3 affirmatives	6																										
For total of 1	3																										
For total of 0 affirmatives	0																										

Functionality Evaluation Criteria	Points value	Weighting Points Awarded	Bidder Score				
<p>Capacity Building and Training</p> <p>Provide clear proposals on capacity building and training as per the indicated positions for DWS secondees from Figure 6.2. **NOTE**: <i>Each candidate and workshop amount to 1 point</i></p> <table border="1"> <tr> <td>Provisions for</td> </tr> <tr> <td>6 Built Environment candidates</td> </tr> <tr> <td>2 Scientific candidates</td> </tr> <tr> <td>2 Workshops</td> </tr> </table>	Provisions for	6 Built Environment candidates	2 Scientific candidates	2 Workshops		10	
Provisions for							
6 Built Environment candidates							
2 Scientific candidates							
2 Workshops							
For total of 10 points	10						
For total of 8 - 9 points	8						
For total of 6 - 7 points	6						
For total of 4 - 5 points	4						
For total of 1 - 3 points	2						
For total of 0 points	0						

10.3.4 Phase 4: Administrative Compliance

Bidders are required to comply with the following listed below:-

No	Criteria	Yes	No
1	Bidders must be registered with National Treasury's Central Supplier Database (CSD). Provide MAAA number on SBD 1.		
2	Tax compliance with SARS (verified through CSD and SARS). Attach a copy of Tax Clearance and PIN.		
3	Active registration with the Companies & Intellectual Property Commission (to be verified through CSD and CIPC). Attach copy of CIPC/ CIPRO certificate.		
4	A valid letter of good standing with the Compensation Commissioner in terms of Compensation for Occupational Injuries and Diseases Act No 130 of 1993.		
5	Bidders must complete, sign and submit forms SBD 1, SBD 3.3, SBD 4 and SBD 6.1.		
6	In the case of a consortium or joint venture, the following is applicable: At least one member of such consortium or joint venture, must submit a notary agreement between the parties that clearly indicate the lead partner.		

10.3.5 Phase 5: Price and reference Points claimed

A maximum of **ninety (90) points** are allocated for **Price** on the following basis:

$$P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where:

P_s = Points scored for comparative price of the bid under consideration

P_t = Comparative price of bid under consideration
 P_{min} = Comparative price of lowest acceptable bid

Preference (B-BBEE Status Level of Contribution)

In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

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

Bidders must submit their original valid **B-BBEE status level verification certificate** or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.

Scores obtained for Price and B-BBEE status level are combined to obtain the overall score for each bid. The Functionality score is not factored in the final score, but is only used for screening bids to qualify for the last stage of evaluation.

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF

PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY
CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

² 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.

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

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

1.2

- a) The value of this bid is estimated to **exceed** R50 000 000 (all applicable taxes included) and therefore the **90/10** preference point system shall be applicable.
- b) 90/10 preference point system will be applicable to this tender

Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	10
Total points for Price and B-BBEE must not exceed	100

1.4 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.

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

2. DEFINITIONS

- (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

5.1 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:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

6. BID DECLARATION

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

7. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

7.1 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.)

8. SUB-CONTRACTING

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

(Tick applicable box)

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

8.1.1 If yes, indicate:

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

(Tick applicable box)

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

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 last 51% owned by:	EME	QSE
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		

9. DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm:.....

9.2 VAT registration number:.....

9.3 Company registration number:.....

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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

9.8 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>

<p>.....</p> <p>SIGNATURE(S) OF BIDDERS(S)</p>
<p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>

**PRICING SCHEDULE
(Professional Services)**

NAME OF BIDDER:	BID NO.: <u>DWS23 1222 WTE</u>
CLOSING TIME <u>11:00am</u>	CLOSING DATE: <u>23 FEBRUARY 2023</u>

OFFER TO BE VALID FOR 120 DAYS FROM THE CLOSING DATE OF BID

ITEM NO	DESCRIPTION	BID PRICE IN RSA CURRENCY **(ALL APPLICABLE TAXES INCLUDED)
---------	-------------	----------------------------------------------------------------

1. The accompanying information must be used for the formulation of proposals.

2. Bidders are required to indicate a ceiling price based on the total estimated time for completion of all phases and including all expenses inclusive of all applicable taxes for the project. R.....

3. PERSONS WHO WILL BE INVOLVED IN THE PROJECT AND RATES APPLICABLE (CERTIFIED INVOICES MUST BE RENDERED IN TERMS HEREOF)

4. PERSON AND POSITION

	HOURLY RATE	DAILY RATE
-----	R-----	-----

5. PHASES ACCORDING TO WHICH THE PROJECT WILL BE COMPLETED, COST PER PHASE AND MAN-DAYS TO BE SPENT

-----	R-----	----- days

- 5.1 Travel expenses (specify, for example rate/km and total km, class of air travel, etc). Only actual costs are recoverable. Proof of the expenses incurred must accompany certified invoices.

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

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

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

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

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