

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**



**SEKHUKHUNE**  
District Municipality

Private Bag X8611 Groblersdal 0470, 3 West Street Groblersdal 0470

Tel : (013) 262 7300, Fax: (013) 262 3688

E-Mail : [sekinfo@sekhukhune.co.za](mailto:sekinfo@sekhukhune.co.za)

BID NUMBER	SK8/3/1-26/2022/2023
PROJECT NAME	APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS
Registered Name of Bidder:	
Trading Name of Bidder:	
Registration No. of Entity:	
Postal address of Bidder:	
Contact Person:	
Tel. No:	E-mail Address:
Cell No.	Fax No:
Company Professional Body Affiliation	
Professional affiliation reference number	
Tender Amount	

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**SEKHUKHUNE DISTRICT MUNICIPALITY**

**LIMPOPO PROVINCE**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

DESCRIPTION		COLOUR
<b><u>PORTION 1: TENDER</u></b>		
<b>PART T1</b>	<b>TENDERING PROCEDURES</b>	
	T1.1 TENDER NOTICE AND INVITATION TO TENDER	White
	T1.2 TENDER DATA	Pink
	T1.3 STANDARD CONDITIONS OF TENDER	Pink
<b>PART T2</b>	<b>RETURNABLE DOCUMENTS</b>	
	T2.1 LIST OF RETURNABLE DOCUMENTS	Yellow
	T2.2 RETURNABLE SCHEDULES	Yellow
<b><u>PORTION 2: CONTRACT</u></b>		
<b>PART C1</b>	<b>AGREEMENTS AND CONTRACT DATA</b>	
	C1.1 FORM OF OFFER AND ACCEPTANCE	Yellow
	C1.2 CONTRACT DATA	Yellow
	C1.4 SAFETY AGREEMENT	Yellow
<b>PART C2</b>	<b>PRICING DATA</b>	
	C2.1 PRICE INSTRUCTIONS	Yellow
	C2.2 BILL OF QUANTITIES	Yellow
<b><u>PORTION 3: SCOPE OF WORK</u></b>		

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

DESCRIPTION		COLOUR
<b>PART C3</b>	<b>SCOPE OF WORK</b>	
	C3.1 DESCRIPTION OF THE WORKS	Pale Blue
	C3.2 ENGINEERING	Pale Blue
	C3.5 MANAGEMENT DELIVERABLE OUTCOME	Pale Blue
	C3.6 PARTICULAR SPECIFICATIONS AND ADDITIONS TO THE STANDARD SPECIFICATIONS	Pale Blue
<b>PART C4</b>	<b>SITE INFORMATION</b>	
	C4.1 LOCALITY PLAN	Green
	C4.2. COMMUNITY STAKEHOLDERS MANAGEMENT	

**NOTE:**

The Service Provider shall be deemed to have satisfied himself/herself/themselves as to all the conditions and circumstances affecting this tender, including the physical aspects of working areas, and by the submission of a tender, will confirm acceptance of the conditions and circumstances applicable to any subsequent contract.

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MUNICIPALITY**

**PART T1: TENDERING PROCEDURES**

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

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND  
GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**INVITATION TO BID****MBD1****YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SEKHUKHUNE DISTRICT MUNICIPALITY**

BID NUMBER:	SK8/3/1-26/2022/23	CLOSING DATE:	26/09/2022	CLOSING TIME:	10:00
DESCRIPTION	APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD OF 36 MONTHS				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT</b>					
AB Sikhosana Fire Station (Groblersdal Fire Station) R33 Groblersdal 0470					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Mr. Voster Masemola		CONTACT PERSON	Mr. Karabo Ramadje	
TELEPHONE NUMBER	013 262 7300		TELEPHONE NUMBER	013 262 7535/7521	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	<a href="mailto:masemolav@sekhukhune.gov.za">masemolav@sekhukhune.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:ramadje@sekhukhune.gov.za">ramadje@sekhukhune.gov.za</a> <a href="mailto:mabiletjai@sekhukhune.gov.za">mabiletjai@sekhukhune.gov.za</a>	
<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		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
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES &amp; QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW ]
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES					

<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>	<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>	<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>	<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>	<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>	<div style="border: 1px solid black; width: 80px; height: 30px; display: inline-block;"></div>
PSP	Witness 1	Witness 2	Employer	Witness 1	Witness 2

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DOES THE ENTITY HAVE A BRANCH IN THE RSA?

☐ YES☐ NO

DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?

☐ YES ☐ NO

DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?

☐YES ☐ NO

IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES☐ 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.**

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**PART B****TERMS AND CONDITIONS FOR BIDDING****BID SUBMISSION:**

BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.

**ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**

THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT Third Edition 2015 (GCC 2015) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.

**THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).**

**TAX COMPLIANCE REQUIREMENTS**

BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

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.

APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE [WWW.SARS.GOV.ZA](http://WWW.SARS.GOV.ZA).

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

IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

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

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 WILL 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: .....

Bid documents are obtainable from the Supply Chain Management Office, Bareki Mall at a non-refundable fee of R750.00 or can be downloaded from [www.etenders.gov.za](http://www.etenders.gov.za) for free. No compulsory briefing sessions will be held. Bids must be completed in accordance with the conditions attached to the Bid documents and must be sealed and endorsed: Contract (Specify Bid Number: Example SK8/3/). Bids must be deposited in the Bid Box available at AB Sikhosana Fire Station-Groblersdal.

**The Council reserves the right to accept or reject any Bid or part thereof:**

Municipal Manager: Ms. Maureen Ntshudisane  
LIMPOPO PROVINCE  
Corner van Riebeeck and Chris Wiid Street  
Groblersdal  
0470

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SEKHUKHUNE DISTRICT MUNICIPALITY**

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## **T1.2 TENDER DATA**

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

**The Additional Conditions of Tender are:**

<b>Reference</b>	<b>Tender Data</b>
F.1.5.1	Sekhukhune District Municipality may, prior to the award of the tender, cancel a tender if- due to changed circumstances, there is no longer a need for the services, works or goods requested; or funds are no longer available to cover the total envisaged expenditure; or no acceptable tenders are received.
F.2.1	<p>ONLY those tenderers who satisfy the following ELIGIBILITY CRITERIA and who provide the required evidence in their tender submission are eligible to submit tenders and have their tenders evaluated:</p> <ol style="list-style-type: none"> <li>1. In case of Joint Venture/ Consortium submission, Joint Venture agreement signed by all parties must be submitted.</li> <li>2. Is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) or, if a partnership, has a partnership agreement in place that enables the partnership to automatically continue to function in the event of a death or withdrawal of one of the partners.</li> <li>3. In case of subsidiary arrangement there must be a proof of registration with the CIPC for the subsidiary.</li> <li>4. Approach paper and methodology to achieve the project goal submitted.</li> <li>5. Company profile submitted</li> <li>6. CVs of key personnel where required as outlined in F.3.11.9 Tables 5.1, 5.3 and 6.</li> <li>7. Copies of Certificates(s) / academic record of relevant formal qualifications for all key personnel (as outlined in F.3.11.9 – Table 6. For Foreign Qualifications, South African Qualification Authority (SAQA) evaluation must be submitted in hard copies.</li> <li>8. Professional Registration Certificates for key personnel where required as outlined in F.3.11.9 Tables 6.</li> <li>9. The tendering entity has professional indemnity insurance cover issued by a reputable South African insurer in an amount of not less than R 5 million in respect of a claim without limiting to the number of claims or show documentary evidence insurance cover of having applied for such cover.</li> </ol>
F.2.2.1	The employer will not compensate the Bidder 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 complies with requirements.

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

F.2.3.1.	If a Bidder finds or reasonably believes it has found any discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the SDM (other than minor clerical matters), the Bidder must promptly notify the municipality in writing (by e-mail to the address <a href="mailto:masemolav@sekhukhune.gov.za">masemolav@sekhukhune.gov.za</a> of such discrepancy, ambiguity, error or inconsistency in order to afford the SDM an opportunity to consider what corrective action is necessary (if any).
F.2.3.2	Any actual discrepancy, ambiguity, error or inconsistency in this RFP or any other information provided by the SDM will, if possible, be corrected and provided to all Bidders without attribution to the Bidder who provided the written notice
F.2.8	Request clarification of the tender documents, if necessary, by notifying the SCM at least five working days before the closing time stated in the tender data.
F.2.11	Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the Bidder. All signatories to the tender offer shall initial all such alterations.
<b>F2.12</b>	<p>*No alternative tender offers will be considered</p> <p>If Bidder wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent.</p> <p>Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.</p> <p>Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the Bidder, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.</p> <p>The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.</p>
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as original and no copies will be necessary.
F.2.13.5	<p>The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p><b>Location of tender box:</b> AB Sikhosana Fire Station (Groblersdal Fire Station)  <b>Physical address:</b> R33 Groblersdal  <b>Identification details:</b> <i>Contract number, title of tender and the closing date and time of the tender</i>  <b>Postal address:</b> Sekhukhune District Municipality, Riebeeck and Chris Wiid Street Groblersdal0470</p>

 PSP

 Witness 1

 Witness 2

 Employer

 Witness 1

 Witness 2

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

F.2.13.14	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	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
F.2.16	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
F.2.17	The tender offer validity period is <u>90 days</u>
F.2.17.1	<p><b>CONTRACT PERIOD</b></p> <p>The bidder will be within the panel of consultant for a period of three (3) years or 36 months counting from the date of signed contract</p>
F.2.17.2	<p><b>ALLOCATION OF WORK:</b></p> <p>Work will be allocated on as and when required basis. No work can be guaranteed under this contract. An equal distribution of work cannot be guaranteed as it is not known upfront how many due diligence or verification of services will be required by SDM per field</p>
F.2.18	The Bidder shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
F.2.20	<p>Professional Indemnity Insurance (PI) Insurance</p> <p>Bidders must submit proof of valid PI insurance with liability cover of at least R5 million as part of submission in this tender.</p> <p>SDM may request an increased cover limit from the successful PSP should the risk assessment of the project change.</p>
F.2.23	The Bidder is required to submit with his tender a <b>valid</b> Tax Clearance Certificate/ CSD PIN issued by the South African Revenue Services.
F.3.1.1.1	Whilst all due care has been taken in connection with the preparation of this RFP, the SDM makes no representations or warranties that the content in this RFP or any information communicated to or provided to Bidders during the Tendering Process is, or will be, accurate, current or complete. The SDM, and its officers, employees and advisors will not be liable with respect to any information communicated which is not accurate, current or complete
F.3.1.1.2	Bidders may not seek or obtain the assistance of employees, contractors or advisors of the SDM in the preparation of their tender responses, except where contractors or advisors are participating in the tender in which case the Bidder must disclose such participation in its tender by declaring their possible interest or conflict in the relevant MBD 4 form.
F.3.4	Tenders will be opened immediately after the closing time of tenders at Sekhukhune District Municipality

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

F.3.11	<p><b>Evaluation of Tenders</b></p> <p>The Bidders notice is drawn to the fact that the evaluation, adjudication and awarding of this tender will be in terms of the Supply Chain Management Policy. Clause 36.5 of the Supply Management Policy which entails balance between financial offer and functionality.</p> <p><b>The following steps will be followed in evaluation:</b></p> <p><b>Stage 1: Responsiveness Evaluation:</b>  Determination of whether or not tender offers are complete.  Determination of whether or not tender offers are responsive.  Determination of the reasonableness of tender offers.</p> <p><b>Stage 2: Functional Evaluation:</b>  Awarding of points for functionality.  Determination of expertise and experience of bidders.</p> <p><b>Stage 3: Financial and Preferential Evaluation:</b>  Confirmation of the eligibility of preferential points claimed by bidders.</p> <p><b>Stage 4: Risk Analysis &amp; Objective Criteria:</b>  Ranking of bidders according to the total points  Performance of risk analysis by checking the capacity of the bidders  Apply objective criteria if applicable</p>
F.3.11.1.	<p>Tender offers will only be accepted if:</p> <p>the Bidder has in his or her possession a valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;</p> <p>the Bidder is registered with the Construction Industry Development Board in an appropriate contractor grading designation;</p> <p>the Bidder or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;</p> <p>the Bidder has not:</p> <p>abused the Employer's Supply Chain Management System; or</p> <p>ii) failed to perform on any previous contract and has been given a written notice to this effect; and</p> <p>e) has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Bidder's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.</p>
F.3.11.2	<p>The procedure for the evaluation of responsive tenders is Method 1.</p>
F.3.11.3	<p>The procedure for the evaluation of responsive tenders is Methods 2: Financial offer and preference</p>
F.3.11.9	<p><b>Functional Evaluation</b></p> <p>Elimination factors include non-compliance with key requirements specified for the following:</p>

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**TABLE 1**

Evaluation element	Weighting	Threshold score
FUNCTIONALITY (TABLE 2 to TABLE 7)	100	70 Points

A company must obtain a minimum of 70 points out of the 100 points above to be considered for evaluation on pricing and BBBEE

## Functionality Evaluation scale

The minimum number of evaluation points for quality is 70 points.

### 1. Evaluation of Company Project Experience

*N.B similar contract reference with a minimum project value of R500 000 in the last ten (10) years (i.e. not before 2012)*

**TABLE 2: Bulk Pipeline Projects**

Company Experience	POINTS	
	ALLOCATION	MAX
<b>Civil Engineering Projects – Pipe Conduit Design System in the last ten (10) years:</b>		
i. Relevant experience - similar projects for Company in bulk water pipeline projects	<ul style="list-style-type: none"> <li>R2-R15M (1 Point per project) (max 2 projects) (2 points)</li> <li>R16-R30M (3 Points per project) (max 6 projects) (6 points)</li> <li>R30 and above (8 Points per project) (max of 8 points)</li> </ul>	Max 8
ii. Relevant experience - similar projects for Company in bulk sewer pipeline projects	<ul style="list-style-type: none"> <li>R2-R15M (1 Point per project) (max 2 projects) (2 points)</li> <li>R16-R30M (2 Points per project) (max 2 projects) (4 points)</li> <li>R30 and above (5 Points per project) (max of 5 points)</li> </ul>	Max 5
iii. Relevant experience - similar projects for Company in Water distribution to households	<ul style="list-style-type: none"> <li>R2-R15M (1 Point per project) (max 2 projects) (2 points)</li> <li>R16-R30M (2 Points per project) (max 2 projects) (4 points)</li> <li>R30 and above (5 Points per project) (max of 5 points)</li> </ul>	Max 5
<b>TOTAL</b>		<b>Max 18</b>

**TABLE 3: Source, Treatment and Water Retaining Structures Projects**

Company experience	POINTS	
	ALLOCATION	MAX
<b>Civil Engineering Projects: Structural Design in the last ten (10) years:</b>		
i. Relevant experience - Structural: Water Treatment Design	<ul style="list-style-type: none"> <li>Number of projects – 1 point per project max 2 points for 2 or more projects (max 2 points)</li> </ul>	Max 2
ii. Relevant experience - Structural: Wastewater Treatment	<ul style="list-style-type: none"> <li>Number of projects – 1 point per project max 2 points for 2 or more projects (max 2 points)</li> </ul>	Max 2
iii. Relevant experience - Structural: Concrete reservoir designs	<ul style="list-style-type: none"> <li>Number of projects – 1 point per project max 2 points for 2 or more projects (max 2 points)</li> </ul>	Max 2
iv. Relevant experience – source development	<ul style="list-style-type: none"> <li>Number of projects – 2 points per project max 4 points for 2 or more projects (max 4 points)</li> </ul>	<b>Max 4</b>
<b>TOTAL</b>		<b>Max 10</b>

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**TABLE 4: Projects with Mechanical and Electrical Components**

Company experience	POINTS	
	ALLOCATION	Max
<b>Mechanical, Electrical and Electronic projects:</b>		
<ul style="list-style-type: none"> <li>Mechanical Pump Designs, Heavy Electrical Management, Telemetry communication systems (SCADA)</li> </ul>	<ul style="list-style-type: none"> <li>One (1) project (1 point)</li> <li>Two (2) or more projects (2 points)</li> </ul>	Max 2
<b>TOTAL</b>		<b>Max 2</b>

It must be noted that:

- the Experience of the Bidder carries a maximum of 30 points as indicated in the tables above.
- A single project can score points from more than one criteria above, if it can be proven that the project had work completed corresponding with more than one criteria.

## 2. Evaluation of the Team Leader

The evaluation of the expertise of the Team Leader will place overall emphasis on appropriate experience in programme or project management and change management, of which the latter is expected to feature as one of the strong elements of the Team Leader's CV. In addition, the Team Leader is expected to have appropriate qualifications in more than one of the following areas:

- Civil or Municipal engineering or Water and sanitation
- Development management
- Financial management
- Business Management
- Project Management

**TABLE 5.1**

TEAM LEADER QUALIFICATION = 5 points	POINTS			
	National Diploma	B Degree / B Tech	Honours Degree / Post Graduate Diploma	Masters Degree or above
Development management / Financial management / Business Management / Project Management	0	1	1	2
Civil engineering	0	1	2	2
<b>Total</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>4</b>

**TABLE 5.2**

TEAM LEADER EXPERIENCE: = 5 points 0 to less than 8 years = 0 points	POINTS		
	1 – 7 years	8-12 years	> 12 years
Leading multi-disciplinary teams	0	1	2
In project management for municipalities or public sector.	0	1	2
Refurbishment project experience	0	1	2
<b>Total</b>	<b>0</b>	<b>3</b>	<b>6</b>

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**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

### 3. Evaluation of the Key Personnel

Provide an organogram indicating the proposed professional team. Detailed Curriculum Vitae (CV's) should be accompanied by Qualifications and Professional Registration documents.

**TABLE 6**

Key Resource	Requirements		POINTS
	Professional Registration (Minimum Requirement)	Minimum Years' Experience	
Team Leader	Pr. Eng / Pr. Tech	8 year	5
Civil Engineer (Pipeline Design)	Pr. Eng / Pr. Tech	5 year	5
Civil Engineer (Treatment/Process)	Pr. Eng / Pr. Tech	5 year	5
Civil / Mechanical Engineer (Pump Station Design)	Pr. Eng / Pr. Tech	5 year	3
Electrical Engineer (Power Supply /Control Systems)	Pr. Eng / Pr. Tech	5 year	5
GIS Specialist	GIS Degree (minimum)	5 year	2
Construction Project Manager	Pr CPM	5 years	5
Total			30

### 4. Approach Paper

Detailed approach that the Bidder feels will best deliver the intended services for the Project with identification of tasks, for each of the activities as have been foreseen in in 'Part C3.1 Scope of work', detailing at least the following:

1. Methodology to be adopted
2. Project implementation schedule (up to Level 2)
3. Personnel schedule with organogram for the proposed project team
4. Project implementation Risks and Risk Management proposal
5. Quality control mechanism be adopted
6. Stakeholder management plan and reporting
7. Reporting and Communication
8. Project Environment

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	<b>Table 7</b>		
	<b>Evaluating Point</b>	<b>Assessment Criteria and points per criterion</b>	<b>Maximum allocated point(s)</b>
	Methodology to be adopted	Reference is made to Section C3 for a full discussion on the tasks to be carried out with a clear description tools and how work will be undertaken: 1. Project Inception (1 points) 2. Project integration (Source to Tape) (1 points) 3. Assessment of pipeline sections (1 points) 4. Assessment of pumpstations (1 points) 6. Refurbishment / Construction and commissioning (1 points) 5. Development of Operations and Maintenance Planes for the Bulk System (1 point) 7. Project Close-out (1 point)	7
	Project implementation schedule (Activity, task and sub-task wise)	Presentation of programme/schedule (Level 2) in MS Project/Primavera (2 points) Relevance of identified tasks, deliverables, milestones and timeliness (2 points)	6
	Staffing schedule with organogram for the proposed project team	Provided all key professionals(1 point),, layout of project structure responsibilities , skills levels and linked according to the job responsibilities in a summarised suitable format e.g. (table) (2 point)	3
	Project implementation Risks and Risk Management proposal	Understanding of programme risks (2 points) and relevance of mitigation options(2 points)	4
	Quality control mechanism be adopted	Understanding of quality requirements and provision of qualified personnel (1 point), adequacy of process and relevance of proposed quality plan (1 points)	2
	Stakeholder management	Understanding of stakeholders (1 point) management of stakeholders (2 points)	2
	Reporting and Communication	Relevance of proposed Reporting (1 point), communication plan aligned to relevant governance structures (1 points )	2
	Project Environment (Geographic Info) and understanding of current challenges related to water & sanitation issues	Geographic information including aerial photography and the statistics (1 point), challenges related to Water & Sanitation in the municipality (1 point)	2
	Skills transfer to municipality officials	Skills transfer plan (2 points)	2
	<b>Total Points</b>		<b>Max 30</b>
<b>The minimum number of evaluation points for quality is 70 points.</b>			
	The number of paper copies of the signed contract to be provided by the employer is one.		

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## T1.3 STANDARD CONDITIONS OF TENDER

### F1 General

#### F1.1 Actions

F1.1.1 The employer and each Bidder submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in F.2 and F.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

F.1.1.2. The employer and the Bidder and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Bidders shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

*Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.*

*2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.*

#### F.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

#### F.1.3 Interpretation

**F.1.3.1** 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 conditions of tender.

**F.1.3.2** These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

**F.1.3.3** For the purposes of these conditions for the calling for expressions of interest, the following definitions apply:

- a) **comparative offer** means the Bidder's financial offer after the factors of non-firm prices, all unconditional discounts and any other tendered parameters that will affect the value of the financial offer have been taken into consideration
- b) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and
- c) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels

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d) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs

**F.1.4 Communication and employer's agent**

Each communication between the employer and a Bidder shall be to or from the employer's representative and also be documented in a form of email or relevant media tools for purpose of records. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a Bidder. The name and contact details of the employer's representative are stated in the tender data.

**F.1.5 The employer's right to accept or reject any tender offer**

**F.1.5.1** 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 Bidder for such cancellation and rejection but will give written reasons for such action upon written request to do so.

**F.1.5.2** The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of six months unless only one tender was received and such tender was returned unopened to the Bidder.

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Submit a tender offer only if the Bidder complies with the criteria stated in the tender data and the Bidder, or any of his principals, is not under any restriction to do business with employer.

**F.2.2 Cost of tendering**

**F2.2.1** Accept that, the employer will not compensate the Bidder 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.

**F.2.3 Check documents**

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

**F.2.4 Confidentiality and copyright of documents**

Treat as confidential 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.

**F.2.5 Reference documents**

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.

**F.2.6 Acknowledge addenda**

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.

**F.2.7 Clarification meeting**

Attend, where required, a clarification meeting at which Bidders may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

**F.2.8 Seek clarification**

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 Insurance**

The Bidder is advised to seek qualified advice regarding insurance.

**F.2.10 Pricing the tender offer**

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**F.2.10.1** Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful Bidder, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

**F.2.10.2** Show VAT payable by the employer separately as an addition to the tendered total of the prices.

**F.2.10.3** Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

**F.2.10.4** State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

**F.2.11 Alterations to documents**

Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the Bidder. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

**F.2.12 Alternative tender offers**

**F.2.12.1** Submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender documents with the alternative requirements the Bidder proposes.

**F.2.12.2** Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

**F.2.13 Submitting a tender offer**

**F.2.13.1** Submit a tender offer to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

**F.2.13.2** Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing in black ink.

**F.2.13.3** Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

**F.2.13.4** Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the Bidder. Signatories for Bidders proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

**F.2.13.5** Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the Bidder's name and contact address.

**F.2.13.6** Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state

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on the outside the employer's address and identification details stated in the tender data, as well as the Bidder's name and contact address.

**F.2.13.7** Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

**F.2.13.8** Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

**F.2.14** Information and data to be completed in all respects

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 Closing time**

**F.2.15.1** Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Proof of posting shall not be accepted as proof of delivery. The employer shall not accept tender offers submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the tender data.

**F.2.15.2** Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

**F.2.16 Tender offer validity**

**F.2.16.1** Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

**F.2.16.2** If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period.

**F.2.17 Clarification of tender offer after submission**

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the total of the prices or substance of the tender offer is sought, offered, or permitted. The total of the prices stated by the Bidder shall be binding upon the Bidder.

**Note:** Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred Bidder following a competitive selection process, should the Employer elect to do so.

**F.2.18 Provide other material**

**F.2.18.1** Provide, on request by the employer, any other material that has a bearing on the tender offer, the Bidder's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the Bidder not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

**F.2.18.2** Dispose of samples of materials provided for evaluation by the employer, where required.

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Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

**F.2.20 Submit securities, bonds, policies, etc.**

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

**F.2.21 Check final draft**

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

**F.2.22 Return of other tender documents**

If so, instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

**F.2.23 Certificates**

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

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### **F.3 The employer's undertakings**

#### **F.3.1 Respond to clarification**

Respond to a request for clarification received up to five working days prior to the tender closing time stated in the Tender Data and notify all Bidders who drew procurement documents.

#### **F.3.2 Issue Addenda**

If necessary, issue addenda that may amend or amplify the tender documents to each Bidder during the period from the date of the Tender Notice until seven days before the tender closing time stated in the Tender Data. If, as a result a Bidder applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, will then notify it to all Bidders who drew documents.

#### **F.3.3 Return late tender offers**

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the Bidder concerned.

#### **F.3.4 Opening of tender submissions**

**F.3.4.1** Unless the two-envelope system is to be followed, open valid tender submissions in the presence of Bidders' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

**F.3.4.2** Announce at the opening held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each Bidder whose tender offer is opened, the total of his prices, preferences claimed and time for completion, if any, for the main tender offer only.

**F.3.4.3** Make available the record outlined in F.3.4.2 to all interested persons upon request.

#### **F.3.5 Two-envelope system**

**F.3.5.1** Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of Bidders' agents who choose to attend at the time and place stated in the tender data and announce the name of each Bidder whose technical proposal is opened.

**F.3.5.2** Evaluate the quality of the technical proposals offered by Bidders, then advice Bidders who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of Bidders, who score in the quality evaluation above the minimum number of points for quality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any preferences claimed. Return unopened financial proposals to Bidders whose technical proposals failed to achieve the minimum number of points for quality.

#### **F.3.6 Non-disclosure**

Not disclose to Bidders, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful Bidder.

#### **F.3.7 Grounds for rejection and disqualification**

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Determine whether there has been any effort by a Bidder to influence the processing of tender offers and instantly disqualify a Bidder (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

### **F.3.8 Test for responsiveness**

Determine, on opening and before detailed evaluation, whether each tender offer properly received:

- a) meets the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- change the Employer's or the Bidder's risks and responsibilities under the contract, or
- affect the competitive position of other Bidders presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

### **F.3.9 Arithmetical errors**

Check responsive tender offers for arithmetical errors, correcting them in the following manner:

- Where there is a discrepancy between the amounts in figures and in words, the amount in words shall govern.
- If bills of quantities (or schedule of rates) apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate will be corrected.
- Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the Bidder's addition of prices, the total of the prices shall govern and the Bidder will be asked to revise selected item prices (and their rates if a bills of quantities applies) to achieve the tendered total of the prices.

Consider the rejection of a tender offer if the Bidder does not correct or accept the correction of his arithmetical errors in the manner described above.

### **F.3.10 Clarification of a tender offer**

Obtain clarification from a Bidder on any matter that could give rise to ambiguity in a contract arising from the tender offer.

### **F3.11 Evaluation of tender offers**

#### **F3.11.1 General**

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Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a comparative offer and evaluate them using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

**F3.11.2 Method 1: Financial offer**

In the case of a financial offer:

Rank tender offers from the most favourable to the least favourable comparative offer.

Recommend the highest ranked Bidder for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Re-rank all Bidders should there be compelling and justifiable reasons not to recommend the highest ranked Bidder and recommend the highest ranked Bidder, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

**F3.11.3 Methods 2: Financial offer and preference**

In the case of a financial offer and preferences:

Score each tender in respect of the financial offer made and preferences claimed, if any, in accordance with the provisions of 3.11.7 and 3.11.8.

Calculate the total number of tender evaluation points ( $T_{EV}$ ) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_P$$

Where:  $N_{FO}$  is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7;

$N_P$  is the number of tender evaluation point awarded for preferences claimed in accordance with 3.11.8.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points, and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

**F3.11.4 Method 3: Financial offer and quality**

In the case of a financial offer and quality:

Score each tender in respect of the financial offer made and the quality offered in accordance with the provisions of 3.11.7 and 3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

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Calculate the total number of tender evaluation points ( $T_{EV}$ ) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_Q$$

Where:  $N_{FO}$  is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7;

$N_Q$  is the number of tender evaluation point awarded for preferences claimed in accordance with 3.11.9.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

**F3.11.5 Method 4; Financial offer, quality and preferences**

In the case of a financial offer, quality and preferences:

Score each tender in respect of the financial offer made, preference claimed, if any, and the quality offered in accordance with the provisions of 3.11.7 to 3.11.9, rejecting all tender offers that fail to score the minimum number of points for quality stated in the tender data, if any.

Calculate the total number of tender evaluation points ( $T_{EV}$ ) in accordance with the following formula:

$$T_{EV} = N_{FO} + N_P + N_Q$$

Where:  $N_{FO}$  is the number of tender evaluation points awarded for the financial offer made in accordance with 3.11.7

$N_P$  is the number of tender evaluation points awarded for preferences claimed in accordance with 3.11.8

$N_Q$  is the number of tender evaluation points awarded for quality offered in accordance with 3.11.9.

Rank tender offers from the highest number of tender evaluation points to the lowest.

Recommend the Bidder with the highest number of tender evaluation points for the award of the contract, unless there are compelling and justifiable reasons not to do so.

Rescore and re-rank all Bidders should there be compelling and justifiable reasons not to recommend the Bidder with the highest number of tender evaluation points and recommend the Bidder with the highest number of tender evaluation points, unless there are compelling and justifiable reasons not to do so and the process set out in this subclause is repeated.

**F3.11.6 Decimal places**

Score financial offers, preferences and quality, as relevant, to two decimal places.

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**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

### Scoring Financial Offers

Score the financial offers of remaining responsive tender offers using the following formula:

$$N_{FO} = W_1 \times A$$

Where:  $N_{FO}$  is the number of tender evaluation points awarded for the financial offer.

$W_1$  is the maximum possible number of tender evaluation points awarded for the financial offer as stated in the Tender Data.

$A$  is a number calculated using the formula and option described in Table 1 as stated in the Tender Data.

**Table 1: Formulae for calculating the value of A**

Formula	Comparison aimed at achieving	Option 1 <sup>a</sup>	Option 2 <sup>a</sup>
1	Highest price or discount	$A = \left( 1 + \frac{(P - P_m)}{P_m} \right)$	$A = P / P_m$
2	Lowest price or percentage commission / fee	$A = \left( 1 - \frac{(P - P_m)}{P_m} \right)$	$A = P_m / P$
$P_m$ is the comparative offer of the most favourable comparative offer. $P$ is the comparative offer of the tender offer under consideration.			

### F3.11.8 Scoring preferences

Confirm that Bidders are eligible for the preferences claimed in accordance with the provisions of the tender data and reject all claims for preferences where Bidders are not eligible for such preferences.

Calculate the total number of tender evaluation points for preferences claimed in accordance with the provisions of the tender data.

### F3.11.9 Scoring quality

Score each of the criteria and subcriteria for quality in accordance with the provisions of the Tender Data.

Calculate the total number of tender evaluation points for quality using the following formula:

$$N_Q = W_2 \times S_Q / M_S$$

Where:  $S_Q$  is the score for quality allocated to the submission under consideration;

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**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

$M_S$  is the maximum possible score for quality in respect of a submission; and

$W_2$  is the maximum possible number of tender evaluation points awarded for the quality as stated in the tender data.

**F.3.12 Insurance provided by the employer**

No insurance is provided by the employer

**F.3.13 Acceptance of tender offer****F3.13.1 Tender Offers will only be accepted on condition that:**

the tender offer is signed by a person authorized to sign on behalf of the Bidder;

a valid original Tax Clearance Certificate is included with his tender;

Bidder's declaration of compliance with the Occupational Health and Safety Act No. 85 of 1993 and the construction Regulations 2014 as well as the Bidder's health and safety plan, in included with his tender submission;

a Bidder who submitted a tender as a Joint Venture has included an acceptable Joint Venture agreement with his tender;

the Bidder or a competent authorized representative of the PSP who submitted the tender has attended the compulsory clarification meeting or site inspection;

The Bidder or any of its principals is not listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt activities Act of 2004 as a person prohibited from doing business with the public sector;

The Bidder has not abused the Employer's Supply chain Management System or has failed to perform on any previous contract and has been given a written notice to his effect;

The Bidder or any of its principals, directors or managers is not employed in the service of the State or any municipality. In the event that such principals are involved, official approval from the Executing Authority regarding carrying out remunerative work outside of the public service must be included in the tender submission.

The Employer is satisfied that the Bidder or any of his principals have not influenced the tender offer and acceptance by the following criteria:

having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining or execution of this contract;

having acted in a fraudulent or corrupt manner in obtaining or executing this contract;

having approached an officer or employee of the Employer or the employer's Agent with the objective of influencing the award of a contract in the Bidder's favour;

having entered into any agreement or arrangement, whether legally or not, with any other person, firm or company to refrain from tendering for his contract or as to the amount of the Tender to be submitted by either party;

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**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender;

The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.

**F.3.13.2** Notify the successful Bidder of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful Bidder as described in the form of offer and acceptance.

**F.3.14 Notice to unsuccessful Bidders**

After the successful Bidder has acknowledged the employer's notice of acceptance, notify other Bidders that their tender offers have not been accepted.

**F.3.15. Prepare contract documents**

If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents,
- c) other revisions agreed between the employer and the successful Bidder, and
- d) the schedule of deviations attached to the form of offer and acceptance, if any.

**F.3.16 Issue final contract**

Prepare and issue the final draft of contract documents to the successful Bidder for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any). Only those documents that the conditions of tender require the Bidder to submit, after acceptance by the employer, shall be included.

**F.3.17 Complete adjudicator's contract**

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

**F.3.18 Provide copies of the contracts**

Provide to the successful Bidder the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

**F.3.19 Provide written reasons for actions taken**

Provide upon request written reasons to Bidders for any action that is taken in applying these conditions of tender, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of Bidders or might prejudice fair competition between Bidders.

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**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND  
GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**END OF SECTION**

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## SEKHUKHUNE DISTRICT MUNICIPALITY

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS  
ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT  
MUNICIPALITY

## T2.1 LIST OF RETURNABLE DOCUMENTS

The Bidder must complete the following returnable documents:

Clause referred to in Standard Conditions of Bid		Document
2.1		The Council for the Built Environment (CBE) is a statutory body established under the Council for the Built Environment Act (No. 43 of 2000). It is an overarching body that coordinates the following six councils for the built environment professions
	.1	Engineering company should demonstrate the professional Body of his/ her company is affiliating with
	.2	Personnel representing the bidding engineering company must be a registered professional under the council recognized by CBE
2.1.2		
		<p><b>RETURNABLE DOCUMENTS</b></p> <p>The following certificates / information are to be provided with the Bid offer:</p> <ul style="list-style-type: none"> <li>Valid tax clearance certificate or PIN issued by SARS (in terms of the Preferential Procurement Regulations, 2001 published in Government Gazette No 22549 dated 10 August 2001) or proof of arrangement made with SARS</li> <li>CSD Registration/CSD Summary Report (Compulsory)</li> <li>Copy of Certificate of Incorporation (if Bidder is a Company)</li> <li>Copy of Founding Statement (if Bidder is a Closed Corporation),</li> <li>Copy of Identity Document (if Bidder is a One-man concern),</li> <li>Copies of certified identification documents [of shareholders];</li> <li>Company profile, including management structure;</li> <li>Evidence of expertise and prior experience in providing the required service</li> <li>Joint venture agreement [if applicable];</li> <li>Municipal rates (Compulsory) - Municipal statement for both Directors and Company not in arrears for more than 90 days in accordance with regulation 38. In case where the Company or Director is from rural areas where the rates are not paid, please attach proof from Local Authority indicating that he/she does not pay municipal rates, this must also be supported by an affidavit from SAPS</li> <li>All pages must be initialled.</li> <li>Authority for Signatory (Compulsory)</li> <li>Form of offer to be properly signed (Compulsory)</li> <li>Declaration of Interest (mbd4) (Compulsory)</li> <li>Certified B-BEE Status Level Certificate SANAS approved or Sworn affidavit for BBBEE Exempted Micro Enterprises as per bidder's correct turnover category (Required for evaluation)</li> <li>MBD 5 (required for evaluation) Documentation if Tender Exceeds R10 Million (<i>Compulsory if Applicable</i>)</li> </ul> <p>-If the bidder is required by law to prepare AFS for Auditing, the</p>

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**Part T2: Returnable Documents****List of Returnable Documents**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES  
AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

	<p>AFS for the past three years or since the establishment if Establishment during the past three years</p> <p><i><b>Please complete all blank spaces on the forms, where not applicable indicate as such (n/a) note: failure to comply to the following submission will invalidate your bid</b></i></p>
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<div></div>	<div></div>	<div></div>	<div></div>	<div></div>	<div></div>
PSP	Witness 1	Witness 2	Employer	Witness 1	Witness 2

## SEKHUKHUNE DISTRICT MUNICIPALITY

### APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY

## T2.2 RETURNABLE SCHEDULES

### FORM A: RECORD OF ADDENDA TO BID DOCUMENTS

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

	Date	Title of Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signature of person authorised to sign the Bid: .....

Date: .....

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Witness 2



**FORM C: 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.

**Failure to do so will lead to your Tender being disqualified.**

**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 6 partners

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

Company registration number	
Close corporation number	
Tax reference number	

**Attach a certified copy of valid CIPRO / CIPC Certificate to this page.**

**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 an accounting authority of any national or provincial public entity
<input type="checkbox"/> a member of the National Assembly or the National Council of Province	<input type="checkbox"/> an employee of Parliament or a provincial legislature

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**Part T2: Returnable Documents****List of Returnable Documents****APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

<input type="checkbox"/> a member of the board of directors of any municipal entity	
<input type="checkbox"/> an official of any municipality or municipal entity	

If any of the above boxes are marked, disclose the following:

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 an accounting authority of any national or provincial public entity
<input type="checkbox"/> a member of the National Assembly or the National Council of Province	<input type="checkbox"/> an employee of Parliament or a provincial legislature
<input type="checkbox"/> a member of the board of directors of any municipal entity	
<input type="checkbox"/> an official of any municipality or municipal entity	

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 authorized 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;

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- 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 Bidders 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 \_\_\_\_\_

Bidder \_\_\_\_\_

NOTE 1 The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that Bidders avoid conflicts of interest, only submit a tender offer if the Bidder or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any Bidder who engages in fraudulent and corrupt practice. Clause 3.1 also requires Bidders to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct, which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the PFMA of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE: 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE: 5 Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE: 6 Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**FORM D: DECLARATION ON CONSULTANCY, GOODS AND OTHER SERVICES OR A COMBINATION THEREOF OFFERED TO AN ORGAN OF STATE AND / OR MUNICIPALITY**

The following particulars must be furnished in relation to tenders for organs of state and municipal entities where:

- a) consultancy services are required; and
- b) goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT.

In the case of a joint venture, separate municipal declarations and returnable documents shall be submitted in respect of each partner.

**Section 1: Enterprise Details**

<b>Name of enterprise:</b>	
<b>Contact person:</b>	
<b>Email:</b>	
<b>Telephone:</b>	
<b>Cell no</b>	
<b>Fax:</b>	
<b>Physical address</b>	
<b>Postal address</b>	

**Section 2: Declaration for consultancy services:**

The enterprise has been awarded the following consultancy services by an organ of state during the last five years.

Name of organ of state	Estimated number of contracts	Nature of service, e.g, quantity surveying	Service similar to required service (yes / no) last 5 years

Attach separate page as necessary and cross reference to this page

PSP

Witness 1

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Witness 2

**Section 3 Goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT**

I / we certify that

1) (tick one of the boxes):

- ☐ the enterprise **is not** required by law to prepare annual financial statements for auditing
- ☐ the enterprise is required by law to have audited annual financial statements and attached the audited financial statements for the past three financial years, or since the establishment as the enterprise was established within the past three years

2) the enterprise and its directors has / have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days (*i.e.: all municipal accounts are paid up to date*);

3) source of goods and / or services :

(tick one of the boxes and insert percentages if applicable):

- ☐ goods and / or services are sourced only from within the Republic of South Africa
- ☐ \_\_\_\_\_% of the total cost of goods and / or services will be sourced from outside the Republic of South Africa and the percentage of payment from the municipality or municipal entity which is expected to be transferred out of the Republic is \_\_\_\_\_%

I furthermore confirm that the following contracts were awarded to the enterprise by an organ of state during the last five years and attached particulars of any material non-compliance or dispute concerning the execution of such contracts:

Name of organ of state	Estimated number of contracts	Nature of contracts

Attach separate page as necessary and cross reference to this page.

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

I, the undersigned who warrants that I am duly authorised on behalf of the tendering entity, hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct

Signed

Date

Name

Position

*Enterprise name*

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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

**MBD 6.1**

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 BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

**GENERAL CONDITIONS**

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).  
a) The value of this bid is estimated to not exceed R50 000 000 (all applicable taxes included) and  
therefore the 80/20 preference point system shall be applicable; or  
Points for this bid shall be awarded for:  
Price; and  
B-BBEE Status Level of Contributor.  
The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

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. 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.

**DEFINITIONS**

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

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

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

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

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

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**“functionality”** means the ability of a Bidder to provide goods or services in accordance with specifications as set out in the tender documents. (g) **“prices”** includes all applicable taxes less all unconditional discounts; (h) **“proof of B-BBEE status level of contributor”** means:

B-BBEE Status level certificate issued by an authorized body or person;

A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;

Any other requirement prescribed in terms of the B-BBEE Act;

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

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

### POINTS AWARDED FOR PRICE

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

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

**80/20 or 90/10**

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

Where

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

$P_t$  = Price of bid under consideration

$P_{\min}$  = Price of lowest acceptable bid

### POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

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

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

### BID DECLARATION

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

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

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.

**SUB-CONTRACTING**

Will any portion of the contract be sub-contracted?

 (**Tick applicable box**)

YES		NO	
-----	--	----	--

If yes, indicate:

What percentage of the contract will be subcontracted .....%?

The name of the subcontractor.....

The B-BBEE status level of the subcontractor.....

 Whether the sub-contractor is an EME or QSE (**Tick applicable box**)

YES		NO	
-----	--	----	--

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

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

**DECLARATION WITH REGARD TO COMPANY/FIRM**

Name Of Company/Firm :.....

VAT Registration Number :.....

Company Registration Number :.....

Type of Company/ Firm

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

[TICK APPLICABLE BOX]

Describe Principal Business Activities

.....

.....

.....

.....

Company Classification

- ☐ Manufacturer  
☐ Supplier  
☐ Professional service provider

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PSP

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2

☐ Other service providers, e.g. transporter, etc.  
[TICK APPLICABLE BOX]

**MUNICIPAL INFORMATION**

Municipality where business is situated : .....

Registered Account Number : .....

Stand Number : .....

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

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: The information furnished is true and correct;

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

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;

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 –

disqualify the person from the bidding process;

recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

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;

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

forward the matter for criminal prosecution.

**WITNESSES**

.....  
.....

.....  
**SIGNATURE(S) OF BIDDERS(S)**

**DATE:** .....

**ADDRESS** .....  
.....  
.....

.....  
PSP

.....  
Witness 1

.....  
Witness 2

.....  
Employer

.....  
Witness 1

.....  
Witness 2

**FORM F: MUNICIPAL RATES & CHARGES CLEARANCE CERTIFICATE  
SCM 5**

IT IS A CONDITION OF BIDDING I.R.O. GOODS, WORKS AND SERVICES ABOVE A TRANSACTION VALUE OF R15 000 (VAT INC) THAT –

The rates and taxes as well as other charges (eg. water and electricity accounts) of the successful bidder must be in order, or that satisfactory arrangements have been made with the municipality concerned to meet his/her obligations in this regard.

The attached form “Application for a municipal tax rates & charges Clearance Certificate” in respect of bidders must be completed in all respects and submitted to the municipality where the bidder or his/her business is located.

The relevant municipality will then furnish the bidder with a “Clearance Certificate” that will be valid for a period of twelve (12) months from date of issue.

This Clearance Certificate must be obtained by the bidder at his/her own cost and submitted in the original together with the rest of the bid documents.

Failure to submit the original valid Clearance Certificate or incomplete SCM5 Form, may invalidate your bid.

In bids where consortia/joint ventures/sub-contractors are involved; each party must submit a separate Clearance Certificate.

Invoices will not be considered.

Rural service providers who do not have municipal accounts must submit proof of residence and payment of tribal obligations.

The SCM 5 form provided must be completed, signed and stamped by an official of a municipality where you are paying services.

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**FORM G: AUTHORITY OF SIGNATORY**

Signatories for companies must establish their authority by attaching to this form a copy of the relevant resolution by their Board of Directors, duly signed and dated.

An example is shown below:

"By resolution of the Board of Directors taken on .....2022 .....  
Mr.....

Has been duly authorized to sign all documents in connection with contract No.  
.....

And any contract which may arise there from on behalf of (block capitals)  
.....  
.....

**SIGNED ON BEHALF OF THE COMPANY :** .....

**IN HIS CAPACITY AS:** .....

**DATE:** .....

**SIGNATURE OF SIGNATORY:** .....

**\*PLEASE NOTE THAT, THIS IS JUST AN EXAMPLE OF AUTHORITY FOR SIGNATORY. YOU ARE  
REQUIRED TO SUBMIT A COPY OF A RELEVANT RESOLUTION OF THE BOARD OF DIRECTORS.**

**THIS APPLIES TO COMPANIES WITH MORE THAN ONE MEMBERS**

**FAILURE TO SUBMIT A COPY OF A RELEVANT RESOLUTION OF THE BOARD OF DIRECTORS,  
SHALL DISQUALIFY THE TENDER.**

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--	--	--	--	--	--

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**FORM H: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES**
**1. Any Bid may be rejected if that Bidder, or any of its directors have:**

abused the Municipality's / Municipal entity's supply chain management system or committed any improper conduct in relation to such system;  
 been convicted for fraud or corruption during the past five years;  
 willfully neglected, reneged on or failed to comply with any government, Municipal or other public sector contract during the past five years; or  
 been listed in the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).

**In order to give effect to the above, the following questionnaire must be completed and submitted with the Bid:**

Item	Question	Yes	No
2.1	Is the Bidder any of its directors listed on the National Treasury's database as a company or persons prohibited from doing business with the public sector? <b>(Companies for persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.1.1	If so, furnish particulars:		
2.2	Is the Bidder or any of its directors listed on the Register for Bid Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? <b>(To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a>, click on the icon "Register for Bid Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012)3265445)</b>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.2.1	If so, furnish particulars:		
2.3	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"/>
2.3.1	If so, furnish particulars:		
2.4	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	Yes <input type="checkbox"/>	No <input type="checkbox"/>

  
PSP

  
Witness 1

  
Witness 2

  
Employer

  
Witness 1

  
Witness 2

Item	Question	Yes	No
	three months?		
2.4.1	If so, furnish particulars:		
2.5	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 to comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.5.1	If so, furnish particulars:		

**CERTIFICATION**

I, THE UNDERSIGNED (FULL NAME) ..... CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE 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

---



PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**FORM I: DECLARATION OF INTEREST****MBD 4**

1. No bid will be accepted from persons in the service of the state.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state it is required that the bidder or their authorised representative declare their position in relation to the evaluation/adjudication authority and/or take an oath declaring his/her interest
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name:

.....

3.2 Identity Number:

.....

3.3 Company Registration Number:

.....

3.4 Tax Reference Number:

.....

3.5 Vat Registration Number:

.....

3.6 Are you presently in the service of the state ? **YES / NO**

3.6.1 If so, furnish particulars.

.....

.....

.....

3.7 Have you been in the service of the state for the past twelve months?

**YES / NO**

3.7.1 If so, furnish particulars

.....

.....

.....

3.8 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

**YES / NO**

3.8.1 If so, furnish particulars

---



PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid ?

**YES / NO**

3.9.1 If so, furnish particulars

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

3.10 Are any of the company's directors, managers, principle shareholders or stakeholders in service of the state?

**YES / NO**

3.10.1 If so, furnish particulars

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

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

**YES / NO**

3.11.1 If so, furnish particulars

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

#### DECLARATION / CERTIFICATION

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

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT. I ACCEPT THAT THE MUNICIPALITY MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
 Signature Date

.....  
 Position Name of bidder

MSCM Regulations: "in service of the state" means to be –  
 a member of –  
 any municipal council

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PSP	Witness 1	Witness 2	Employer	Witness 1	Witness 2



any provincial legislature; or  
the national Assembly or the national Council of Provinces;

a member of the board of directors of any municipal entity;  
an official of any municipality or municipal entity;  
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);  
a member of the accounting authority of any national or provincial public entity; or  
an employee of Parliament or a provincial legislature.

---

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**FORM J: CERTIFICATE OF INDEPENDENT BID DETERMINATION****MBD 9**

This Municipal Bidding Document (MBD) must form part of all bids<sup>1</sup> invited.

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 *pe se* prohibition meaning that it cannot be justified under any grounds.

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:

take all reasonable steps to prevent such abuse;

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

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.

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.

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.

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**MBD 9****CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:  
APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY  
in response to the invitation for the bid made by:

SEKHUKHUNE DISTRICT MUNICIPALITY

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)

I have read and I understand the contents of this Certificate;

I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;

I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;

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;

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

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.

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**MBD 9**

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

prices;

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.

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.

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.

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

**<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.**

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**SEKHUKHUNE DISTRICT MUNICIPALITY****APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD OF 36 MONTHS****FORM K: SCHEDULE OF PROPOSED SUBCONSULTANT**

We notify you that it is our intention to employ the following Subcontractors for work in this contract.

If we are awarded a contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

	Name and address of proposed Sub Consultants	Nature and extent of work
1.		
2.		
3.		
4.		

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part T2: Returnable Documents**

**List of Returnable Documents**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

5.			

Signature of person authorised to sign the Bid: .....

Date: .....

---

PSPWitness 1Witness 2EmployerWitness 1Witness 2

**FORM L: TAX CLEARANCE REQUIREMENTS**

**MBD 2**

IT IS A CONDITION OF BIDDING THAT -

The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.

2. The attached form "Application for Tax Clearance Certificate (in respect of bidders)", must be completed in all respects and submitted to the Receiver of Revenue where the bidder is registered for tax purposes. The Receiver of Revenue will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of twelve (12) months from date of issue. This Tax Clearance Certificate must be submitted in the original together with the bid. Failure to submit the original and valid Tax Clearance Certificate may invalidate the bid.

3. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax Clearance Certificates are available at any Receiver's Office.

MBD2/ Application for tax Certificate...

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**APPLICATION FOR TAX CLEARANCE CERTIFICATE  
(IN RESPECT OF BIDDERS)**

1. Name of taxpayer / bidder:

2. Trade name:

3. Identification number:

--	--	--	--	--	--	--	--	--	--	--	--	--	--

4. Company / Close Corporation registration number:

--	--	--	--	--	--	--	--	--	--

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PSP

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2



**Part T2: Returnable Documents**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**List of Returnable Documents**

5. Income tax reference number:

--	--	--	--	--	--	--	--	--	--

6. VAT registration number (if applicable):

--	--	--	--	--	--	--	--	--	--

7. PAYE employer's registration number (if applicable):

--	--	--	--	--	--	--	--	--	--

Signature of contact person requiring Tax Clearance Certificate:

Name:

Telephone number: Code:..... Number:

Address:

DATE: 20\_\_\_\_ / \_\_\_\_ / \_\_\_\_

PLEASE NOTE THAT THE COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE (SARS) WILL NOT EXERCISE HIS DISCRETIONARY POWERS IN FAVOUR OF ANY PERSON WITH REGARD TO ANY INTEREST, PENALTIES AND / OR ADDITIONAL TAX LEVIABLE DUE TO THE LATE- OR UNDERPAYMENT OF TAXES, DUTIES OR LEVIES OR THE RENDITION RETURNS BY ANY PERSON AS A RESULT OF ANY SYSTEM NOT BEING YEAR 2000 COMPLIANT.

[MBD 2]

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PSP

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Witness 1

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Witness 2

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Employer

--

Witness 1

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Witness 2

**Part T2: Returnable Documents****List of Returnable Documents**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

**EVALUATION SCHEDULE 1: SCHEDULE OF WORK CARRIED OUT BY THE BIDDER**

The Bidder shall list in the spaces provided below a completed list of civil related contracts of similar nature awarded to the Bidder. This information may be deemed to be material to the award of this Bid. Proof should be submitted with this Bid e.g. ***Completion certificates or referral letters***

Description Nature of Work	Value (R) VAT excluded	Period work executed		Reference			
		Appointment Date	Completion Date	Name		Organisation	Tel no and email address
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			

Signature of person authorised to sign the Bid: .....

Date: .....

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part T2: Returnable Documents****List of Returnable Documents****APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

The Bidder shall list in the spaces provided below a completed list of civil related contracts of similar nature awarded to the Bidder. This information may be deemed to be material to the award of this Bid. Proof should be submitted with this Bid e.g. ***Completion certificates or referral letters***

Description Nature of Work	Value (R) VAT excluded	Period work executed		Reference			
		Appointment Date	Completion Date	Name		Organisation	Tel no and email address
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			

Signature of person authorised to sign the Bid: .....

Date: .....

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part T2: Returnable Documents****List of Returnable Documents****APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS**

The Bidder shall list in the spaces provided below a completed list of civil related contracts of similar nature awarded to the Bidder. This information may be deemed to be material to the award of this Bid. Proof should be submitted with this Bid e.g. ***Completion certificates or referral letters***

Description Nature of Work	Value (R) VAT excluded	Period work executed		Reference			
		Appointment Date	Completion Date	Name		Organisation	Tel no and email address
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			
				Employer			

Signature of person authorised to sign the Bid: .....

Date: .....

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**EVALUATION SCHEDULE 2: KEY PERSONNEL AND NON-LOCAL WORKERS TO BE EMPLOYED**

The Bidder shall insert in the spaces below, the name of non-local key personnel and non-local workers to be engaged on the Contract.

CATEGORY OF EMPLOYEE	NAME OF EMPLOYEE	Academic Qualifications	Council Professional Registration	YEARS EXPERIENCE

Attach additional pages if more space is required.

\* The PSP must fill in the various categories, e.g. Engineers, Technologist/Technicians, Laboratory Assistants, etc as required.

Signature of person authorised to sign the Bid: .....

Date: .....

 PSP

 Witness 1

 Witness 2

 Employer

 Witness 1

 Witness 2

**EVALUATION SCHEDULE 3: APPROACH PAPER**

The approach paper must respond to the scope of work (ref: C3: Scope of work).

As the contents of a proposal give a clear first hand impression about the capability of the Bidder, the Bidder is expected to submit an organized well-written proposal (approach paper) using proper separators for each of the sections and annexures (if there is any).

Bidders are not limited to the considerations discussed above, and should feel free to add to the above bullet-pointed list. Insights are sought.

The description of the approach would need to be between 8 and 15 pages. A limited number of diagrams (additional pages for this purpose are permitted) can supplement the text.

The approach paper must contain at least the following:

**Table of Contents:** Listing of contents of the approach paper with page numbers and/ references to annexures (if any);

**Executive Summary:** A brief summary of the whole contents of the approach paper;

**Approach:** Detailed approach that the Bidder feels will best deliver the intended services for the Project with identification of tasks, for each of the activities as have been foreseen in in 'Part C3.1 Scope of work', detailing at least the following:

1. Methodology to be adopted
  2. Project implementation schedule (up to Level 2)
  3. Personnel schedule with organogram for the proposed project team
  4. Project implementation Risks and Risk Management proposal
  5. Quality control mechanism be adopted
  6. Stakeholder management plan and reporting
  7. Reporting and Communication
  8. Project Environment
  9. Skills Transfer

SIGNATURE ON BE HALF OF BIDDER: .....

---

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part C1: Agreements and Contract Data**

**Agreements and Contract Data**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND  
GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

**PART C1: AGREEMENTS AND CONTRACT DATA**

---

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part C1: Agreements and Contract Data****Form of Offer and Acceptance**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

**AGREEMENTS AND CONTRACT DATA****INDEX**

<b>Section</b>	<b>Description</b>	<b>Page No</b>
<b>C1.1</b>	<b><i>FORM OF OFFER AND ACCEPTANCE.....</i></b>	<b>C1.1.1</b>
<b>C1.2</b>	<b><i>CONTRACT DATA.....</i></b>	<b>C1.2.1</b>
<b>C1.3</b>	<b><i>OCCUPATIONAL HEALTH AND SAFETY AGREEMENT.....</i></b>	<b>C1.3.1</b>

---

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**C1.1 FORM OF OFFER AND ACCEPTANCE****Offer**

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

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD OF 36 MONTHS

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

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

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

..... Rand (in words);  
R ..... (in figures)

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

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

Name .....

Capacity .....

**for the Bidder**

(Name and .....  
address of .....  
organization) .....

.....

Name and .....  
signature .....  
of witness .....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Acceptance**

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

The terms of the contract, are contained in:

Part C1: Agreements and contract data, (which includes this agreement)  
 Part C2: Pricing data  
 Part C3: Scope of work.  
 Part C4: Site information

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 4 above.

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

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

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

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

Name .....  
 Capacity .....  
**for the**  
**Employer**

SEKHUKHUNE DISTRICT MUNICIPALITY  
 Corner Riebeeck and Chris Wiid Street  
 Private Bag 8611  
 Groblersdal  
 0470

Name and signature .....  
 of witness ..... Date .....

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Schedule of Deviations**

Notes:

The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender;

A Bidder's covering letter shall not be included in the final contract document. Should any matter in such, letter, which constitutes a deviation as aforesaid become the subject of agreements reached during the process of, offer and acceptance, the outcome of such agreement shall be recorded here;

Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here;

Any change or addition to the tender documents arising from the above agreements and recorded here shall also be incorporated into the final draft of the Contract.

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

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

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

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part C1: Agreements and Contract Data**

**Form of Offer and Acceptance**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND  
GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

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Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

## C1.2 CONTRACT DATA

**Part C2: Pricing Data****Contract Data**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

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**CONTRACT DATA****INDEX**

<b>Item</b>	<b>Description</b>	<b>Page No</b>
<b>C1.2.1</b>	<b>GENERAL CONDITIONS OF CONTRACT.....</b>	<b>C1.2.1</b>
<b>C1.2.2</b>	<b>NEC3: ENGINEERING AND CONSTRUCTION CONTRACT (ECC)</b>	<b>C1.2.2</b>
<b>C1.2.3</b>	<b>DATA PROVIDED BY THE EMPLOYER.....</b>	<b>C1.2.18</b>
<b>C1.2.4</b>	<b>DATA PROVIDED BY THE CONTRACTOR.....</b>	<b>C1.2.20</b>

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**C1.2 Contract Data****C1.2.1 GENERAL CONDITIONS OF CONTRACT**

The General Conditions of Contract for Construction Works Third Edition, 2015, published by the South African Institution of Civil Engineer's Agenting, Private Bag X200, Halfway House, 1685 is applicable to this contract. Copies of these conditions of contract may be obtained from [www.saice.org.za](http://www.saice.org.za).

The General Conditions of Contract for Construction Works make several references to the Contract Data for specific data, which together with these conditions collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the Contract. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the general conditions of contract.

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

**C1.2.2. NEC3: ENGINEERING AND CONSTRUCTION CONTRACT (ECC)**

The NEC3 Engineering and Construction Contract is the core document from which the options A-F are extracted. It contains all core clauses and secondary option clauses, together with the schedules of cost components and forms for contract data.

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part C2: Pricing Data****Contract Data**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

**Part 1: Contract Data completed by the Employer**

Clause	
1.1.1.15	The name of the Employer is the <b>Sekhukhune District Municipality</b>
1.2.1.2	The address of the Employer is: Telephone: 013 262 7535 Facsimile: Address (physical): Riebeeck Street and Chris Wiid Street Bareki Mall Address (postal): Groblersdal 0470
1.1.1.16	The name of the Employer's Agent is
1.2.1.2	The address of the Employer's Agent is: Address (physical):  Address (postal):  Telephone: Facsimile:

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2



**Part C2: Pricing Data**

**Contract Data**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND  
GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

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Part 2: Data provided by the Contractor

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PSP	Witness 1	Witness 2	Employer	Witness 1	Witness 2

**SEKHUKHUNE DISTRICT MUNICIPALITY****SEKHUKHUNE DISTRICT MUNICIPALITY**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY

**C1.3 SAFETY AGREEMENT****MEMORANDUM OF AGREEMENT CONCLUDED BY AND BETWEEN:**

**Sekhukhune District Municipality**  
**(HEREINAFTER REFERRED TO AS THE MUNICIPALITY)**

herein represented by \_\_\_\_\_  
in his capacity as \_\_\_\_\_  
of the Municipality, he being duly authorised thereto

and

\_\_\_\_\_  
(hereinafter referred to as the Mandatory)

herein represented by \_\_\_\_\_  
in his capacity as \_\_\_\_\_  
of the Mandatory, he being duly authorised thereto

**WHEREAS:**

The Municipality and the mandatory entered into a written, alternatively oral agreement on the.....Day of .....20..... in terms of which the Mandatory undertook to carry out the following work for the Municipality, viz. (give a short description of the type of contract work to be done as well as the address where work will be done)

*Construction of rural household sanitation units*

\_\_\_\_\_  
(The said contract work is hereinafter referred to as the **Work**)

The Occupational Health and Safety Act, Act 85 of 1993 as amended (hereinafter referred to as **the Act**) contains amongst others certain provisions with regard to the health and safety of people at work and in connection with the usage of plant and machinery, as well as the protection of other persons than persons

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PSP

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Witness 1

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Witness 2

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Employer

--

Witness 1

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Witness 2

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at work against hazards to health and safety that originates from or in connection with the activities of persons at work.

Section 37(2) of the Act makes provision for the exclusion by the parties, by way of a written greement, of supposition and accompanying liability of the Municipality as stipulated in section 37(1) of the Act.

The parties have reached consensus with regard to the terms and conditions to which they agree in terms of the provisions of section 37(2) of the Act.

## **NOW THEREFORE THE PARTIES AGREE AS FOLLOWS**

1.

### **WRITTEN AGREEMENT**

The parties herewith agree in terms of section 37(2) of the Act on the arrangements and procedures that must be followed to ensure compliance with the provisions of the Act by the Mandatory.

2.

### **ACKNOWLEDGEMENT BY THE MANDATARY**

The mandatory acknowledge herewith that he is fully acquainted with the contents of the Act, as well as with all regulations and SABS codes of practice that have been made in terms of section 43 of the Act.

3.

### **UNDERTAKING BY MANDATARY**

The Mandatory hereby undertakes and binds himself to the Municipality to ensure prompt and strict compliance with the provisions of the Act and the said regulations as well as with the provisions included in this Safety Agreement at all times during the execution of the Works

It is hereby recorded that the provisions of this Safety Agreement as set out hereinafter are in no way intended to restrict the duties of the Mandatory, nor to exempt the Mandatory from his obligation in accordance with the Act and the said regulations

### **PARTICULARS OF THE MANDATARY**

Name (Mandatory).....

C.E.O. (Section 16(1)).....

ID NO.....

Designation.....

Name of Business.....

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PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**Part C2: Pricing Data****Contract Data**

APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY FOR A PERIOD 36 MONTHS

Address of Business.....

Tel number (h)..... (w)..... e-mail.....

Number of employees employed.....

Registration number as allocated to the Mandatory by the Workman's Compensation Commissioner  
..... (attach proof)

Date allocated.....

Thus done and signed on this.....day of .....20....

As witnesses:

.....(Signature)..... (Name in print)

.....(Signature)..... (Name in print)

.....(Signature)..... (Name in print)

**THE MANDATARY**

Thus done and signed on this.....day of .....20....

.....(Signature)..... (Name in print)

As witnesses

.....(Signature)..... (Name in print)

.....(Signature)..... (Name in print)

**THE MUNICIPALITY**

Acknowledgement of receipt of the agreement:

.....  
**THE MANDATARY**

PSP

Witness 1

Witness 2

Employer

Witness 1

Witness 2

**SEKHUKHUNE DISTRICT MUNICIPALITY**

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS  
ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT  
MUNICIPALITY**

**PART C2 PRICING DATA**

## C2.1 PRICING INSTRUCTIONS

The accompanying information must be used for the formulation of pricing proposals. Prices must be quoted in RSA currency and include VAT and are regarded as firm prices.

The contract will be based on hourly rates which must be fixed and travel and accommodation costs which will be paid in line with National Treasury prescripts. (Cost containment emphasis)

Persons who will be involved in the project and rates applicable (certified invoices must be rendered in terms hereof once payment is

The percentage fee for normal services for stages 1 to 6 as detailed in The South African Council for the Recommended Guideline tariff of Fees (Act No 48 of 2000) ECSA 2015 fees guideline.

## C2.2 BILL OF QUANTITY

If this section is left incomplete partially or completely or deviating from the pricing regime or procedure; the bid will be considered non-responsive and shall be disqualified.

### A PARENTAGE FEES FOR ENGINEERING SERVICES :

Table 11 : Percentage Fees for Engineering Services

FEES SCHEDULE FOR ENGINEERING PROFESSIONAL SERVICE	
CONSTRUCTION COST RANGE	Fixed % Fees offered (Select Project type Water and Wastewater Treatment works and Category F)
Exactly R50,000,000.00	

### PRICING INSTRUCTION:

Recommended Guideline tariff of Fees (Act No 48 of 2000) as per Figure 4-1 on the ECSA guidelines and any percentage offer below or above the guideline shall be disqualified from the Bid.

Indicative pricing assuming project type "Water and Wastewater Treatment works" and category F is between 12% and 15% for COST of works of R 11.5 Million. Bidders must price Table 11. appropriately, considering the maximum, intermediate and minimum in terms of the fee calculation offer. Bidders must consider ;

- General Factors Influencing Fees, Civil Projects - Influencing Factors and Mechanical/Electrical Projects
- Influencing Factors when determining the percentage offer per construction cost range.

Table 12: Stages of Service

Stage of Services	Percentage point per stage
Stage 1 Inception	5%
Stage 2 Concept & Viability	25%
Stage 3 Design Development	25%
Stage 4 Documentation & Procurement	15%
Stage 5 Contract Administration & Inspection	25%
Stage 6 Close-out	5%

**NOTE:** Fees for Additional Services should be paid accordance to latest Government Gazette 2015 Vol 606, 4 Dec 2015 No 39480.

- The Client reserves the right to reduce or increase scope of work.
- Hourly rates shall only be used upon approval by the employer.
- Recoverable Cost shall be paid as follows:
  - Fees for Additional Services should be paid accordance to Government Gazette ECSA 2016 approved by the client.
  - Accommodation and subsistence will be at the maximum of R 1 200.00 p.p.p.d and proof to be attached.

- iii. **Public works rates Travel Rate (Claims to be from SDM offices No 3. West Street GROBLERSDAL 0470) vehicle according to Public Works rates. (Traveling from an office outside Groblersdal shall not be accepted.)**
- iv. **Disbursement claims with three (3) quotations to be submitted for approval by the client before implementation.**

**B : TIME BASED HOURLY RATES**

Table 13 : Time Related Rates

STAFF	HOURS	HOURLY RATE	AMOUNT TENDERED
Team Leader	384		
Civil Engineer (Pipeline Design)	960		
Civil Engineer (Treatment/Process)	960		
Civil / Mechanical Engineer (Pump Station Design)	192		
Electrical Engineer (Power Supply /Control Systems)	192		
GIS Specialist	192		
Construction Project Manager	960		
<b>Sub Total for B</b>			

**C : TOTAL TENDERED AMOUNT**

Table 14 : Total Tendered Amount

Amount from Sub Total A	
Amount from Sub Total B	
<b>Sub Total C</b>	
<b>Sub Total D : Disbursements [ @20 of (A+ B)]</b>	
<b>Total (SUB TOTAL C + SUB TOTAL D)</b>	
VAT [ @15%]	
<b>GRAND TOTAL (AMOUNT TENDERED)</b>	

\*Note - Hourly Rates will be adjusted annually for inflation using the Consumer Price Index (CPI) for Limpopo upon approval by SDM.

**APPOINTMENT OF A PANEL OF CIVIL ENGINEERING CONSULTANTS FOR VARIOUS ENGINEERING DISCIPLINES AND GROUNDWATER PROJECTS IN SEKHUKHUNE DISTRICT MUNICIPALITY****PART C3 SCOPE OF WORK****C3.1 PURPOSE**

Sekhukhune District Municipality (SDM) seeks to appoint competent and suitable panel of consulting companies with various engineering field and/or expertise for implementation of various Water Services Infrastructure projects within Sekhukhune municipal area, for the period of three years.

The services to be performed entail:

- Engineering Design in Water Supply and Sewerage systems:
  - Hydrological and Yield Assessments / Ground water source developments
  - Bulk Pipelines and Distribution mains
  - Reticulation and Sewer Networks
  - Reservoir:- concrete and prefabricated tanks
  - Heavy Electrical current supply systems and Control Systems (Telemetry / SCADA)
  - Mechanical components
  - Contract administration and supervision
  - Upgrading, refurbishment and replacement of existing sources and bulk water infrastructure
- Submission of record drawings and asset registers in compliance with GRAP (Generally Recognized Accounting Practice)
- Coordinating Project Management of engineering activities
- Manage and compliance with occupational health and safety act
- Engineering Planning services:
  - Development of Water Conservation and Water Demand Management Strategies
  - Master Planning
  - License applications
  - Feasibility studies
  - Funding applications
- Provide technical advisory inputs in relation to the individual project progress and technology content in relation to the planned and actual project milestones and expenditures
- Protection of the environment, ecology and water resources.

**C3.2 BACKGROUND**

SDM was accorded Water Services Authority status 2003 wherein is responsible for water services infrastructure development projects to eradicate backlog and improve service delivery within its area of jurisdiction. Currently SDM has limited planning and design capacity and seeks a panel of competent consulting firms to address this gap.

SDM is currently facing the following infrastructure challenges:

- **LARGE GEOGRAPHICAL AREA** – SDM lies over a large geographical area with the mainly rural population scattered over mountainous areas. This makes it difficult to provide services to these remote areas as well as operate and maintain these schemes.
- **WATER SCARCITY AND LEVELS OF SERVICE** -Water scarcity is attributed to lack of adequate fresh water sources combined with the miss alignment of systems designed to provide basic levels but having to supply demands of yard connections - illegal connections and wastages are a serious problem in the area.
- **DEVELOPMENT OF LONG-TERM STRATEGIC VISION FOR MANAGEMENT OF BULK AND RETICULATION INFRASTRUCTURE.**
- **INFRASTRUCTURE DEVELOPMENT** - The district still needs to upgrade its reticulation infrastructure so that it has sufficient infrastructure capacity to provide for higher levels of service beyond the 25l/capita/day in the rural areas, while arresting the extent of aging infrastructure in the urban areas



### C3.3 SCOPE OF SERVICES

The services to be performed will be as per work order to be issued by SDM based on rates on this tender or additional quotations as maybe deemed necessary by SDM. Such shall entail but not be limited to the following:

#### C3.3.1 Project Initiation:

The purpose of the Initiation Report is to confirm, update and refine the scope of work, methodology, programme, and budget as presented in the proposal, after an assessment of the available information has been completed. This will inform the basis the Scope of Work required for the rest of the project. Suffice to say that the stage will include among others the following activities:

- Data Collection and Analysis
- Site Reconnaissance
- Preparation of the Field Investigation Plan
- Compilation of a Project Inception/Initiation Report

#### C3.3.3 Project Scoping and Project Execution Plan

Project scoping is the part of project planning that involves determining and documenting a list of specific project goals, deliverables, tasks, costs, and deadlines. It also establishes the boundaries of the project, establishes responsibilities for each team member and sets up procedures for how completed work will be verified and approved. The project scoping process entails the following:

- **Planning of Scope Management:** Planning the process and creating a scope management plan.
- **Collection of Requirements:** Defining and documenting the stakeholder's needs.
- **Definition of Scope:** Developing a detailed project scope statement.
- **Creation of a Work Breakdown Structure (WBS):** Subdividing project deliverables into smaller work units.
- **Validation of Scope:** Formalizing the acceptance of the deliverables.
- **Controlling of Scope:** The ongoing process of monitoring and managing changes to the project scope.

A Project Execution Plan (PEP) is used to identify activities associated with an implementation to ensure adequate preparation has taken place and adequate contingencies are in place.

#### C3.3.2 Status Quo Assessment:

The purpose of the status quo assessment is to gather and assess data and information on the existing infrastructure to determine status quo, condition, and functionality to inform the development of an appropriate and sustainable solution. This would typically cover all applicable components from the list below:

- Water Resources and Raw Water Bulk Infrastructure
- Water Purification Plant itself, which comprises various element that include chemical dosing equipment, sedimentation tanks, filtration systems, chlorination facilities, pumps, electrical motors and controls, sludge handling facility, clean water storage and distribution mains.
- Distribution system that stores and conveys the potable water, which includes reservoirs, pipelines, and reticulation network.
- Water demand and anticipated growth as documented in the water service authority master plan and other planning documents
- Sewer networks and outfall lines
- Wastewater Treatment Plant, which comprises of various elements from the inlet works, primary treatment, secondary treatment, through to outlet works.
- Capital and operational budget allocations
- Institutional arrangements
- Operation and Maintenance

#### C3.3.4 Technical Report

The technical report is a detailed undertaking that comprises but not limited to the following aspects of the project:

- Introduction
- Status quo
  - Summary
  - Existing institutional arrangements
- Approach to the technical solution

- Demographics and socio-economic analysis
- Water demand analysis
- Risk management
- Problem statement
- Proposed solution
- Cost estimate
- Operation and maintenance
- Funding model
- Environmental acceptability

It is part of stage 2 – Concept and Viability of engineering services as discussed below. The purpose is to elaborate on the diagnostics of the problem and develop a solution thereof. The proposed solution is costed, and possible funding sources identified, to which the district will make application for funding. High-level environmental scoping is also undertaken at this stage to identify fatal flaws that could hinder implementation of the project.

The approved technical report will be the basis for application of funding from the Municipal Infrastructure Grant (MIG). The PSP will provide support with respect to the processes involved in the application of MIG funding. At this stage it will also be important to identify and incorporate EPWP work into the proposed solution for further development at design and engineering stage.

### C3.3.5 Normal Engineering Services

The services shall be of the multi - disciplinary professional services as per the ECSA guidelines - Government Gazette 2015 Vol 606, of 4 Dec 2015 No 39480. The scope should include services for Civil, Mechanical, Electrical and Engineering Management in the form of Project Management and not limited to the following:

<b>STAGE 1. Inception Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
i. Assist in developing a clear project brief. ii. Attend project initiation meetings. iii. Advise on procurement policy for the project. iv. Advise on the rights, constraints, consents and approval v. Define the scope of services and scope of work required. vi. Conclude the terms of the agreement with the client. vii. Advise on the necessary surveys, analyses, tests and site or other investigations where such information will be required for Stage 2 including the availability and location of infrastructure and services. viii. Determine the extent of information, data, drawings and ix. plans relating to the project available at commencement. x. Provide necessary information within the agreed scope of xi. the project to other consultants and professionals involved.	<ul style="list-style-type: none"> <li>• Project brief</li> <li>• Agreed scope of work</li> <li>• Agreed services</li> <li>• Project procurement policy</li> <li>• Signed agreements</li> <li>• Integrated schedule of consents and approvals</li> <li>• Project initiation programme</li> <li>• Record of all meetings</li> </ul>
<b>STAGE 2. Concept and Viability Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
i. Assist the client in the procurement of the other consultants. ii. Advise the client on the requirements to appoint a health and safety consultant. iii. Communicate the project brief to the other consultants and monitor the development of the concept and viability. iv. Agree the format and procedures for cost control and reporting by the other consultants v. Prepare a documentation and indicative construction programme. vi. Co-ordinate the concept and viability documentation for presentation to the client for approval. vii. Facilitate the approval of the concept and viability by the client. viii. Facilitate the approval of the concept and viability by statutory authorities.	<ul style="list-style-type: none"> <li>• Signed consultant/client agreements</li> <li>• Indicative project documentation and construction programme</li> <li>• <b>Approval by client to proceed to Stage 3</b></li> </ul>
<b>STAGE 3. Design Development Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
i. Agree and implement communication processes and procedures for the design development of the project. ii. Assist the client in the procurement of the necessary other consultants including the clear definition of their roles and	<ul style="list-style-type: none"> <li>• Additional signed client/consultant agreements</li> <li>• Detailed design and documentation programme</li> </ul>

<p>responsibilities.</p> <p>iii. Prepare, co-ordinate, agree and monitor a detailed design and documentation programme</p> <p>iv. Conduct and record consultants' and management meetings.</p> <p>v. Facilitate inputs required by the health and safety consultant.</p> <p>vi. Facilitate design reviews for compliance and cost control. vii. Facilitate timeous technical co-ordination.</p> <p>vii. Facilitate client approval of all Stage 3 documentation.</p>	<ul style="list-style-type: none"> <li>Record of all meetings</li> <li><b>Approval by client to proceed to Stage 4</b></li> </ul>
<b>STAGE 4. Tender Documentation and Construction Procurement Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
<p>i. Recommend and agree the procurement strategy for contractors, subcontractors and suppliers with the client and other consultants.</p> <p>ii. Prepare and agree the project procurement programme.</p> <p>iii. Advise the client, in conjunction with the other consultants on the appropriate insurances.</p> <p>iv. Co-ordinate and monitor the preparation of the procurement documentation by the consultants in accordance with the project procurement programme.</p> <p>v. Manage the procurement process and recommended contractors for approval by the client.</p> <p>vi. Agree the format and procedures for monitoring and control by the cost consultants of the cost of the works.</p> <p>vii. Co-ordinate and assemble contract documentation for signature.</p>	<ul style="list-style-type: none"> <li>The procurement strategy</li> <li>Procurement programme</li> <li>Tender/contract conditions</li> <li>Record of all meetings</li> <li>Obtain approval by client of tender recommendation(s)</li> <li>Contract documentation ready for signature</li> </ul>
<b>STAGE 5. Contract Administration and Inspection Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
<p>i. Arrange the site handover to the contractor</p> <p>ii. Establish the construction documentation issue process</p> <p>iii. Agree and monitor the issue and distribution of construction documentation</p> <p>iv. Instruct the contractor on behalf of the client to</p> <p>v. Appoint subcontractors</p> <p>vi. Conduct and record regular site meetings</p> <p>vii. Monitor, review and approve the preparation of the construction programme by the contractor</p> <p>viii. Regularly monitor the performance of the contractor against the construction programme</p> <p>ix. Adjudicate entitlements that arise from changes required to the construction programme</p> <p>x. Receive, co-ordinate and monitor approval of all contract documentation provided by the contractor(s)</p> <p>xi. Agree the quality assurance procedures and monitor the implementation thereof by the other consultants and contractors</p> <p>xii. Monitor the preparation and auditing of the contractor's health and safety plan and approval thereof by the health and safety consultant</p> <p>xiii. Monitor the preparation of the environmental management plan by the environment consultant</p> <p>xiv. Establish procedures for monitoring scope and cost variations</p> <p>xv. Monitor, review, approve and issue certificates.</p> <p>xvi. Receive, review and adjudicate any contractual claims</p> <p>xvii. Monitor the preparation of financial control reports by other consultants</p> <p>xviii. Prepare and submit progress reports</p>	<ul style="list-style-type: none"> <li>Signed contracts</li> <li>Approved construction programme</li> <li>Approved contractual claims</li> <li>Construction documentation schedule</li> <li>Payment certificates</li> <li>Progress reports</li> <li>Record of meetings</li> <li>Certificate(s) of practical completion</li> </ul>
<b>STAGE 6. Close out Services</b>	
<b>Typical Activities</b>	<b>Typical Deliverables</b>
<p>i. Co-ordinate and monitor the rectification of defects</p> <p>ii. Manage the conclusion and procurement of operations and maintenance contracts, manuals, guarantees and warranties.</p> <p>iii. Manage the preparation as-built drawings, documentation, training of staff.</p>	<ul style="list-style-type: none"> <li>Completion certificates</li> <li>Record of necessary meetings</li> <li>Infrastructure bar coded and captured on SDM Asset Register</li> <li>Infrastructure captured on SDM's planned maintenance and GIS system</li> </ul>

iv. Manage the procurement of outstanding statutory certificates	<ul style="list-style-type: none"><li>• Trained SDM staff to maintain new infrastructure.</li><li>• Project closeout report</li><li>• Unbundling of assets and assets register book register</li></ul>
v. Monitor, review and issue payment certificates	
vi. Issue the completion certificates	
vii. Manage the agreement of the final accounts	
viii. Prepare and present the project closeout report	
ix. Unbundling of assets from the project scope	
<b>ADDITIONAL SERVICES</b>	
<p>Construction monitoring is considered to be a vitally important part of projects, requiring the full-time input of experienced individuals (the Engineer's Representative) on site. For this reason, level 4 construction monitoring services (as per the Guideline Scope of Services document referred to above) must be provided by the Service Provider.</p>	
<p>SDM will allow PSP's to make use of outsourced specialist consultants (Architectural, Geotechnical Engineering; OHS , Social facilitation, Environmental, Quantity surveying, Geo Hydrology, etc.) where the required expertise is not available within the company; provided that such personnel is qualified and registered at the relevant institutions, preference shall be given to companies registered within the SDM database, separately procured and reimbursed in terms of ECSA Clause 4.6. SDM reserves the right to approve such specialist outsourced consultants.</p>	
<p>It must be noted that the Employer requires the services of qualified and competent individuals with experience in construction monitoring of which a significant portion must have involved infrastructure projects of similar nature. The Employer reserves the right to reject any proposed construction monitoring staff that do not meet these minimum requirements, and to demand an individual with the necessary experience at the rate tendered</p>	

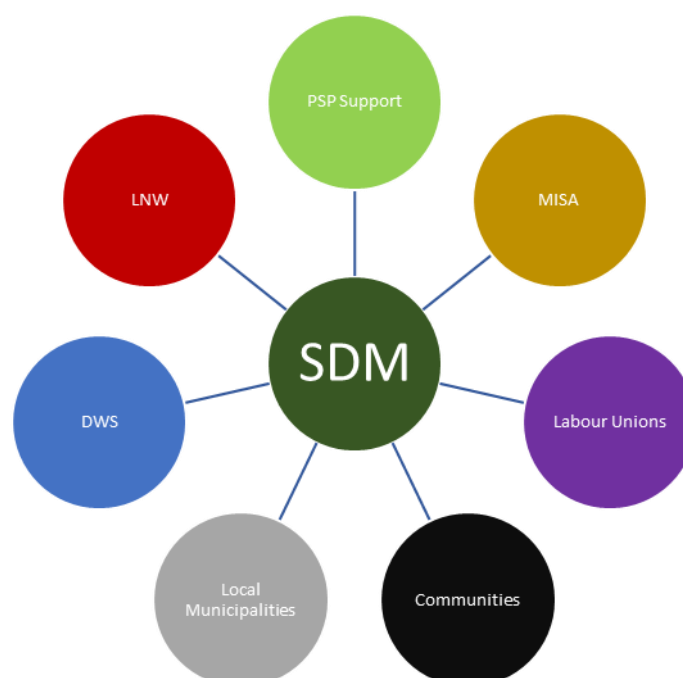
### C3.3.6 Project Management:

In delivering this project the Service Provider must apply the Project Management Book of Knowledge ("PMBOK").

### C3.3.7 Stakeholder Management:

#### Project Stakeholders

Illustrated in the figure below are the entities identified to be the key Stakeholders on infrastructure projects. The project team will provide the SDM with a list of the identified Stakeholders, the specific involvement of each, protocols for contact and communication, and key information. The project Stakeholders will be informed through the dedicated channels of communication whenever project Time and Cost are likely to be affected. Appropriate information will only be distributed to affected Stakeholders according to pre-determined protocols and document formats. The communication protocols for Stakeholder management must be included in the PEP under Communication Management.



*Figure: Stakeholders Identified*

### **Community Participation**

Community participation consists of engagement of Project Steering Committees (PSC). A PSC will be established for the town / village by the Ward Councilor. The functions of the PSC will be to:

- Assist in monitoring the project.
- Ensure that the community provide assistance to the contractor to ensure that he can execute the contract in accordance with the specifications and within time.
- Encourage the community to participate in the Labour Intensive construction.
- recruit locally unskilled and skilled personnel

The PSC will not have the power to:

- Give any instructions to the contractor, except through the engineer.
- Become involved in the daily operations of the contractor/ Engineers in support of the contract works to report back to broader stakeholder in community meetings

A monthly meeting will be held with the PSC to discuss relevant matters. The site agent and resident engineer will attend the meetings. The contractor/ Engineer will have to report on progress, deviations from the programme, financial matters community related aspects, general problems and co-operation at the meeting.

The PSC members will receive a seating allowance for attending meetings and they must provide their own transportation to meeting venue. Each member will receive R300/ seating.

The Engineer is required to appoint a Social Facilitator for the project during. Social Facilitator will be contracted per phase of each project life cycle

## PART C4 SITE INFORMATION

The scope of services shall be implemented within the jurisdiction of SDM. The extent of SDM is illustrated in the map below:

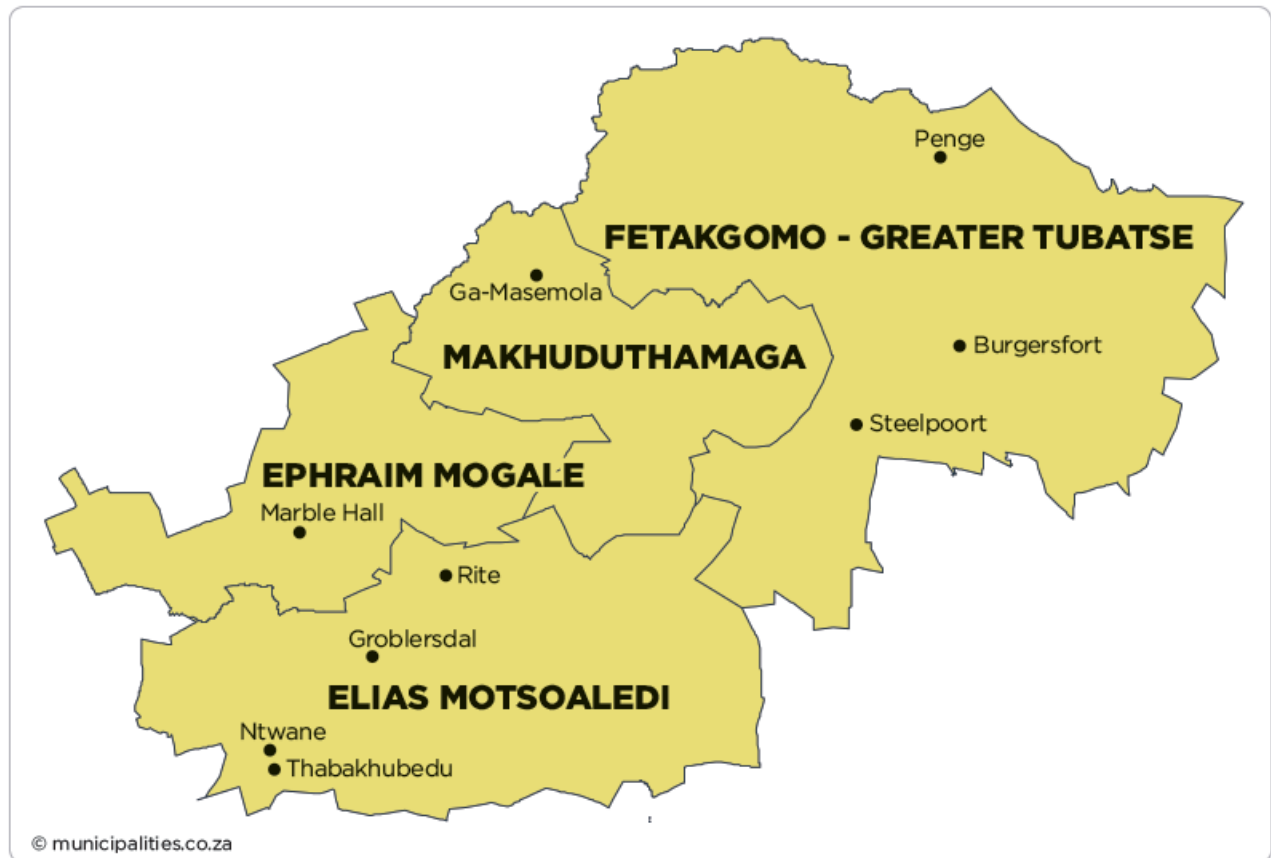


Figure: Map of SDM