CLUSTER
Human Settlement, Engineering, and Transport

UNIT
ETHEKWINI TRANSPORT AUTHORITY

DEPARTMENT
Strategic Transport Planning Department

PROCUREMENT DOCUMENT
PROFESSIONAL SERVICES

Documents are to be obtained, free of charge, in electronic format, from the National Treasury's eTenders website or the eThekwini Municipality's website.

Contract No:	**1T - 26449**
Contract Title:	**REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) AND THE DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND MODEL**

CLARIFICATION MEETING AND QUERIES

Clarification Meeting:	**Non-Compulsory Clarification Meeting .**
Meeting Location, Date, Time:	**Non-Compulsory virtual briefing session will be held on Thursday, 26 October 2023 at 09h00 with representatives of the Employer via the MICROSOFT TEAMS application. Interested parties must register their intention to attend the briefing session by latest 15h00 on Tuesday, 24 October 2023 to Robin.Chetty@durban.gov.za for ETA to send meeting login credentials.**
Queries can be addressed to: The Employer's Agent's: Representative:	**Mr. Minal Singh Tel: 031 322 8857 email: Minal.Singh@durban.gov.za All email queries to be submitted on the 09 November 2023 and consolidated questions and answers must be uploaded on the website on the 16 November 2023.**

TENDER SUBMISSION

Delivery Location:	**The Tender Box in the foyer of the Municipal Building, Ground Floor, 166 KE Masinga Road, Durban**
Closing Date/ Time:	**Friday, 24 November 2023 at 11h00**

FACSIMILE, eMAIL, or POSTED TENDERS WILL NOT BE ACCEPTED

Issued by:

ETHEKWINI MUNICIPALITY

Deputy Head: **Strategic Transport Planning Department**

Date of Issue: **20/10/2023**

Document Version : 14/03/2023

INDEX to PROCUREMENT DOCUMENT

PART T1: TENDERING PROCEDURES

T1.1.1: TENDER NOTICE AND INVITATION TO TENDER

Tenders are hereby invited for **REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) AND THE DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND MODEL**.

Subject	Description	Tender Data Ref.
Employer	The Employer is the eThekwini Municipality as represented by: Deputy Head: **Strategic Transport Planning Department**	F.1.1.1
Tender Documents	Documents can only be obtained in electronic format, issued by the eThekwini Municipality. Documentation can be downloaded from the **National Treasury's eTenders website** or the **eThekwini Municipality's Website**. The entire document should be printed (on A4 paper) and suitably bound by the tenderer.	F.1.2
Clarification Meeting	**Non-Compulsory virtual briefing session will be held on Thursday, 26 October 2023 at 09h00 with representatives of the Employer via the MICROSOFT TEAMS application. Interested parties must register their intention to attend the briefing session by latest 15h00 on Tuesday, 24 October 2023 to Robin.Chetty@durban.gov.za for ETA to send meeting login credentials.**	F.2.7
Seek Clarification	Queries relating to these documents are to be addressed to the Employer's Agent's Representative whose contact details are: **Mr. Minal Singh** **Tel: 031 322 8857** **email: Minal.Singh@durban.gov.za** **All email queries to be submitted on the 09 November 2023 and consolidated questions and answers must be uploaded on the website on the 16 November 2023.**	F.2.8
Submitting a Tender Offer	Tender offers shall be delivered to: **The Tender Box in the foyer of the Municipal Building, Ground Floor, 166 KE Masinga Road, Durban**	F.2.13
Closing Time	Tender offers shall be delivered on or before **Friday, 24 November 2023** at or before **11h00**.	F.2.15
Evaluation of Tender Offers	**The 80/20** Price Preference Point System, as specified in the PPPFA Regulations 2022 will be applied in the evaluation of tenders. Refer to Clause F.3.11 of the Tender Data for the **Specific Goal(S)** for the awarding of Preference Points, and other related evaluation requirements.	F.3.11

Requirements for sealing, addressing, delivery, opening and assessment of tenders are further stated in the Tender Data

PART T1: TENDERING PROCEDURES

T1.2: TENDER DATA

T1.2.1 STANDARD CONDITIONS OF TENDER

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (July 2015) as published in Government Gazette No 38960, Board Notice 136 of 2015 of 10 July 2015.

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.

T1.2.2 TENDER DATA

Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

F.1: GENERAL

F.1.1 **The employer**: The Employer for this Contract is the eThekwini Municipality as represented by: Deputy Head: **Strategic Transport Planning Department**

F.1.2 **Tender documents**: The Tender Documents issued by the Employer comprise:

1) This procurement document.

2) The "Standard Professional Services Contract – 3rd Edition July 2009" published by the Construction Industry Development Board (CIDB). This document is obtainable separately, and Tenderers shall obtain their own copies.

3) In addition, Tenderers are advised, in their own interest, to obtain their own copies of the following acts, regulations, and standards referred to in this document as they are essential for the Tenderer to get acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and the participation of targeted enterprise and labour.
   - The Employer's current (as at advertising date) Supply Chain Management Policy.
   - The Preferential Procurement Policy Framework Act No 5 of 2000, and the Preferential Procurement Policy Framework Act Regulations (2022).
   - The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations (2014).
   - The Construction Industry Development Board Standard for Uniformity in Construction Procurement (July 2015).
   - Any other eThekwini Policy documents referenced in the Tender Documents.

Electronically downloaded documentation is obtainable from the National Treasury's **eTenders Website** or the **eThekwini Municipality's Website** at URLs:

- https://www.etenders.gov.za/
- https://www.durban.gov.za/pages/business/procurement

The entire downloaded document should be printed on white A4 paper (single-sided) and suitably bound by the tenderer.

F.1.4 **Communication and employer's agent**: The Employer's Agent's Representative is:

Mr. Minal Singh
Tel: 031 322 8857
email: Minal.Singh@durban.gov.za
All email queries to be submitted on the 09 November 2023 and consolidated questions and answers must be uploaded on the website on the 16 November 2023.

The Tenderer's contact details, as indicated in the Contract Data: Clause C1.2.2.2 "Data to Be Provided by Contractor", shall be deemed as the only valid contact details for the Tenderer for use in communications between the Employer's Agent and the Tenderer.

F.2: TENDERER'S OBLIGATIONS

F.2.1 **Eligibility: General**

A Tenderer will not be eligible to submit a tender if:

(a) the Tenderer submitting the tender is under restrictions or has principles who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices.

(b) the Tenderer does not have the legal capacity to enter into the contract.

(c) the Tenderer does not comply with the legal requirements as stated in the Employer's current SCM Policy.

(d) the Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.

(e) In the event of a Compulsory Clarification Meeting:
   i) the Tenderer fails to attend the Compulsory Clarification Meeting.
   ii) the Tenderer fails to have form "Certificate of Attendance at Clarification Meeting / Site Inspection" (in T2.2) signed by the Employer's Agent or his representative.

(f) in the case of JV submissions, two or more JV entities have common directors / shareholders or common entities tendering for the same works.

(g) at the time of closing of tenders, the Tenderer is not registered on the **National Treasury Central Supplier Database** (CSD) as a service provider. In the case of a Joint Venture, this requirement will apply individually to each party in the Joint Venture.

(h) The tender fails to complete and sign the Declaration of Municipal Fees in T2.2: "Returnable Documents" and submits the required documentation. Reference is to be made to Returnable Document T2.2.12.

SCM Policy (Cl.14(4)) requires suppliers/ service providers/ contractors to be registered on the **eThekwini Municipality Central Supplier Database**.

In the event of the Tenderer not being registered on the eThekwini Municipality's Central Supplier Database, the tenderer must register on the internet at www.durban.gov.za by following these links:

- Business
- Supply Chain Management (SCM)
- Accredited Supplier and Contractor's Database.

The following are to be noted regarding registration on the **eThekwini Municipality Central Supplier Database**:

(a) The information for registration as in the possession of the eThekwini Municipality will apply.
(b) It is the Tenderer's responsibility to ensure that the details as submitted to the Municipality are correct.
(c) Tenderers are to register prior to the submission of tenders.

F.2.2.2 **The cost of the tender documents:** Replace this paragraph with the following:

"Documents are to be obtained, free of charge, in electronic format, from the **National Treasury's eTenders website** or the **eThekwini Municipality's Website**. The entire electronically downloaded document should be printed on white A4 paper (single-sided) and suitably bound by the tenderer.

F.2.6 **Acknowledge addenda:** Add the following paragraphs to the clause:

"Addenda will be published, in electronic format, on the websites specified in F.1.2. Tenderers are to ensure that the eTenders website is consulted for any published addenda pertaining to this tender up to three days before the tender closing time as stated in the Tender Data."

"Acknowledgement of receipt of the addenda will be by the return of the relevant completed, dated, and signed portion of the addenda, to the physical or email address as specified on the addenda. Failure of the tenderer to comply with the requirements of the addenda may result in the tender submission being made non-responsive."

F.2.7 Clarification meeting:
Non-Compulsory virtual briefing session will be held on Thursday, 26 October 2023 at 09h00 with representatives of the Employer via the MICROSOFT TEAMS application. Interested parties must register their intention to attend the briefing session by latest 15h00 on Tuesday, 24 October 2023 to Robin.Chetty@durban.gov.za for ETA to send meeting login credentials.

In the event of a Compulsory Clarification Meeting, Tenderers must sign the attendance register in the name of the tendering entity. The Tenderer's representative(s) at the clarification meeting must be able to clearly convey the discussions at the meeting to the person(s) responsible for compiling the entity's tender offer.

F.2.12 Alternative tender offers: No alternative tender offers will be considered.

F.2.13 Submitting a tender offer: Submissions must be submitted on official submission documentation issued (in electronic format) by the eThekwini Municipality. The entire downloaded document should be printed on white A4 paper (single-sided) and suitably bound by the tenderer.

Identification details to be shown on each tender offer package are:
- Contract No. : **1T - 26449**
- Contract Title : **REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) AND THE DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND MODEL**

The Employer's address for delivery of tender offers is:

The Tender Box in the foyer of the Municipal Building, Ground Floor, 166 KE Masinga Road, Durban

Tenderers are to include, with their paper ("hard copy") submission, a memory-stick containing an electronically scanned (300 dpi resolution) Public Document Format (PDF) copy of their complete bid submission. This PDF file should be named using the contract number and the Tenderer's name, eg. "**XX-xxxx – Tenderers Name.PDF**". The memory-stick must be labelled with the Tenderer's name and securely fixed to the paper submission.

Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.

F.2.15 **Closing time**: The closing time for delivery of tender offers is:

- Date : **Friday, 24 November 2023**
- Time : **11h00**

F.2.16 **Tender offer validity**: The Tender Offer validity period is 120 Days from the closing date for submission of tenders.

F.2.23 **Certificates**: Refer to T2.1 for a listing of certificates that must be provided with the tender. All certificates must be valid at the time of tender closing.

Tenderers are to include, at the back of their tender submission document, a printout of the required documents/ certificates.

The Form of Offer (C1.1.1), Data to be provided by the Contractor (C1.2.2.2), and the Bill of Quantities (C2.2) are also required to be completed in full.

Tax Clearance

Refer also to returnable form in T2.2.3: "Tax Compliance Status PIN/ Tax Clearance Certificate".

SARS has introduced a new Tax Compliance Status System. Tenderers must submit a **Tax Compliance Status PIN** (TCS PIN) instead of an original Tax Clearance Certificate. This TCS PIN can be used by third parties to certify the taxpayer's real-time compliance status. This TCS PIN is to be entered on Returnable Document T2.2.1: "Compulsory Enterprise Questionnaire". Separate Tax Clearance Certificates / TCS PINs are required for each entity in a Joint Venture.

Failure to comply will make the tender non-responsive.

Central Supplier Database (CSD)

Refer also to returnable form in T2.2.12: "Eligibility: CSD Registration Report".

The entities (full) **CSD Registration Report**, obtained from the National Treasury Central Supplier Database, is to be included in the tender submission (https://secure.csd.gov.za).

Separate CSD Registration Reports are required for each entity in a Joint Venture.

F.3: THE EMPLOYER'S UNDERTAKINGS

F.3.1.1 **Respond to requests from the tenderer:** Replace the words "five working days" with "three working days".

F.3.2 **Issue addenda:** Add the following paragraph: "Addenda will be published, in electronic format, on the same platform(s) as the Tender Notification (refer to F.1.2).

F.3.4 **Opening of Tender Submissions:** Tenders will be opened immediately after the closing time for tenders. The public reading of tenders will take place in the SCM Boardroom, 6th Floor, Engineering Unit Building, 166 KE Masinga Road, Durban.

F.3.11 Evaluation of Tender Offers:

Eligibility

Tenders will be checked for compliance with the ELIGIBILITY requirements, as specified in Clause F.2.1. Tenderers not in compliance will be deemed non-responsive.

Functionality

FUNCTIONALITY will be evaluated to determine the responsiveness of tenders received. The minimum score for FUNCTIONALITY is **70 points**. Those tenders not achieving the minimum score will be deemed non-responsive.

The functionality Criteria, Sub-Criteria, Points per Criteria/ Sub-Criteria, Returnable Documentation and Schedules, Method of Evaluation, and Prompts for Judgement are as specified in T1.2.3: “Additional Conditions of Tender”.

Preference Point System

The financial offer will be reduced to a comparative basis using the **Tender Assessment Schedule**.

The procedure for the evaluation of responsive tenders is **PRICE AND PREFERENCE** in accordance with the Employer’s current SCM Policy, the Preferential Procurement Policy Framework Act (5 of 2000), and the Preferential Procurement Policy Framework Act Regulations (2022).

Price Points

The **80/20** preference points system will be applied. The Formula used to calculate the **Price Points (max. 80)** will be according to that specified Regulation 5.1.

Preference Points

Refer to T2.2.6: “MBD 6.1: Preference Points Claim”.

The Preference Points (either 20 or 10) will be derived from points allocated/ claimed for **Specific Goals** as indicated in the table(s) below, according to the specified **Goal/ Category Weightings**.

- **Ownership Goal**
  Goal Weighting: 80%

  The tendering entity’s **Percentage Ownership**, in terms of the **Ownership Category(s)** listed below, is to be used in the determination of the tenderer’s claim for **Preference Points**.

Ownership Categories	Criteria	80/20	90/10
Race: Black (w1)	Equals 0%	0	n/a
	Between 0% and 51%	6.4	n/a
	Greater or equal to 51% and less than 100%	12.8	n/a
	Equals 100%	16	n/a
	Maximum Goal Points:	16	n/a

The **Weightings** of the **Ownership Categories** will be: • w1 = 100%, w2=0%, w3=0% (where: w1 + w2 + w3 = 100%)
Proof of claim as declared on MBD 6.1 (1 or more of the following will be used in verifying the tenderer's status) • Companies and Intellectual Property Commission registration document (CIPC) • CSD report. • B-BBEE Certificate of the tendering entity. • Consolidated BBBEE Certificate if the tendering entity is a Consortium, Joint Venture, or Trust (Issued by verification agency accredited by the South African Accreditation System). • Agreement for a Consortium, Joint Venture, or Trust.

- **RDP Goal: The promotion of South African owned enterprises**
  Goal Weighting: 20%

  The tendering entity's **Address** (as stated on the National Treasury Central Supplier Database (CSD) or on the eThekwini Municipality Vendor Portal) is to be used in the determination of the tenderer's claim for **Preference Points** for this Specific Goal.

Location	80/20	90/10
Not in South Africa	0	n/a
South Africa	1	n/a
Kwa Zulu Natal	2	n/a
eThekwini Municipality	4	n/a
Maximum Goal Points:	4	n/a

Proof of claim as declared on MBD 6.1 (1 or more of the following will be used in verifying the tenderer's status) • CSD report

F.3.13 **Acceptance of tender offer:** In addition to the requirements of Clause F.3.13 of the Standard Conditions of Tender, tender offers will only be accepted if:

(a) The tenderer submits a **valid Tax Clearance Certificate OR Tax Compliance Status PIN**, issued by the TCS System of the South African Revenue Services, or has made arrangements to meet outstanding tax obligations.

(b) The tenderer or any of its directors/shareholders is n**ot 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.

(c) The tenderer has not:
- Abused the Employer's Supply Chain Management System; or
- Failed to perform on any previous contract and has been given a written notice to this effect.

(d) The tenderer has completed the **Compulsory Enterprise Questionnaire** and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process.

The Municipality does not bind itself to accept the lowest or any tender. It reserves the right to accept the whole or any part of a tender to place orders. Bidders shall not bind the Municipality to any minimum quantity per order. The successful Tenderer (s) shall be bound to provide any quantities stipulated in the specification.

F.3.17 **Copies of contract:** The number of **paper copies** of the signed contract to be provided by the Employer is ONE (1). Bidders are required to submit a SOFT COPY of their completed tender document scanned and saved onto a memory stick/Disc.

Tenderers are to include, with their paper ("hard copy") submission, a memory-stick containing an electronically scanned (300 dpi resolution) Public Document Format (PDF) copy of their complete bid submission. This PDF file should be named using the contract number and the Tenderer's name, eg. "**XX-xxxx – Tenderers Name.PDF**". The memory-stick must be labelled with the Tenderer's name and securely fixed to the paper submission.

T1.2.3 ADDITIONAL CONDITIONS OF TENDER

T1.2.3.1 Appeals

In terms of Regulation 49 of the Municipal Supply Chain Management Regulations persons aggrieved by decisions or actions taken by the Municipality, may lodge an appeal within 14 days of the decision or action, in writing to the Municipality. All appeals (clearly setting out the reasons for the appeal) and queries with regard to the decision of award are to be directed to:

The City Manager
Attention Ms S. Pillay eMail: Simone.Pillay@durban.gov.za
P O Box 1394
DURBAN, 4000

T1.2.3.2 Prohibition on awards to persons in the service of the state

Clause 44 of the Supply Chain Management Regulations states that the Municipality or Municipal Entity may not make any award to a person:

(a) Who is in the service of the State;
(b) If that person is not a natural person, of which a director, manager, principal shareholder or stakeholder is a person in the service of the state; or
(c) Who is an advisor or consultant contracted with the municipality or a municipal entity.

Should a contract be awarded, and it is subsequently established that Clause 44 has been breached, the Employer shall have the right to terminate the contract with immediate effect.

T1.2.3.3 Code of Conduct and Local Labour

The Tenderers shall make themselves familiar with the requirements of the following policies that are available on web address: ftp://ftp.durban.gov.za/cesu/StdContractDocs/:

- Code of Conduct;
- The Use of CLOs and Local Labour.

T1.2.3.4 Targeted Procurement

Targeted Procurement provisions are not applicable to this tender.

T1.2.3.5 Functionality Specification

Functionality Evaluation

- The minimum number of evaluation points for Functionality is **70 points**
- The Functionality criteria and maximum score in respect of each of the criteria are as follows:

Functionality criteria	Sub criteria	Points	Evaluation Schedule(s)
Approach / Methodology	Detailed methodology and Programme which shall demonstrate the Service Providers understanding of the work and the method of undertaking the scope of work.	20	Page 41
Tenderer's Experience	Experience of similar type projects over the last five years	40	Page 35
Proposed Organogram, staffing and work plan	Project organogram and experience of people allocated to the project	10	Page 36
Experience of Key Resources in executing work of similar nature	Experience and qualifications in relation to Public Transport Planning	30	Page 38
Maximum possible score for Functionality (M_s)		**100**	

- Each evaluation criteria will be assessed in terms of five indicators – no response, poor, satisfactory, good and very good. Scores of 0, 40, 70, 90 or 100 will be allocated to no response, poor, satisfactory, good and very good, respectively;
- The prompts for judgment and the associated scores used in the evaluation of Functionality shall be as follows:

Level	Score	Prompt for judgement
0	0	Failed to address the question / issue
1	40	Less than acceptable – response / answer / solution lacks convincing evidence of skill / experience sought or medium risk that relevant skills will not be available.
2	70	Acceptable response / answer / solution to the particular aspect of the requirements and evidence given of skill / experience sought
3	90	Above acceptable – response / answer / solution demonstrating real understanding of requirements and evidence of ability to meet it.
4	100	Excellent – response / answer / solution gives real confidence that the tenderer will add real value.

		Criterion : Approach / Methodology
Level 0	0 pts	No response/ no documents submitted / Scope of work copy and pasted from terms of reference
Level 1	40 pts	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. The programme is poor and has missed critical aspects
Level 2	70 pts	The approach is tailored to address the specific project objectives and methodology. The approach does adequately deal with the critical characteristics of the project. The project plan and manner in which risk is to be managed etc is tailored to the key aspects of the programme. The programme is adequate.
Level 3	90 pts	The approach is tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The project plan and approach to managing risk etc is tailored to the critical characteristics of the project. The programme is good and has allowed for all critical aspects
Level 4	100 pts	Besides meeting the “good” rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches. The programme is well though out and makes allowance for all the key risk areas. The approach paper details ways to improve the project outcomes and the quality of the outputs

Level	pts	Criterion: Tenderer’s Experience
Level 0	0	No Submission or Submission of no substance / irrelevant information provided
Level 1	40	To have successfully completed 1 to 3 projects of a similar nature within the past 10 years.
Level 2	70	To have successfully completed 4 to 5 projects of a similar nature within the past 10 years.
Level 3	90	To have successfully completed 6 to 7 projects of a similar nature within the past 10 years.
Level 4	100	To have successfully completed 8+ projects of a similar nature within the past 10 years.
Similar in nature refers to projects related to integrated public networks and the development of public transport demand models		

Level	pts	Criterion: Proposed Organogram, staffing and work plan
Level 0	0	No Submission or Submission of no substance / irrelevant information provided
Level 1	40	The organisation chart is sketchy, the staffing plan is weak in important areas. There is no clarity in allocation of tasks and responsibilities. Very few of the key staff are locally based. Project work plan is incomplete, weak and lacking detail. There is no clarity or certainty in delivereable timeframes.
Level 2	70	The organisational chart is complete and detailed, the technical level and composition of the staffing arrangements are adequate. Some of the key staff are locally based The project work plan is complete with GANTT chart showing the tasks/ deliverables and anticipated timeframes
Level 3	90	Besides meeting the "satisfactory" rating, staff are well balanced i.e. they show good co-ordination, complimentary skills, clear and defined duties and responsibilities, some members of the project team have worked together before on limited occasions. Key staff are generally locally based. Project work plan is detailed with GANTT chart showing some task / deliverables broken down into sub tasks (in accordance with proposed methodology) and anticipated timeframes.
Level 4	100	Besides meeting the "good" rating, the proposed team is well integrated and several members have worked together extensively in the past. Key staff are almost entirely locally based. Project work plan is detailed with GANTT chart showing all task / deliverables broken down into sub tasks (in accordance with proposed methodology) and anticipated timeframes.

Experience of Key Resources in executing work of similar nature								
Job Title	Minimum Qualification Required	Professional Registration Required	Number of Years' Relevant Experience after registration on projects of a similar nature					Total Points
			Level 0 0 pts	Leve l 1 40 pts	Level 2 70 pts	Level 3 90 pts	Level 4 100 pts	
Specialist Public Transport Planner	BSc. Eng -Civil/ B.Tech (Eng- Civil)	Pr. Eng, or Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	8%
Project Executive	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr. Eng, or Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	4%
Project Manager	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr. Eng/ Pr Tech Eng/ PMP	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	5%
Traffic And Transportation Specialist/s	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transport Modeller	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Public Transport Operations Specialist	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transport Economist Services	B.Comm (Transport Economics) or other bachelor degree/post grad in Transport Economics	Applicable Registration	No Submission	<5	> 5 ≤ 10	> 10 ≤ 15	> 15	4%
Geotechnical Engineering Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Architectural Services	B.Arch/ B.Tech (Arch)	Pr.Arch	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	4%
Urban Design Services	Relevant Qualification	Pr Urban Design Pr Urban Design Tech	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%

Land Use Management/Town Planning Services	MTRP/ B.Tech (Town Planning)	Pr Plan	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transit Orient Development (TOD) Specialist	MTRP/ B.Tech (Town Planning)/ BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr Plan/ Pr.Eng/ Pr.Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	5%
Geometric Design Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Roads And Pavement Design Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Structural Engineering Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Environmental Management Services	BSc (Environmental)/ relevant environmental qualification	PrSci.Nat	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%
Quantity Surveying Services	BSc. QS/ B.Tech QS	Pr QS/ Pr Tech QS	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%
Universal Access Services	Relevant Qualifications	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	5%
Business development specialist	Relevant Qualifications	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%
Land Valuer	Relevant Qualifications	SACPVP	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	3%
GIS Specialists	Bachelor's Degree in Geography, Cartography, or a related field	Registered with SAGC	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	5%
Rail Specialist	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
ITS Specialist	Bachelor's Degree in ITS or a related field	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	3%

PART T2: RETURNABLE DOCUMENTS

T2.1 LIST OF RETURNABLE DOCUMENTS

T2.1.1 General

The Tender Submission Documentation must be submitted in its entirety. All forms must be properly completed as required.

The Tenderer is required to complete each and every Schedule and Form listed below to the best of their ability as the evaluation of tenders and the eventual contract will be based on the information provided by the Tenderer. Failure of a Tenderer to complete the Schedules and Forms to the satisfaction of the Employer will inevitably prejudice the tender and may lead to rejection on the grounds that the tender is non-responsive.

T2.1.2 Returnable Schedules, Forms and Certificates

Entity Specific

Technical or Functionality Evaluation

T2.2 RETURNABLE SCHEDULES, FORMS, AND CERTIFICATES

The returnable schedules, forms, and certificates, as listed in T2.1.2, can be found on pages 17 to 41.

NOTE

The **Form of Offer** (C1.1.1), The **Data to be Provided by Contractor** (C1.2.2.2), and the **Bill of Quantities** (C2.2) are also required to be completed by the tenderer.

T2.2.1 COMPULSORY ENTERPRISE QUESTIONNAIRE

Ref	**Description**			**Complete or Circle Applicable**
1.1	Name of enterprise			
1.2	Name of enterprise's representative			
1.3	ID Number of enterprise's representative			
1.4	Position enterprise's representative occupies in the enterprise			
1.5	National Treasury Central Supplier Database Registration number			**MAAA**
1.6	eThekwini Supplier Database: Reference number (PR), if any:			**PR**
1.7	VAT registration number, if any:			
2.0	**Particulars of sole proprietors and partners in partnerships (attach separate pages if more than 4 partners)**			
	Full Name	**Identity No.**	**Personal income tax No. ***	
2.1				
2.2				
2.3				
2.4				
3.0	**Particulars of companies and close corporations**			
3.1	Company registration number, if applicable:			
3.2	Close corporation number, if applicable:			
3.3	Tax Reference number, if any:			
3.4	South African Revenue Service: Tax Compliance Status PIN:			

4.0 Record in the service of the state (Insert on a separate page if necessary)

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:

- ☐ a member of any municipal council
- ☐ a member of any provincial legislature
- ☐ an official of any municipality or municipal entity
- ☐ a member of an accounting authority of any national or provincial public entity
- ☐ a member of the board of directors of any municipal entity
- ☐ a member of the National Assembly or the National Council of Province
- ☐ 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)
- ☐ an employee of Parliament or a provincial legislature

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 mths

5.0 Record of spouses, children and parents in the service of the state (Insert on a separate page if necessary)

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 in the service of any of the following:

- ☐ a member of any municipal council
- ☐ a member of any provincial legislature
- ☐ an official of any municipality or municipal entity
- ☐ a member of an accounting authority of any national or provincial public entity
- ☐ a member of the board of directors of any municipal entity
- ☐ a member of the National Assembly or the National Council of Province
- ☐ 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)
- ☐ an employee of Parliament or a provincial legislature

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

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

i) authorizes the Employer to verify the tenderers tax clearance status from the South African Revenue Services that it is in order.

ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004.

iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption.

iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest.

v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.2 CERTIFICATE OF ATTENDANCE AT CLARIFICATION MEETING / SITE INSPECTION

Reference is to be made to Clauses F.2.1(c) and F.2.7 of the Tender Data.

This is to certify that:

(tenderer name): --

of (address): --

----

was represented by the person(s) named below at the Clarification Meeting held for all tenderers, the details of which are stated in the Tender Data (F.2.7).

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Particulars of person(s) attending the meeting:

Name:	…………………………………………	Name:	…………………………………………
Signature:	…………………………………………	Signature:	…………………………………………
Capacity:	…………………………………………	Capacity:	…………………………………………

Attendance of the above person(s) at the meeting is confirmed by the Employer's Agent's Representative, namely:

Name: …………………………………………

Signature: …………………………………………

Date: …………………………………………

T2.2.3 TAX COMPLIANCE STATUS PIN / TAX CLEARANCE CERTIFICATE

Reference is to be made to Clauses F.2.23 and F.3.13(a) of the Tender Data.

SARS has introduced a new Tax Compliance Status System. Tenderers can submit a Tax Compliance Status PIN (TCS PIN) instead of an original Tax Clearance Certificate. This TCS PIN can be used by third parties to certify the taxpayer's real-time compliance status.

Separate Tax Clearance Certificates / TCS PINs are required for each entity in a Joint Venture.

The TCS PIN(s) are to be entered under item 3.4 on form **T2.1.2.1: Compulsory Enterprise Questionnaire**.

Tenderers are to include, at the back of their tender submission document, a printout of their Tax Compliance Status PIN (TCS PIN) OR an original Tax Clearance Certificate.

Failure to include the required document will make the tender submission non-responsive.

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, ***and that the requested documentation has been included in the tender submission****.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.4 MBD 4: DECLARATION OF INTEREST

MSCM Regulations: "**in the service of the state**" means to be: (a) a member of: (i) any municipal council. (ii) any provincial legislature. (iii) the national Assembly or the national Council of provinces. (b) a member of the board of directors of any municipal enterprise. (c) an official of any municipality or municipal enterprise. (d) an employee of any national or provincial department, national or provincial public enterprise or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999). (e) a member of the accounting authority of any national or provincial public enterprise. (f) an employee of Parliament or a provincial legislature. "**Shareholder**" means a person who owns shares in the company and is actively involved in the management of the company or business and exercises control over the company.

1 No bid will be accepted from persons **in the service of the state[1].**

2 Any person, having a kinship with persons **in the service of the state**, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to **persons in service of the state**, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority 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	Name of enterprise	Complete T2.1.2.1 Item 1.1
	Name of enterprise's representative	Complete T2.1.2.1 Item 1.2
3.2	ID Number of enterprise's representative	Complete T2.1.2.1 Item 1.3
3.3	Position enterprise's representative occupies in the enterprise	Complete T2.1.2.1 Item 1.4
3.4	Company Registration number	Complete T2.1.2.1 Item 3.1 or 3.2
3.5	Tax Reference number	Complete T2.1.2.1 Item 3.3
3.6	VAT registration number	Complete T2.1.2.1 Item 1.7

3.7 The names of all directors / trustees / shareholders / members / sole proprietors / partners in partnerships, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below. In the case of a joint venture, information in respect of each partnering enterprise must be completed and submitted.

Circle Applicable	
YES	NO

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

If yes, furnish particulars: ………………………………………………………………………………………

………

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

If yes, furnish particulars: ………………………………………………………………………………………

………

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

YES	NO

If yes, furnish particulars: ………………………………………………………………………………………

………

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

YES	NO

If yes, furnish particulars: ………………………………………………………………………………………

………

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

YES	NO

If yes, furnish particulars: ………………………………………………………………………………………

………

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

YES	NO

If yes, furnish particulars: ………………………………………………………………………………………

………

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

YES	NO

If yes, furnish particulars: ………………………………………………………………………………………

………

4 The names of all directors / trustees / shareholders / members / sole proprietors / partners in partnerships, their individual identity numbers and state employee numbers must be indicated below. In the case of a joint venture, information in respect of each partnering enterprise must be completed and submitted

Full Name	Identity No.	State Employee No.	Personal income tax No.
Use additional pages if necessary			

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ----------------------------------

T2.2.5 MBD 5: DECLARATION FOR PROCUREMENT ABOVE R10 MILLION
(ALL APPLICABLE TAXES INCLUDED)

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire.

	Circle Applicable	
1.0 Are you by law required to prepare annual financial statements for auditing?	YES	NO

1.1 **If YES, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.**

2.0 Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?	YES	NO

2.1 If NO, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days.

2.2 If YES, provide particulars.

……………………………………………………………………………………………………..

……………………………………………………………………………………………………..

3.0 Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?	YES	NO

3.1 If YES, provide particulars.

……………………………………………………………………………………………………..

……………………………………………………………………………………………………..

4.0 Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?	YES	NO

4.1 If YES, provide particulars.

……………………………………………………………………………………………………..

……………………………………………………………………………………………………

If required by 1.1 above, tenderers are to include, at the back of their tender submission document, a printout of their audited annual financial statements.

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, ***and, if required, that the requested documentation has been included in the tender submission****.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.6 MBD 6.1: PREFERENCE POINTS CLAIM
In terms of THE PREFERENTIAL PROCUREMENT REGULATIONS (2022)

Reference is to be made to Clause F.3.11 of the Tender Data.

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

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

1.0 GENERAL CONDITIONS

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

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

1.2 The applicable preference point system for this tender is the 80/20 preference point system.

1.3 Preference Points for this tender shall be awarded for:

- **Price** and **Specific Goals**: 80 (price) and 20 (specific goals), in terms of 1.2 above.
- The total Preference Points, for Price and Specific Goals, is 100.

1.4 Failure on the part of the tenderer to submit the required proof or documentation, in terms of the requirements in the Conditions of Tender for claiming specific goal preference points, will be interpreted that preference points for specific goals are not claimed.

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

2.0 DEFINITIONS

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

2.2 "**price**" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts.

2.3 "**rand value**" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes.

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

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

3.0 FORMULA FOR CALCULATION OF PREFERENCE PRICE POINTS

3.1 PROCUREMENT OF GOODS AND SERVICES

POINTS AWARDED FOR PRICE: A maximum of 80 points is allocated for price on the following basis:

80 / 20 Points System

$$Ps = 80\left(1 - \frac{Pt - Pmin}{Pmin}\right)$$

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

4.0 POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goal(s) stated in **Table 1** below, as supported by proof/ documentation stated in the **Conditions of Tender**:

4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of:

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system, or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

TABLE 1: Specific Goals for the tender and maximum points for each goal are indicated per the table below.

Tenderers are to indicate their <u>points claim</u> for each of the Specific Goals <u>in the shaded blocks</u>.

The Specific Goals to be allocated points in terms of this tender	**Maximum Number of points ALLOCATED (80/20 system)**	**Maximum Number of points ALLOCATED (90/10 system)**	**Number of points CLAIMED (80/20 system)**	**Number of points CLAIMED (90/10 system)**
Ownership Goal: Race (black)	16	n/a		n/a
RDP Goal: The promotion of South African owned enterprises.	4	n/a		n/a
		Total CLAIMED Points (20 Maximum)		

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, certify that the points claimed, based on the specific goals as specified in the tender, qualifies the tendering entity for the preference(s) shown.

I acknowledge that:

1) The information furnished is true and correct.

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

3) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct.

4) If the specific goals have been claimed or obtained on a fraudulent basis, or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have:

   (a) disqualify the person from the tendering process.
   (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct.
   (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation.
   (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
   (e) forward the matter for criminal prosecution, if deemed necessary.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ----------------------------

T2.2.7 MBD 8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1.0 This Municipal Bidding Document must form part of all bids invited.

2.0 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

3.0 The bid of any bidder may be rejected if that bidder, or any of its directors have:

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

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

	Circle Applicable	
4.1 Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer / Authority of the institution that imposed the restriction after the audi alteram partem rule was applied.) The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	YES	NO

4.1.1 If YES, provide particulars.

……

……

4.2 Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	YES	NO

4.2.1 If YES, provide particulars.

……

……

4.3 Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	YES	NO

4.3.1 If YES, provide particulars.

……

……

4.4 Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	YES	NO

4.4.1 If YES, provide particulars.

……

……

4.5 Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	YES	NO

4.5.1 If YES, provide particulars.

……

……

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both 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.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ---

T2.2.8 MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

NOTES

[1] Includes price quotations, advertised competitive bids, limited bids and proposals.

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

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

1.0 This Municipal Bidding Document (MBD) must form part of all **bids**[1] invited.

2.0 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or **bid rigging**).[2] Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.

3.0 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:

a. take all reasonable steps to prevent such abuse;
b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.

4.0 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of **bid rigging**.

5.0 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of:

(Name of Bidder)

that:

1. I have read and I understand the contents of this Certificate.

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

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

4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
   (a) has been requested to submit a bid in response to this bid invitation.
   (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience.
   (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement, or arrangement with any competitor. However, communication between partners in a joint venture or consortium[3] will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
   (a) prices.
   (b) geographical area where product or service will be rendered (market allocation).
   (c) methods, factors or formulas used to calculate prices.
   (d) the intention or decision to submit or not to submit, a bid.
   (e) the submission of a bid which does not meet the specifications and conditions of the bid.
   (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements, or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ---

T2.2.9 JOINT VENTURES AGREEMENTS

Joint Venture agreement and Power of Attorney Agreements to be attached here (if applicable).

T2.2.10 RECORD OF ADDENDA TO TENDER DOCUMENTS

I / We confirm that the following communications received from the Employer or his representative before the date of submission of this tender offer, amending the tender documents, have been taken into account in this tender offer.

ADD.No	DATE	TITLE OR DETAILS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct.

It is also confirmed that the requirements, as stated on the Addenda, have been complied with.

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.11 DECLARATION OF MUNICIPAL FEES

Reference is to be made to Clause F.2.1(f)(ii) of the Tender Data.

I, the undersigned, do hereby declare that the Municipal fees of:

....

(full name of Company / Close Corporation / partnership / sole proprietary/Joint Venture)

(hereinafter referred to as the TENDERER) are, as at the date hereunder, fully paid or an Acknowledgement of Debt has been concluded with the Municipality to pay the said charges in instalments.

The following account details relate to property of the said TENDERER:

Account	Account Number: to be completed by tenderer											
Consolidated Account												
Electricity												
Water												
Rates												
JSB Levies												
Other												

I acknowledge that should the aforesaid Municipal charges fall into arrears, the Municipality may take such remedial action as is required, including termination of any contract, and any payments due to the Contractor by the Municipality shall be first set off against such arrears.

- Where the tenderer's place of business or business interests are outside the jurisdiction of eThekwini municipality, a copy of the accounts/ agreements from the relevant municipality are to be provided.
- Where the tenderer's Municipal Accounts are part of their lease agreement, then a copy of the agreement, or an official letter to that effect, is to be provided.

Tenderers are to include, at the back of their tender submission document, a printout of the above account's and or agreements signed with the municipality.

Failure to include the required document will make the tender submission non-responsive.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission**.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- --

T2.2.12 CSD REGISTRATION REPORT

Reference is to be made to Clauses F.2.1(e) and F.2.23 of the Tender Data.

The Conditions of Tender, Clause F.2.1: Eligibility, requires a tenderer to be registered, at the time of tender closing, on the **National Treasury Central Supplier Database (CSD)** as a service provider.

CSD Registration Reports can be obtained from the National Treasury's CSD website at https://secure.csd.gov.za/Account/Login.

The date of obtaining the printout is to be indicated on the printout.

The following is an example of the beginning of the printout obtained from the above website.

CENTRAL SUPPLIER
DATABASE
FOR GOVERNMENT

Report Date:
Report Ran By:

CSD REGISTRATION REPORT

SUPPLIER IDENTIFICATION

Supplier number		Have Bank Account	
Is supplier active?		Total annual turnover	
Supplier type		Financial year start date	
Supplier sub-type		Registration date	
Legal name		Created by	
Trading name		Created date	
Identification type		Edit by	
Government breakdown		Edit date	
Business status		Restricted Supplier	
Country of origin		Restriction Last Verification Date	
South African company/CC registration number			

Tenderers are to include, at the back of their tender submission document, a printout of their (full) CSD Registration Report.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission**.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.13 EXPERIENCE OF TENDERER

Refer to T1.2.3.5: "Functionality Specification" for Functionality Points evaluation prompts (if applicable).

The experience of the tendering entity or joint venture partners in the case of an unincorporated joint venture or consortium, as opposed to the key staff members / experts, in projects of similar type and scale (> 5000 people) over the last ten years will be evaluated. Tenderers must provide details of their knowledge of the local area and previous experience with key local stakeholders.

Tenderers should very briefly describe their experience in this regard and attach it to this schedule. Proof of participation / case studies and contact details of clients of the relevant projects must also be provided

The description should be put in tabular form with the following headings:

Employer, contact person and telephone number, where available	**Description of event**	**Detail of work undertaken, nature of work & value**	**Date undertaken**

The scoring of the tenderer's experience will be as follows:

Level	Points	Criterion: Tenderer's Experience
0	0	No Submission or Submission of no substance / irrelevant information provided
1	40	To have successfully completed 1 to 3 projects of a similar nature within the past 10 years.
2	70	To have successfully completed 4 to 5 projects of a similar nature within the past 10 years.
3	90	To have successfully completed 6 to 7 projects of a similar nature within the past 10 years.
4	100	To have successfully completed 8+ projects of a similar nature within the past 10 years.

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, ***and that the requested documentation has been included in the tender submission****.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

T2.2.14 PROPOSED ORGANISATION and STAFFING

Refer to T1.2.3.5: "Functionality Specification" for Functionality Points evaluation prompts (if applicable).

The tenderer should propose the structure and composition of their team i.e. the main operational areas involved, the key staff member / expert responsible for each area, and the proposed technical and support staff. The roles and responsibilities of each key staff member / expert should be set out as brief job descriptions. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared. The tenderer must also indicate where key personnel are based.

The tenderer must attach their Proposed Organisation and Staffing to this page.

The scoring of the proposed organisation and staffing will be as follows:

Level	Points	Criterion: Proposed Organogram and staffing
0	0	No Submission or Submission of no substance / irrelevant information provided.
1	40	The organisation chart is sketchy, the staffing plan is weak in important areas. There is no clarity in allocation of tasks and responsibilities. Very few of the key staff are locally based. Project work plan is incomplete, weak and lacking detail. There is no clarity or certainty in delivereable timeframes.
2	70	The organisational chart is complete and detailed, the technical level and composition of the staffing arrangements are adequate. Some of the key staff are locally based. The project work plan is complete with GANTT chart showing the tasks/ deliverables and anticipated timeframes.
3	90	Besides meeting the "satisfactory" rating, staff are well balanced i.e. they show good co-ordination, complimentary skills, clear and defined duties and responsibilities, some members of the project team have worked together before on limited occasions. Key staff are generally locally based. Project work plan is detailed with GANTT chart showing some task / deliverables broken down into sub tasks (in accordance with proposed methodology) and anticipated timeframes.
4	100	Besides meeting the "good" rating, the proposed team is well integrated and several members have worked together extensively in the past. Key staff are almost entirely locally based. Project work plan is detailed with GANTT chart showing all task / deliverables broken down into sub tasks (in accordance with proposed methodology) and anticipated timeframes.

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission**.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ____________________

T2.2.15 <u>PERSONNEL SCHEDULE</u>

Refer to T1.2.3.5: “Functionality Specification” for Functionality Points evaluation prompts (if applicable).

The tenderer <u>must attach</u> their proposed Personnel Schedule to this page using the following headings:

- Name
- Title
- Job Description
- Qualifications/ Years of Experience
- Estimated Period of Engagement on this project (weeks).

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, ***and that the requested documentation has been included in the tender submission****.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------------

T2.2.16 EXPERIENCE OF KEY PERSONNEL

The experience of assigned staff member in relation to the scope of work will be evaluated from three different points of view:

1) General experience, level of education and training and positions held of each operational area team leader.
2) The skills and experience of the assigned staff in the specific operational areas. Linked to the scope of work.
3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to events e.g. local conditions, legislation, techniques etc.

The experience of assigned staff member in relation to the scope of work will be evaluated based on similar work **undertaken within the Ethekwini Municipal Area**. The key staff members/experts' knowledge of issues which the tenderer considers pertinent to events e.g. local conditions, legislation, techniques, local stakeholders etc. must be defined. Preference will be given to local expertise.

The Tenderer must describe precisely and concisely the relevant experience of each of the key staff, **detailing their years of experience in their particular field of expertise**.

The key members of the team doing the work must meet the following minimum requirements in terms of:

Overall Project Management:

- Project Executive: Must be professionally registered as a Pr Eng/Pr Tech (Eng) and preferably shall have at least 10 years demonstrated track record of delivery of similar projects. Project management qualification will be an added advantage. BRT and Public Transport Planning transport experience is required.

- Project Manager: Must be professionally registered as a Pr Eng/Pr Tech (Eng)/PMP and preferably shall have least 10 years demonstrated track record of delivery of similar projects. Project management qualification will be an added advantage. The function of the Project Manager is to plan, lead, organise and control the overall project plan. BRT/PT planning transport experience is required.

- Secretariat: supports the Project Manager and is responsible for scheduling of meetings, agendas, minutes, and general record keeping. Must have a minimum of 5 years' experience and be proficient in Microsoft Office.

Technical Expertise of Key Staff

As the nature of this project is multi-disciplinary and it is envisaged that some of the deliverables and tasks, are to run in parallel, **<u>fully resourced teams for each individual deliverable and specialised experts</u>** are required to successfully complete each of the deliverables. The minimum requirements relating to **Key Staff** are as per the table below. It must be noted that the tenderer may opt to select a **Key Staff** who is from the CPG entitiy(s) for one or more of the below job titles. ***Please note the examples on the table for populating the rest of the table.***

Experience of Key Resources in executing work of similar nature								
Job Title	**Minimum Qualification Required**	**Professional Registration Required**	**Number of Years' Relevant Experience on projects of a similar nature**					**Total Points**
			Level 0 0 pts	Level 1 40 pts	Level 2 70 pts	Level 3 90 pts	Level 4 100 pts	
Specialist Public Transport Planner	BSc. Eng -Civil/ B.Tech (Eng- Civil)	Pr. Eng, or Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	8%
Project Executive	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr. Eng, or Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	4%
Project Manager	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr. Eng/ Pr Tech Eng/ PMP	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	5%
Traffic And Transportation Specialist/s	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transport Modeller	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Public Transport Operations Specialist	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transport Economist Services	B.Comm (Transport Economics) or other bachelor degree/post grad in Transport Economics	Applicable Registration	No Submission	<5	> 5 ≤ 10	> 10 ≤ 15	> 15	4%
Geotechnical Engineering Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Architectural Services	B.Arch/ B.Tech (Arch)	Pr.Arch	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	4%
Urban Design Services	Relevant Qualification	Pr Urban Design Pr Urban Design Tech	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Land Use Management/Town Planning Services	MTRP/ B.Tech (Town Planning)	Pr Plan	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Transit Orient Development (TOD) Specialist	MTRP/ B.Tech (Town Planning)/ BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr Plan/ Pr.Eng/ Pr.Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	5%
Geometric Design Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
Roads And Pavement Design Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Structural Engineering Services	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	2%
Environmental Management Services	BSc (Environmental)/ relevant environmental qualification	PrSci.Nat	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%
Quantity Surveying Services	BSc. QS/ B.Tech QS	Pr QS/ Pr Tech QS	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%
Universal Access Services	Relevant Qualifications	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	5%
Business development specialist	Relevant Qualifications	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	2%

Land Valuer	Relevant Qualifications	SACPVP	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	3%
GIS Specialists	Bachelor's Degree in Geography, Cartography, or a related field	Registered with SAGC	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	5%
Rail Specialist	BSc.(Eng) -Civil/ B.Tech (Eng- Civil)	Pr.Eng, Pr Tech Eng	No Submission	< 10	> 10 ≤ 12	> 12 ≤ 15	> 15	6%
ITS Specialist	Bachelor's Degree in ITS or a related field	Appropriate Registration	No Submission	< 5	> 5 ≤ 10	> 10 ≤ 15	> 15	3%

CVs of the team must **not be more than 2 pages each** and should be attached to this schedule: (define which CV's are required)

Each CV should be structured under the following headings:

Personal particulars	Qualifications	Skills	Name of current employer and position in enterprise	Outline of recent assignments / experience that has a bearing on the scope of work

I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, ***and that the requested documentation has been included in the tender submission****.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- --

T2.2.17 APPROACH PAPER / METHODOLOGY / PROGRAMME

Refer to T1.2.3.5: "Functionality Specification" for Functionality Points evaluation prompts (if applicable).

Tenderers must explain their understanding of the objectives of the assignment and the Employer's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies to be adopted, and should also include a project plan and programme which outlines processes, procedures and associated resources, indicates how risks will be managed and identifies what contribution can be made regarding value management.

Tenderers must attach their approach papers to this page. The approach paper should not be longer than 10 pages.

The scoring of the approach paper will be as follows:

Criterion : Approach / Methodology		
Level 0	0 pts	No response/ no documents submitted
Level 1	40 pts	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. The programme is poor and has missed critical aspects
Level 2	70 pts	The approach is tailored to address the specific project objectives and methodology. The approach does adequately deal with the critical characteristics of the project. The project plan and manner in which risk is to be managed etc is tailored to the key aspects of the programme. The programme is adequate.
Level 3	90 pts	The approach is tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The project plan and approach to managing risk etc is tailored to the critical characteristics of the project. The programme is good and has allowed for all critical aspects
Level 4	100 pts	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches. The programme is well though out and makes allowance for all the key risk areas. The approach paper details ways to improve the project outcomes and the quality of the outputs

*I, the undersigned, who warrants that they are authorised to sign on behalf of the Tenderer, confirms that the information contained in this form is within my personal knowledge and is to the best of my belief both true and correct, **and that the requested documentation has been included in the tender submission**.*

NAME (Block Capitals): -- **Date**

SIGNATURE: -- ------------------------

PART C1 : AGREEMENTS AND CONTRACT DATA

C1.1 : FORM OF OFFER AND ACCEPTANCE

C1.1.1 : OFFER

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

Contract No:	**1T - 26449**
Contract Title:	**REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) AND THE DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND MODEL**

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

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the 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:

R.. (*In words* ....

....)

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

For the Tenderer:

Name of Tenderer *(organisation)* **:** ....

Signature *(of person authorized to sign the tender)***:** …..

Name *(of signatory in capitals)* **:** ....

Capacity *(of Signatory)* **:** ....

Address : ....

: ....

Witness:

Signature : ....

Name*(in capitals)* : : ....

Date : ....

Note: Failure to complete the mandatory information and sign this form will invalidate the tender.

C1.1 : FORM OF OFFER AND ACCEPTANCE

C1.1.2 : FORM OF ACCEPTANCE

This Form will be completed by the Employer

By signing this part of the Form of Offer and Acceptance, the Employer identified below accepts the Tenderer'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 Tenderer's Offer shall form an agreement between the Employer and the Tenderer 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 : Agreement and Contract Data, (which includes this Agreement)
- Part C2 : Pricing Data, including the Bill of Quantities
- Part C3 : Scope of Work
- Part C4 : Site Information

and the schedules, forms, drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C4 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer 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, which must be duly signed by the authorised representatives of both parties.

The Tenderer 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 at, or just after, the date this Agreement comes into effect. 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 Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five 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 *(person authorized to sign the acceptance)* **:** ....

Name *(of signatory in capitals)* **:** ....

Capacity *(of Signatory)* **:** ....

Name of Employer *(organisation)* **:** ....

Address : ....

: ....

<u>Witness:</u>

Signature : .... **Date** : ....

Name*(in capitals)* : : ....

C1.1 : FORM OF OFFER AND ACCEPTANCE
C1.1.3 : SCHEDULE OF DEVIATIONS

This form will be completed by THE EMPLOYER and ONLY THE SUCCESSFUL TENDERER

1. **Subject** : ……………………………………………………………………………………………….

Details : ……………………………………………………………………………………………….

: ……………………………………………………………………………………………….

2. **Subject** : ……………………………………………………………………………………………….

Details : ……………………………………………………………………………………………….

: ……………………………………………………………………………………………….

3. **Subject** : ……………………………………………………………………………………………….

Details : ……………………………………………………………………………………………….

: ……………………………………………………………………………………………….

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer 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 change to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

FOR THE TENDERER		FOR THE EMPLOYER
……………………….…………….	Signature	……………………….…………….
……………………….…………….	Name *(in capitals)*	……………………….…………….
……………………….…………….	Capacity	……………………….…………….
……………………….…………….	Name and Address of	……………………….…………….
……………………………………..	Organisation	……………………………………..
……………………………………..		……………………………………..
……………………………………..		……………………………………..
……………………………………….	Witness Signature	……………………………………….
……………………………………..	Witness Name	……………………………………..
……………………………………..	Date	……………………………………..

C1.2 : CONTRACT DATA

C1.2.1 CONDITIONS OF CONTRACT

C1.2.1.1 GENERAL CONDITIONS OF CONTRACT

The Conditions of Contract are the Standard Professional Services Contract (Third edition: July 2009) published by the Construction Industry Development Board. (see www.cidb.co.za - copied for ease of reference in C4.2).

The Contract Data (including variations and additions) shall amplify, modify or supersede, as the case may be, the Standard Professional Services Contract, to the extent specified below, and shall take precedence and shall govern.

Each item of data given below is cross-referenced to the clause in the Standard Professional Services Contract to which it mainly applies.

C1.2.2 CONTRACT DATA

C1.2.2.1 DATA TO BE PROVIDED BY THE EMPLOYER

The Employer is the eThekwini Municipality as represented by : Deputy Head : **Strategic Transport Planning Department**

3.4 & The authorised and designated representative of the Employer is: Mr. Minal Singh

4.3.2 The contact details of the authorised and designated representative are:

- Telephone : 031 322 8857 (t)
- e-mail : Minal.Singh@durban.gov.za

The address for the Receipt of communications is: Ethekwini Transport Authority, 30 Archie Gumede Place, Durban, 4000

1 The Project is : **1T - 26449**
: **REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED PUBLIC TRANSPORT NETWORK (IPTN) AND THE DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND MODEL**

1 Period of Performance : **18 months**

1 Period of Performance : Unless terminated in terms of the Contract, or otherwise specified in the Contract Data, the Contract completion shall be when the Service Provider has completed all Deliverables in accordance with the Scope of Work.

1 Start Date : The Service Provider is to commence the performance of the Services within **7 Days** of date that the Contract becomes effective.

3.4.1 Communications by e-mail is permitted.

3.5 The location for the performance of the Project is : **eThekwini Municipality, Durban**

3.6 The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.

3.9.2 The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data.

3.12 The penalty per Day payable is : **R 5,000 subject to a maximum amount of R 200,000**.

3.15.1 The programme shall be submitted within **fourteen (14) Days** of the award of the Contract.

3.15.2 The Service Provider shall update the programme at intervals not exceeding **four (4) weeks**.

3.16 The time-based fees shall not be adjusted for inflation.

3.16.2 The indices are those contained in **Table A of P0141 Consumer Price Index** for "CPI for services" Published by Statistics South Africa.

4.3.1(d) The Service Provider is required to assist in the obtaining of approvals, licenses and permits from the state, regional and municipal authorities having jurisdiction over the Project.

5.4.1 The Service Provider is required to provide Professional indemnity in an amount as set out in the Professional Indemnity Schedule.

1. Insurance against : **Professional Indemnity**
Cover is : **R 7,500,000**
Period of cover : **Duration of the Contract**

2. Insurance against : **Public Liability**
Cover is : **R 5,000,000**
Period of cover : **Duration of the Contract**

5.5 The Service Provider is required to obtain the Employer's prior approval in writing before taking any of the following actions:

1) Traffic or Public Transport surveys.
2) Familiarisation and use of the Ethekwini EMME and TransCad model
3) Flights
4) Meeting with stakeholders
5) Making any public statements, presentations or sharing work relating to the project.
6) Printing or publication of material.

7.2 The Service Provider is required to provide personnel in accordance with the provisions of clause 7.2 and to complete the Personnel Schedule.

8.1 The Service Provider is to commence the performance of the Services within **7 Days** of date that the Contract becomes effective.

8.2.1 The Contract is concluded when : **A formal letter accepting the consultants work is issued by the Employer.**

8.4.3(c) The period of suspension under clause 8.5 is not to exceed **12 months**.

9.1 Copyright of documents prepared for the Project shall be vested with the **Employer**.

11.1 A Service Provider may subcontract any work which he has the skill and competency to perform.

12.1 Interim settlement of disputes is to be by **Mediation**.

12.2/3 Final settlement is by **Arbitration**.

12.2.1 In the event that the parties fail to agree on a mediator, the mediator is nominated by : **President of the**

South African Institution of Civil Engineering.

12.4.1	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by: **President of the South African Institution of Civil Engineering**.
13.1.3	All parties in a joint venture or consortium shall carry a minimum professional indemnity insurance of **the total value of the project**.
13.4	Neither the Employer nor the Service Provider is liable for any loss or damage resulting from any occurrence unless a claim is formally made within **1 months** from the date of termination or completion of the Contract.
13.5.1	The provisions of 13.5 do not apply to the Contract.
13.6	The provisions of 13.6 do not apply to the Contract.
15	The interest rate will be prime interest rate of the Employers bank at the time that the amount is due.

C1.2.3 ADDITIONAL CONDITIONS OF CONTRACT

The additional conditions of contract are:

C1.2.3.1 **PERFORMANCE MONITORING OF SERVICE PROVIDERS**

For contract awards that are greater than R10m, the Service Provider shall be subjected to "Performance Monitoring" assessments in terms of the applicable Section of the Council's current Supply Chain Management Policy.

C1.2.3.3 **EMPOWERMENT INITIATIVE**

It is a condition of contract that the Professional Service Provider / Civil Engineering Consultant must allow for a minimum of 30% of the contract value (excluding PC Sum and Fixed Cost allowances) to be subcontracted to an EME or QSE which is at least 100% black owned.

The penalty for not achieving the specified CPG will be 0.5% of the contract value (excluding PC Sum items and Fixed Cost allowances) for every 1% of CPG not achieved.

C1.2.2.2 DATA TO BE PROVIDED BY THE SERVICE PROVIDER

Ref / Clause Number	Data	
1	The Service Provider is:	……………………………………………………………………………………
		……………………………………………………………………………………
	Address :	……………………………………………………………………………………
		……………………………………………………………………………………
		……………………………………………………………………………………
	Telephone :	……………………………… Fax : ……………………………………………
5.3	The authorised and designated representative of the Service Provider is:	
	Name :	……………………………………………………………………………………
	The address for receipt of communications is:	
	Address :	……………………………………………………………………………………
		……………………………………………………………………………………
		……………………………………………………………………………………
	Telephone :	……………………………… Fax : ……………………………………………
	E-Mail :	……………………………………………………………………………………
5.5 & 7.1.2	The Key Persons and their jobs / functions in relation to the services are:	
	Name :	……………………………………………………………………………………
	Specific Duties :	……………………………………………………………………………………
	Name :	……………………………………………………………………………………
	Specific Duties :	……………………………………………………………………………………

PART C2 : PRICING DATA

C2.1 : PRICING INSTRUCTIONS

C 2.1.1 The Service Provider is required to provide all the services necessary to undertake the project requirements in accordance with the Scope of Work. This includes all things necessary and incidental to providing the Services, including appointment and payment of subcontractors.

C 2.1.2 The sole basis for the remuneration of the Service Provider to be appointed to proceed with the project shall be:

C 2.1.2.1 On the basis of agreed deliverables, milestones and anticipated cash-flows, at the inception of the project. The Municipality reserves the right to retain up to a maximum of 15% of the tendered value, until the project is fully completed.

C2.1.3 While it is entirely at the tenderer's discretion as regards pricing the Activity Schedule, the Guideline Scope of Services and Tariff of Fees for Persons Registered in terms of the Engineering Profession Act, 2000 (Board Notice 138 of 2015) is a useful document that will give tenderers some idea of industry norms against which they may compare their rates, sums and prices as applicable.

C2.1.5 Tenderers are to note that the estimated contract value is based on the current approved budget which is subject to change. Whilst the Employer has every intent to complete the full scope of works, the Employer reserves the right to reduce or increase the scope of works according to the dictates of the budget, or to terminate this contract, without adjustment to the agreed rates, sums or fees and without payment of any penalty in this regard. The Service Provider shall however be entitled to pro-rata payment for all services carried out in terms of any adjustment to the Broad Scope of Work and Schedule or, in the case of termination, remuneration and/or reimbursement as described in Clause 8.4.3 of the Standard Professional Services contract.

C2.1.7 The per kilometer rate for the reimbursement of travel expenses is based on AA rates and shall be limited to the eThekwini Municipal Area.

C2.1.8 Unit rates, exclusive of VAT must be provided for all key members of the Service Provider.

C2.1.9 Payment will be based on deliverables. This proposal requires a detailed breakdown of deliverables and the associated costs, in order for payment to be made upon receipt and approval of a deliverable.

C2.2 : PRICING SCHEDULE

Part A: IPTN Review and Development of a Demand Model

NO.	ITEM	Amount (excl.vat)
1	**Project Management**	
2	**Deliverable 1: Comprehensive Status quo Review and Scope definition** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.1	
3	**Deliverable 2: Demand Analysis – Current and Future** Milestone: a) Development of the PT Demand Model including data requirements, calibration and validation, as well as, b) Receipt and approval by ETA of all other deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.2	
4	**Deliverable 3: Updated analysis for role of Rail, Rail Service and System Capacity** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.3	
5	**Deliverable 4 – Zero Subsidy Public Transport Operation** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.4	
6	**Deliverable 5: Development and Costing of a revised IPTN and Public Transport System Restructuring Alternatives** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.5	
7	**Deliverable 6 – Support Systems Plan** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.6	

8	**Deliverable 7 – Business Planning and development of revised operating model, business model and funding model** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.7	
9	**Deliverable 8 - Consultation and Communication Processes** Milestone: Receipt and approval by ETA of all deliverables and relevant information documents / drawings / designs, as per clause C3.2.2.8	
10.	**Provisional Amount for Data Collection and traffic surveys**	R 500 000.00
11.	**Provisional Amount for Topographical Surveys**	R 500 000.00
12.	**Provisions for Geotechnical Investigations**	R 500 000.00
13.	**Part B : Planning Support to Go!Durban Planning Workstream** As per clause C3.2.2.13	
14	Disbursements (5%)	
	Sub-Total	
	Vat @ 15%	
	Total carried to Form of Tender	

Part B: <u>Planning Support to Go! Durban Planning Workstream</u>

Item	Activity	Resource Allocation	Hours	Rate	Amount (excl.vat)
a.	Project Management	Snr resource	144		
		Jnr resource	144		
b.	System Planning	Snr resource	1440		
		Jnr resource	720		
c.	Business Planning	Snr resource	360		
		Jnr resource	360		
d.	Financial Planning	Snr resource	360		
		Jnr resource	360		
Total - Part B Carried to Part A					

NAME : .... (Block Capitals)

SIGNATURE : ……………………………..……………………..……… DATE: ....

(of person authorised to sign on behalf of the Tenderer)

PART C3 : SCOPE OF WORK

C3.1 INTRODUCTION

C3.1.1 BACKGROUND

In 1999, eThekwini Municipality (then Durban Municipality) supported by NDOT and KZN-DOT undertook a project to restructure the Durban PT system in line with National policy on Public transport (PT) as described in NDOT's 1996 White Paper. The emphasis was on identifying a least cost, service efficient PT system. In arriving at a preferred system, ten alternatives were tested comprising different combinations of modes and services.

In 2007 the National Department of Transport (NDoT) published the Public Transport Action Plan (PTAP), which was a strategy that had two key thrusts:

- Accelerated Modal Upgrading and
- Integrated Rapid Public Transport Networks

In terms of the NDOT timelines, documented in the 2007 PTAP report, the modal upgrade programme was proposed to take effect over a 3-7 year transition period focussing on improving the quality of the public transport fleet and its current operations. The development of the IRPTN at that stage focused on implementing, over a 4 to 20 year period, high quality networks of car-competitive public transport services that were to be fully integrated, have dedicated right of way and which would be well managed and regulated by a Municipal Transport Authority or Department.

The PTAP that was initially proposed comprised three fundamental phases with timelines as follows:

- **Phase 1** (2007-2010): preparation and costing of detailed operational plans, alignment of the accelerated modal upgrading with the requirements for taxi recap, the rail rolling stock recovery plan and bus tendering on redesigned routes, to fit within the planning for rail and bus rapid public transport corridors, forming part of an integrated rapid public transport network (IRPTN). This phase was meant to facilitate commencement of the IRPTN development including introduction of integrated trunk and feeder PT services along with the corresponding requirements of fleet upgrade, PT service contracts and related support systems and contracts.

- **Phase 2** (2010-2014): BRT/IRT and Rail IRPTN expected to be operational on the major corridors with an integrated fare system and ITS for managing and controlling operations through control centres.

- **Phase 3** (2014-2020): a full IRPTN expected, with service coverage across the Municipal Srea, which is financially sustainable and fully accessible in respect of mobility-impaired public transport users.

  In 2010 the EThekwini Municipality initiated its IRPTN project in response to the NDoT's 2007 PTAP and associated strategies as described above. EThekwini Municipality's initial and current approach to achieve a restructured Public Transport system in alignment with the requirements of the PTAP comprises feeder routes to upgraded rail and bus trunk services. It is anticipated that over time, many if not all of the corridors in this Metropolitan-wide system will be developed as part of the IRPTN with various forms of priority infrastructure for bus trunk services and possibly light rail transit (LRT) services.

  EThekwini Municipality's initial aim was to achieve an affordable, financially sustainable and efficient public transport system that can be phased in over a 0 to 15 year period, supported by ITS-based management and information support systems and integrated fare system. The public transport system was initially visioned to comprise feeder to trunk services operating in corridors, forming part of an IRPTN, along prioritised right of way and using the optimum public transport mode in every part of the system.

The scope of the works that was undertaken in 2010 was essentially strategic planning and conceptual design for the development of the IRPTN and related public transport services plan, and included the development of a Business Plan for an optimum service and cost-effective public transport system. A wall to wall PT plan was developed comprising 9 trunk corridors (8 road-based, 1 rail-based). These corridors are illustrated and described in the figure below.

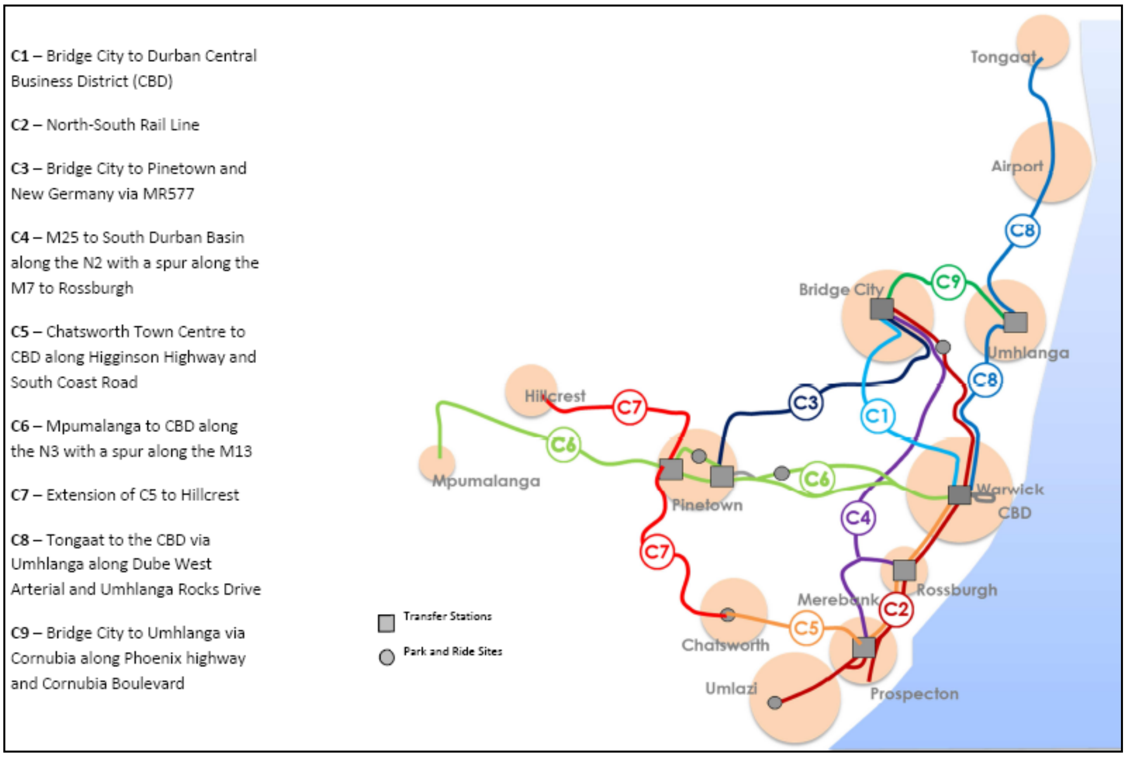

Figure 1: Original corridors of the initial wall-to-wall IRPTN plan for EM

In terms of the roll-out of the IRPTN, the following phases and timelines were initially forecasted:

Table 1: Original timeframes for completion of IRPTN

PHASING		PLANNED OPERATIONAL YEAR
Phase 1	C3	2016
	C9	2017
	C1	2018
	C2 (Rail)	2018
Phase 2	C5, C7	2022
Phase 3	C4, C8	2025
Phase 4	C6	2027

To date, the following list summarises the activities that have been undertaken and completed:

- A wall to wall public transport plan comprising 9 trunk corridors and an extensive feeder and complimentary services network, including the conceptual design for the overall system and development of a business plan for the IRPTN

- Preliminary design of a Phase 1 of the IRPTN which comprises Corridors C1, C3, C9

- A study for the C2 rail corridor feeder services and facilities

- Detailed Designs for corridors C1, C3 and C9

- Development of a business plan for the C3 corridor

- Development of an operational plan for Phase 1 of the IRPTN (excluding C2)

- Construction of corridor C3

- Current construction of the C1 and C9 corridors

- An updated CITP for the Ethekwini Municipality which covers the period 2020 to 2025

- A detailed Public Transport Study for the Pinetown CBD which ls to addresses future IPTN requirements

- A detailed Public Transport Study for the inner City/Outer Ring area which also addresses future IPTN requirements

- The development of an NUDC/ Aerotropolis Study for the northern region of the EMA

- The development of major nodes across the MEA including but not limiting to: Sibaya, Ntshongweni, Avoca/Brickworks, Cornubia, Wewe, Watson North and Greylands Precinct, Inyaninga, the Dube Tradeport and KSIA node, the Northern areas Development nodes, the Automotive Supplier Park Node, Urban Regeneration Plan, Isipingo Node developments, Back of Port study and Catalytic projects within the EMA .

However, since the commencement of the design stage of Phase 1 of the IRPTN, there have been significant delays due to a host of reasons, some of which include, but are not limited to:

- Procurement delays and subsequent impact on expenditure.
- Poor performance by professional teams tasked with construction and construction management, resulting in claims and delays.
- Change of construction materials, delays in processes for procuring new materials, and extended construction periods due to changes in materials.
- Changes in geometric designs to accommodate site-related constraints such as the accommodation of stations on sections of the right of way with very steep grades, etc.
- Several completed stations damaged due to road traffic crashes and requiring reconstruction.
- Work stoppages by PT operators, Business Forums, and the community.
- Delays with the PT Industry Negotiations.
- Delays with operational readiness
- Delays due to lack of adequate internal ETA capacity to manage the requirements of the operational readiness and management of ongoing C3 operations.
- Funding constraints (tight budgets, etc.), exorbitant construction costs, etc.

Due to these delays the current forecasts indicate that the IRPTN project will now only be completed according to to the dates shown in Table 2.

Table 2: Current revised timeframes for completion of IPTN

PHASING		PLANNED OPERATIONAL YEAR
Phase 1	C3	2023
	C9	2030
	C1	2029
	C2 (Rail)	TBC
Phase 2	C5, C7	2035
Phase 3	C4, C8	2040
Phase 4	C6	2045

Notwithstanding the delays as described above, there have come other significant challenges and changes which need to be taken into consideration as they impact on the current IRPTN philosophy and program. Some of these challenges and changes include but are not limited to:

- The prevailing context of the PT industry is pointing towards a hybrid system for various reasons. This impacts the prevailing fundamental assumptions, objectives, goals and possibly the legislation guiding the roll-out of IRPTN. This is a challenge being faced throughout South Africa, and the implication already being that the system is no longer being called IRPTN but rather IPTN (integrated Public Transport Network), and BRT is no longer considered as the preferred or favored form of IPTN. The further challenges with their current conventions (BRT, etc.) is elaborated in the points to follow.

- The emerging exorbitant costs of implementation of the current typologies for stations, station precincts, facilities, roads infrastructure and other associated costs are proving to be too high and unsustainable. Noting that the C3 corridor alone has cost just under R6 billion to construct, let alone the operational costs which have not yet been precisely quantified, and let alone the costs associated with compensations to the existing PT operators, the sustainability of this current approach is a major concern.

- Funding streams are a major concern as they are becoming progressively harder to secure, and costs of implementing the current form of the IPTN is very exorbitant.

- Challenges with implementing the center median right of way typology on all roads with EM. Certain corridors have a considerable number of constraining factors that prevent the center median dedicated right of way concept from functioning well. Concepts to run a curb side service has yielded that a dedicated service cannot be run on the curb side where there are significant numbers of localised accesses to either residential nodes or other features such as service stations, places of worship, emergency services, etc. Thus, whilst the corridor alignment might be warranted, the center median dedicated right of way has been found to be either unachievable in all scenarios or impractical/inefficient.

- Institutional constraints: ETA does not currently have the requisite capacity internally to timeously roll out the currently proposed IRPTN form. Furthermore ETA still requires to position itself in terms of its organizational structure and capacity to be able to manage the IPTN network with all of its associated elements once it becomes operational.

- Consideration of the success of IPTN across the country, with particular respect to the model of BRT operating in the dedicated right of way in the center of the roadway.

- The occurrence of competing services with IPTN's/BRTs in other South African cities and thus the need to re-think how the existing PT industry should be incorporated into future public transport planning.

- The nature of land use and roll-out of developments needs to be taken into account. This directly affects the production and attraction of public transport demand.

- Following from the above, the availability of current PT demand data is a critical gap. It is critical that up-to-date PT demand data be sourced so as to inform the correct planning of PT services. However, this is a massive hurdle within EM as data cannot be readily collected by conventional (manual) means due to a host of reasons such as lack of appropriate information gathering technology, reluctance from the existing PT industry to support such activities, lack of internal capacity within ETA to proficiently perform data collection and analysis.

- The advent of technology-based PT is becoming an overwhelming competitor within the PT industry. Brands such as Uber, Taxify and similar e-hailing services have gained very strong momentum, and have even penetrated the sphere of the existing PT industry in the form of MBT operators using platforms such as the Uber application to provide more efficient services to their customers. These types of PT services significantly affect parameters of the IPTN such as user requirements, quality of service, availability and connectivity provided, safety and cost, to mention just a few.

- Consideration needs to be given to global trends that have developed over the last 10 years, and the current thinking and/or best-practice in terms of public transport.

- Consideration of the future use of current public transport facilities

- Perception of the public, as well as major land developers and other stakeholders needs to be assessed now that the concept of the IPTN has been live for the last 10 years within EM.

Efforts have been made to address some of these challenges and to also make progress with the roll out of the IPTN despite the prevailing challenges. These efforts have included the further development of the proposed IPTN routes, and the most current proposed IPTN alignments are shown in Figure 2.

Figure 2: Current IPTN Trunk Routes and Proposed Rollout Plan

Further to the above, the City has proposed a Tactical Adjustment Framework which is an amended approach to the implementation of the City's Integrated Public Transport Network (Go! Durban). The Tactical Adjustment Framework was approved by Council in July 2022.

Principles of the Tactical Adjustment Framework:

- Regulation 2 (4) under the National Land Transport Act regulations on contracting for Public Transport Services shall be the overarching implementation mechanism;
- The first round of negotiations to be inclusive and best endeavors to be put in place for negotiated contract;
- Failing successful negotiations within the prescribed timelines under regulation 2(4), a formal offer be issued to all Operators in terms of regulation 2(4) incorporating saliant features of the Tactical Adjustment;
- Failing acceptance or appropriate response, the Municipality proceeds to conclude contracts with those in agreement with being on-boarded.
- Use available opportunities as a base for implementation and build from there
- Apply the financial sustainability model already developed for the IPTN
- Impacts of the implementation of the IPTN to be handled in line with provisions of the NLTA
- Aspects of the vision for the transformation of the public transport sector, which was approved by the Provincial Executive Committee, to be incorporated

Features of the frameowrk

FEATURE	PHASE 1 AREA	OUTSIDE OF PHASE 1 AREA
1. Services	a. At least 16 hours of operation b. Integrated timetables between services in trunk, feeder and complimentary routes c. Feeder and complimentary contracts to have a degree of flexibility to allow for adjustment to	a. Hours of operation based on current PTOG-funded services, but will be extended, where appropriate, depending on financial sustainability b. Interoperable AFC to facilitate seamless transfer between contracted services for users

FEATURE	PHASE 1 AREA	OUTSIDE OF PHASE 1 AREA
	align with infrastructure upgrades, as completed right-of-ways (RoW's) come on stream d. Interoperable AFC to facilitate seamless trips for users of the service e. Services to be UA compliant as defined in the UADP, unless physical conditions do not allow, and on feeder and complimentary routes where existing vehicles will be used initially	c. Quality bus service contracts d. Given the fact that mostly existing vehicles will be used to start with, achievement of UA compliance will be difficult. Consideration to be given to extension of the Dial-a Ride service, and introduction of low-entry vehicles, where the route network allows
2. Infrastructure	a. Complete infrastructure and facilities on C1, C3 and C9 corridors, with value engineering where appropriate to improve cost-effectiveness b. Before completion of trunk RoW, opportunities to be identified for converting mixed-flow lanes to dedicated bus lanes c. Prioritization of contracts on the basis of "First to market" to support: · Financial sustainability of program · Enhancement of rates revenue for the City · Unlocking other investments, and · Efforts aimed at economic recovery d. Aggressive NMT programme to enhance the conditions for UA, movement of pedestrians and cyclists, and connectivity for communities to IPTN stations	a. Minimum infrastructure upgrades to include: i. New or upgraded shelters and laybys ii. IFMS infrastructure to facilitate integrated AFC iii. NMT program to enhance UA, and movement of pedestrians and cyclists where possible
3. Vehicles	a. Trunk – low-floor vehicles b. Feeder routes – low entry bus (when available and route dependent) or minibus taxi vehicles as a start c. Complimentary (current PTOG-funded) routes – existing vehicles to start with, and introduction of low-entry vehicles, depending on suitability of routes	a. Quality bus services – use existing vehicles to start with, and introduce low-entry vehicles depending on suitability of routes
4. Depots	a. New depots to be provided and owned by the City for Trunk services b. For feeder and complimentary services – new or existing facilities, as appropriate, to be provided and owned by operators	a. Existing depots to be used
5. Branding	All contracted services to have a common brand, with differentiation for different service offerings based on extent of infrastructure and facility development, and integration of services	

<table>
<tr><th>FEATURE</th><th>PHASE 1 AREA</th><th>OUTSIDE OF PHASE 1 AREA</th></tr>
<tr><td>6. Incorporation of existing public transport operators</td><td colspan="2">a. Operators deemed to be affected by the IPTN corridors will not be required to surrender operating licenses for existing services, nor withdraw vehicles, if they elect to participate in the new contracts. Consequently, no direct compensation will be paid to operators. Monthly surveys, however, will be conducted for at least the first six months of each contract to determine impact on other operations.

b. The existing PTOG-funded contracts will be used to form the foundation of incorporation of existing operators in the catchment of the contracts in the following ways:

c. Participation in the services/contracts run by the Durban Transport Municipal Entity (when it is set up) will be at shareholding level, as already approved by Council, with 40% of the shares available for this. The operators will have to meet the criteria for participation, as already approved by Council. A further opportunity for participation will be through subcontracting, as a minimum of 35% of the service contracts will be subcontracted to currently unsubsidized operators (small bus and minibus-taxi) operating on the same network.

Before the establishment of the Municipal Entity, participation by the existing operators will be structured along the same lines as the other PTOG-funded contracts.

d. Participation in other PTOG-funded contracts:
· A portion of 35% of each PTOG-funded contract will be made available for participation of currently unsubsidized operators in the catchment of each of the contracts
· For the minibus-taxi industry, association-based Special Purpose Vehicles or companies will need to be set up for participation in the contracts;
· The Special Purpose Vehicles will be entities through which participating Operators derive a benefit;
· Non-participating Operators will be allowed a fixed time within which to opt in as they see progress because a balance should be struck not abandoning Operators who are anxious about change and not having an open-ended window for them to opt in;
The principles for opting in by initial Operators and later opting in by other Operators shall accord with the principles of fair business dealings; and
· A clear program including KPAs and KPIs will be in place to facilitate graduation of sub-contractors to contractors.

e. For feeder services to support the C2 Corridor, participation of existing operators to be detailed in the business plan being jointly developed by the City and PRASA.

f. For Inner City and Outer Ring services - The only participants will be the currently unsubsidized operators (small bus and minibus-taxi) operating along the same routes, provided that they can satisfy a set criteria. Development programs to be put in place.

g. For new service areas – current and new operators to be invited to participate. Commercial contracts to also be considered.</td></tr>
</table>

Subject to the approval of, that the eThekwini Transport Authority:

a. undertakes the revision of the current Operational and Business Plans, for Council approval, in order to ensure compliance with the requirements of the Public Transport Network Grant conditions,
b. Develops a roadmap aimed at a speedy recovery in the implementation of the City's Integrated PublicTransport Network, given the extensive delays already experienced in the start of operations on the C3 Corridor (Bridge City to Pinetown). Such a roadmap to detail the following aspects:

- Engagements with key government departments to secure any and all statutory approvals

- Engagements with affected operators for their on-boarding and preparation for start of new operations
- Information sessions for commuters and activations in communities to raise awareness about the new services
- Engagement with key sectors, which are critical for the successful implementation of the City's Integrated Public Transport Network utilizing the amended approach. These sectors to include the financial, bus manufacturing, oil, SETA's, etc.
- Operational readiness preparations

c. Files monthly progress reports for consideration by Council and noting or other appropriate determination, which report must address the following:

  - Detailed steps undertaken to implement this resolution and progress made;
  - Challenges encountered together with steps to surmount such challenges;
  - Insurmountable challenges and particular support enlisted from Council to surmount such challenges; and
  - All material information reasonably necessary for Council to apply its mind and note the progress report or make such other determination thereon.

Financial Implications:

- In terms of financial implications related to the proposed tactical adjustment in the implementation of the IPTN, perhaps the most significant one is the potential loss of the PTNG funding to the City if operations on the C3 Corridor do not commence, and commence very soon.
- The pressure on, and from the National Department of Transport to the City to demonstrate the full benefit of the investment already made in the development of infrastructure and facilities, particularly on the C3 Corridor, with the start of operations on this corridor, has been ratcheting up for quite some time, and the City is living on borrowed time if this is not achieved. This sad fate of loss of grant funding has already befallen other cities like Msunduzi, Rustenberg and Buffalo City.
- The second most significant implication associated with the proposed tactical adjustment in the implementation of the IPTN is that it is dependent on the City taking over all PTOG-funded contracts in the City from the Provincial Department of Transport. This is a double-edged sword, in that:

  a. On the one hand, the devolution of these contracts to the City with associated PTOG funding is a good thing, and is a necessary move for the City to achieve an integrated and transformed public transport system, and help the City achieve the start of operations on C3. The PTOG funding supporting the existing contracts in the City is currently around R500 Million annually.
  b. On the other hand, however, it is a known fact that these PTOG-funded contracts are grossly under-funded, to an extent that the Department runs out of funding before the end of each financial year. The funding gap in these contracts is estimated at around R600 million a year. It is thus imperative that, as part of the devolution of these contracts to the City, engagements be held with the National and Provincial Departments of Transport, and Treasuries in all three spheres of government to address this shortfall before they are devolved to the City. Some interim arrangement may need to be made to facilitate the utilization of the contracts around the C3 Corridor so that the new service contracts for the corridor can start without any further delays.
- The third implication lies in the fact that, with the proposed adjustment in the implementation of the IPTN, there is a potential for savings in the amounts paid to affected operators for direct compensation, given that no withdrawal of operating licenses and vehicles is proposed. That said, however, it is anticipated that more investment will be required to address development needs for drivers and owners of the currently unsubsidized operations, from both the minibus-taxi and bus sectors, to prepare them for participation in the new service contracts.
- Once the final approval of the tactical adjustment approach is obtained from Council, a revised Business Plan, with a financial model, will be tabled for Council approval before implementation starts.

There still however remains the need for a more focused effort to address the parameters described above. Therefore, whilst the vision for a transformed PT system as embodied in the 2007 PTAP is still the goal, the manner in which the PT landscape has ben taking form has proven that the fundamental thinking and preferences for a transformed PT system needs to be revisited. The ETA is therefore undertaking this project to review the IPTN and which has been given the title: *Review of EThekwini Municipality's IPTN System and Development of a PT Demand Model.*

C 3.1.2 CONTEXTUALISATION OF THE IPTN REVIEW PROJECT

The ultimate deliverable of this project is a revised appropriate, affordable, financially sustainable and efficient IPTN system based on addressing the delays, challenges and changes described in Section 3.1.1. The broad activities that will need to be undertaken during this project is shown in Figure 3.

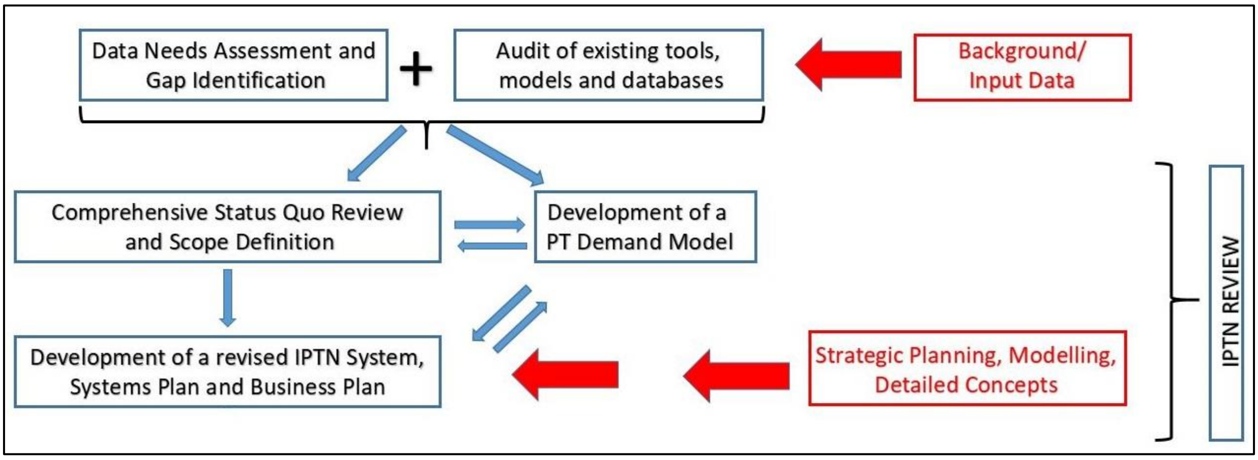

Figure 3: Broad project activities

As shown in Figure 3:

a) A comprehensive review of all work done to date will need to first be undertaken so as to capture the **status quo** position of the IPTN holistically, as well as to inform the **detailed scope definition** for undertaking the review.

b) In parallel with the status quo assessment being done, the **Development of a PT Demand Model** is to be initiated. Following from the initial planning for the IPTN, it was emphasized that an understanding of PT demand is the crucial driver of all proposals for PT services and infrastructure. Noting that no formal PT demand assessment tools were created/developed during the intial IPTN planning, a PT Demand model is to be developed at the onset of this project so as to inform the review of the IPTN.

c) The ETA is currently undertaking a data needs assessment and gap identification activity to essentially confirm and source all data that will be required for informing the review of the IPTN. The ETA is currently also auditing all existing PT databases, surveys, analysis tools and models so as to inform he development of the PT Demand model. These activities and their outputs will serve as the background data/information to inform him status quo assessment and model development activities of this project.

d) Once the status quo review has been completed, the actual scope of the review can be confirmed and crystallised so as to ensure that the project is undertaken in a meaningful and comprehensive manner, leaving none of the critical aspects unaddressed.

e) After the PT Demand model has been developed and the scope of the IPTN review has been defined, the **Detailed IPTN Review** will be undertaken, which will include the development/preparation of revised Support systems plans and a revised Business

Plan for the overall revised IPTN.

An outline of the activities relating to the tasks described in Figure 3 is reflected in Figure 4.

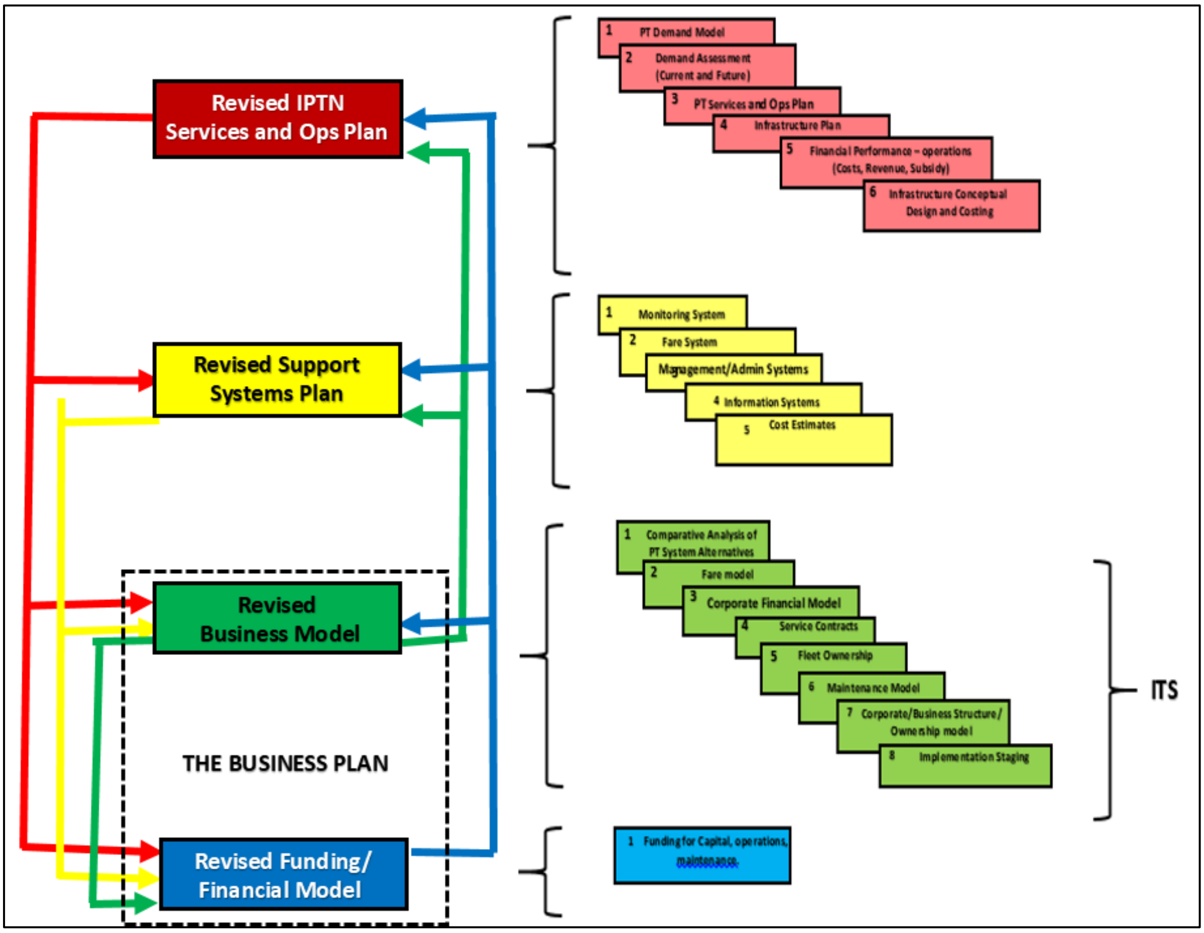

Figure 4: Detailed indicative project flow diagram

Revised IPTN Services and Ops Plan

The Revised IPTN Services and Ops Plan must be based on an updated assessment of PT demand (therefore the need for a PT Demand model to be developed), assigned and interpreted into the requirements for PT services. Appropriate modes of PT will be determined based on the demands (maintaining the philosophy of the right mode for the demand).
Within the context and background of this project, the selection of mode(s) will need to account for the full range of factors related to mode performance, capital and operating costs and impact of the selected mode in terms of benefit and dis-benefit to the riders (current and potential) as well as the community at large.

This plan must also test alternatives to the current ***trunk and feeder concept,*** where alternatives to the centre median Right of Way will be assessed. A revised IPTN system must be proposed after having taken into account the delays, challenges and changes described in Section 3.1. The revised IPTN Services and ops Plan will include a recommended services plan with fleet requirements by mode (type and numbers of vehicles) as well as all elements of infrastructure that comprise the IPTN including priority infrastructure treatment within the corridors, interchanges, stations, depots and any other required infrastructure.

A PT Demand model must also be developed at this stage of the project to ensure that the most reflective demand scenarios are created and used to inform the preparation of the revised IPTN services and Ops Plans.

The recommended revised IPTN Services and Ops Plan must be the optimum cost-effective plan of modes, routes, services and infrastructure taking into consideration possible alternatives for those elements which could affect the overall financial viability of the PT system.

The Business Plan

As shown in Figure 3, **the Business Plan, comprising a business model and a financial/funding model** is the vehicle used to carry out comparative analysis of the public transport system options. The Business Plan must take all categories and sources of cost and revenue into a comparative analysis which identifies the optimum, financially sustainable PT system. The Funding/Financial model is a key component of the Business Plan, as this determines the source and potential for various forms of investment and funding in support of operations and maintenance (if required), as well as the cost of capital to implement the PT system recommendations.

As shown in Figure 3, these key activities or work streams in the overall project are inter-related, requiring iterative analysis to identify the revised optimum recommended IPTN system.

Additionally to the above, this project must also investigate revised business structure options for the bus and taxi industries to operate PT services, in defined areas, as one or more corporate entities. These need to take into account all work that has been done thus far, including the analysis and currently adopted recommendations relating to the restructuring of the PT industry, as well as the restructured 'Durban Transport' bus routes.

Further, the investigation must include the development of a prioritised programme for the phased implementation of the revised recommended strategy, throughout the metropolitan area, over a 20 year period. Other aspects of the investigation that are addressed as part of the business model are described in the technical terms of reference (below).

C 1.3 Structure of the Project Technical Terms of Reference

Section 3.1 provides the background to this project and the contextualisation in respect of all work either completed, or currently in progress. It also gives a broad outline of the requirements for this project, which tenderers must consider together with the Technical Terms of Reference (Section 3.2) in preparing their submissions.

Section 3.2 addresses the minimum requirements and associated deliverables for the key activities of this project.

C 3.2 TECHNICAL TERMS OF REFERENCE

C 3.2.1 Primary Objectives

These are:-

a) In responding to the delays, challenges and changes described in Section 3.1, to develop a **revised IPTN plan and related public transport services** covering the eThekwini Municipal area, which can meet the requirements for public transport over the next 15 years, is affordable, sustainable and can be implemented on a phased basis during that period.

b) In terms of updated demand analysis, to **develop a PT Demand Model** and use this tool to confirm and/or amend current proposals for the location and extent of IPTN services, as well as propose services for areas that may not already be covered as part of the current IPTN system. It must be noted that this activity will required the capturing of existing PT routes and associated information on this model.

c) To **prepare detailed concepts for alternative IPTN network proposals**

d) To **develop a sustainable business plan for the full revised IPTN**, comprising PT system, services and infrastructure, based on comparative analysis of alternative PT systems and treatments of the IPTN corridors, throughout the municipal area. The alternatives to be investigated must consider the cost implications of using different modes in the corridors as well as standards and options for the extent of infrastructure provision. The analysis must take into consideration different levels and methods of funding capital investment in fleet and infrastructure and subsidy support, for meeting the needs to fully implement, manage and operate the IPTN services on a phased basis, throughout the Municipality.

e) To undertake a revised investigation of the need and effect of zero levels of investment and subsidy support for the provision of PT services in the Municipal area.

f) To develop a support systems plan for ITS-based monitoring, security and information systems and administrative systems for the management of operations and the collection and distribution of fare revenue.

g) To develop a cost-effective and service-effective programme for the phased implementation of the revised IPTN system and restructured PT services over a 15 year period, with proposals for an initial phase of one revised IPTN.

h) To carry out new strategic-level investigations on PT service contract formats and arrangements, corporate structures and legal entity alternatives and any other related matter which would form the basis for engaging the public transport industry for the purpose of establishing structures and arrangements for owning, managing and operating PT services in defined area(s) of eThekwini Municipality.

i) To factor in the City's proposed Tactical Adjustment Framework as an amended approach to the City's IPTN.

C 3.2.2 Study Requirements and Deliverables

The following sections, <u>*which should be read within the context of Section 3.1*</u>*.2* <u>*"Contextualisation of the IPTN Review Project",*</u> sets out the basic requirements for the project. Each section includes a brief description of specific deliverables (minimum deliverables) considered necessary to meet the primary objectives of the project.

<u>Tenderers are requested to build their study approach around these minimum requirements, however the framework may be altered to meet the tenderers preferred approach to the project. Whatever framework is adopted, the proposed methodology to achieve the deliverables must be clearly described in the proposal.</u>

C 3.2.2.1 Comprehensive Status quo Review and Scope definition

A comprehensive review of all work done to date must first be undertaken to capture the status quo of the IPTN holistically, the intention of this task being to determine what have been the activities undertaken to date in terms of implementing the IPTN, and what have been the delays and challenges encountered (detailed scrutiny), reasons for such delays and challenges, and changes that were subsequently made in the process of rolling out the IPTN. A fundamental aspect of this task will be the assessment of the validity of, and updating, the assumptions used in the development of the IPTN plans in 2012. The review should also be done in alignment with the recently updated CITP that the ETA has completed.

While ETA's IPTN philosophy and vision has not changed, the delays, challenges and changes described above have affected the various IPTN work streams.

In further elaboration of what Section 3.1 has described with regards to the major delays and challenges that have been experienced, as well as the type of changes that have been encountered (and which has hindered the successful roll-out of the IPTN in the initially anticipated manner), the following aspects are described in further detail:

- **Planning changes**
  These relate to revised and/or new plans relating to feeder and trunk services, new/revised land use plans requiring PT connectivity and thus affecting the PT demand profile for the IPTN system, etc. Major elements of the planning aspect that will need to be revisited includes but is not limited to the following:

  - **Revisit the wall to wall network**
    - Routes
    - Rollout strategy, phasing and timelines.
    - Role of Rail (PRASA)
    - Rollout timelines for the South of Durban corridors, take into consideration the extension of the eThekwini boundaries i.e new wards.
    - Infrastructure
    - Role of technology
    - UA Strategy
    - Green Program
  - **Integrated corridor development**
    - Articulate the Integrated Corridor Development Strategy in consultation with other Key City Units
    - Better articulation of the IPTN as a cornerstone of the BEPP and reporting to National Treasury.
    - Utilise the UKPF TOD study as informant for the IPTN review.
  - **Operations**
    - Investigate new/update existing operational models and align with Business model.
    - Ramping up strategy
    - Modelling of subsidies
    - Funding models
- Design changes: these relate to changes which have had to be made to designs due to either or a combination of spatial accommodation constraints, geometric constraints, etc.

- Implementation changes: these relate to changes which have had to be made during implementation due to either or a combination of site related constraints, practical considerations on site

- Other changes: these relate, but are not limited, to:
    - Position of the existing PT industry in terms of supporting the current IPTN philosophy, noting that there is a stronger inclination to a hybrid IPTN service which includes the use of MBT's versus an IPTN free of MBT's.
    - Associated with the above is the complex and challenging process of negotiations with the PT industry.
    - Consideration of enormous capital cost for implementing the current form of the IPTN, that being trunk corridors in dedicated right of way with an extensive feeder network, let alone the operational cost associated with this form of the IPTN.
    - Linked to the above point, it is taking exceedingly longer periods of time than was initially anticipated to implement the IPTN. This directly impacts on the availability of funding, discourages investor confidence, and creates doubt in the minds of current PT operators and due to the exorbitant costs and drawn out implementation times, the sustainability of the current form of IPTN needs to be re-evaluated
    - EThekwini currently has very severe difficulties with sourcing of data. As an example, this is a fundamental requirement especially when trying to determine compensations for affected operators as part of the current form of IPTN
    - Impact of land use and developments that have taken place since 2010 (eg. DTP/ACSA, Cornubia, social housing, etc.)
    - The advent and exponential attractiveness of technology-based PT solutions and alternatives is a critical element to consider so as to ensure that the IPTN can compete with the market so as to still attract a broad spectrum of customers
    - Impact and/or roll and involvement of other stakeholders and role-players. For instance, the challenges being experienced by PRASA and affecting PRASA's contribution to the implementation of the C2 and other possible rail corridors. The nature of these challenges include but are not limited to:
        - Institutional challenges
        - Rolling stock roll out challenges
        - Delays with modernisation programme
        - Current operational inadequacies
        - Subsequent growth of MBT industry and impact on the C2 corridor
    - Institutional readiness of ETA to manage an IPTN of the currently form and magnitude
    - Revisit status of land use assumptions used in 2012. This activity may require existing frameworks to be revisited.
    - Consideration needs to also be given to what is current best practice in other South African cities, as well as globally
    - The review of the existing plans and implementation must also address the following:
        - Evaluation of what was planned vs. achieved
        - Assessment of challenges that were encountered
        - Critical evaluation of what needs to be modified/changed/refined

- Assessment of what were the assumptions and assessment of what would be the new assumptions
- Consideration of different approaches to take
- Identification of opportunities can be established such as partnerships
- OD assessments were done very narrowly and needs to be expanded and that optioning needs to be considered on public service contracts.
- Preparation of a lessons learnt summary report.

While the above changes/developments have occurred, they have not been documented or meaningfully assessed to determine their actual implications and impact on the IPTN.

Therefore as part of the status quo review, these changes together with the reasons for them and the associated challenges and delays that have been incurred to date need to be investigated and documented. This activity will also aid in the definition of a problem statement for this project, which will then guide the actual scope definition for the undertaking of the review of the IPTN.

To contextualise the status quo and craft a framework for pursuing appropriate alternatives, a comprehensive best practice assessment must be undertaken of contexts and projects similar to this undertaken within South Africa and globally. This assessment must focus *inter alia* on contexts similar to eThekwini, and must pay attention to best planning, designing, procurement, implementation, operation, maintenance, business, ownership and governance practices, processes and structures.

Deliverable/s

a) Compendium of reports for the reporting on the review, investigations, comparative assessments and documentation required as described above. This must include a report that effectively defines a problem statement to guide the review of the IPTN, and must define a scope for undertaking the review.

b) Best practice assessment report.

c) Together with the above, a stakeholder engagement strategy report must be prepared to capture all engagements that the professional team will need to undertake, and must capture and report on critical feedback relating to the status quo of the IPTN.

C3.2.2.2 Demand Analysis – Current and Future

(Refer also to 3.2.2.3)

Existing PT demand must be reviewed and updated in terms of latest available information (PTMIS, CPTR data supplemented and adjusted where possible with results from completed travel demand surveys and counts including, inter alia; the 2008 eThekwini Household Travel Survey, the latest available rail counts, and all available and appropriate traffic counts). Estimates of future PT demand must also be prepared for target years at 5 year intervals, over a 15 year period.

It is a fundamental requirement of this project that a PT demand model is developed to facilitate the demand analysis and forecasting. The service provider is required to outline the methodology to be used to address the ETA's need for a model to be developed that will be used for assessing scenarios such as , but not limited to:

- capturing PT supply
- assessing PT demand – current and future
- testing scenarios relating to PT routes, service types, modes
- assessing impact of phased implementation of the IPTN

As a minimum requirement, the PT Demand model must contain the following overarching scenarios:

- existing PT routes with associated demands, PT infrastructure and comprehensive attribute information
- most current scenario of the current PT system as envisioned by the ETA
- scenarios to reflect the most applicable PT system for every 5 year horizon from 2025 - 2045

These scenarios will provide the basis for performing assessments relating to the current conventional PT services, and for proposing solutions that can be transformed to achieve the ultimate PT end-state.

The service provider must also describe the requirements, if any, for counts or surveys to supplement existing available data, as well as data needed to perform the calibration and validation of the PT demand model.

Future demand forecasts for 5-year target years from 2025 till 2045 must take into consideration the role of rail over the respective forecast years (noting the current disposition and future plans of the various rail authorities as described in Section 3.2.2.1 and Section 3.2.2.3) and must include the consideration of rail capacity, based on the analysis in section 3.2.2.3.

The future demand analysis should account for:-

- Using the PT data and PT demand model to perform PT demand analysis, forecasting, etc:
  - Normal projected growth
  - Major land use changes (assessment based on Client input)
  - Current population projections taking into consideration the impact of the various planning proposals of the City such as the inner city LAP, etc. (assessment based on Client input).
  - Scenario changes in modal split reflecting
    a) trend
    b) Intervention based, considering the impact of an effective, efficient public transport system including upgrades to rail fleet and infrastructure and
    c) Possible response to concomitant conditions or controls reducing the use of private transport.

In the process of developing the PT demand model and performing the demand analysis as has been described, the service provider needs to ensure that the most current policy documents, guidelines, manuals, standards and regulations are consulted and adhered to.

As a quality assurance requirement, a compendium of the prevailing policy documents, guidelines, manuals, standards and regulations (including all such documents adhered to, used or prescribed by the ETA) must be submitted as a deliverable of this project.

Another requirement of this activity is the preparation of clear and detailed standard operating procedures specific to:

- Assessing and relating PT demand and supply along existing and new PT routes and/or corridors and/or within traffic zones, etc.
- Maintaining and updating the PT Demand model

Deliverables:-

a) Within the context of the above, a technical note (TN) is required on the demand analysis approach and PT demand model development methodology, and should include:-

- Evaluation of current available PT demand data including but not limiting to PTMIS, CPTR data supplemented and adjusted where possible with results from completed travel demand surveys and counts including, inter alia; the 2008 eThekwini Household Travel Survey, the latest available rail counts, and all available and appropriate traffic counts. The TN must highlight any major inconsistencies between the various datasets and traffic cou, and must make recommendations on treatment thereof.
- Based on the above, the TN needs to present a model development methodology, which must clearly articulate the process and activities that must be undertaken to develop the PT Demand model.

b) Following from the above:

- If necessary, counts or surveys must be undertaken to supplement existing available data and to inform the PT demand model requirements. A TN must be prepared to capture the details of such surveys, and must present the findings, analysis and major outputs/outcomes that will be derived.
- The PT demand model must be developed and must be calibrated and validated. The model must be handed over to the ETA with all accompanying model development reports including but not limiting to model development technical notes, calibration and validation reports, detailed scenario development reports, user manuals and standard operating procedures for performing the various activities as described under Section 3.2.2.2 as the minimum scenarios for the development, testing and demonstration of the PT Demand model, the two major scenarios described above (current conventional PT and ultimate PT scenario respectively) are required as a deliverable with all accompanying model development background data and scenario development data, workspaces, matrices, databases etc.

c) Within the context of the above, and so as to capture the assumptions and informants of the IPTN review, a technical note (TN) is required to elaborate on the following components of the review, which includes but is not limited to:

- PT: Private modal split (trend and target) and the effect on PT demand figures for defined corridors in the IPTN, at 5 year intervals, over a 15 year period taking into account the strategic land use assessment provided by the Client.
- Expansion factors for peak hour to peak period to daily demand considering the 2008 household travel survey.
- Passenger demand tables with schematic presentations of peak and off-peak passenger volumes for each corridor for different modal splits, and target years.
- Plan showing current peak hour traffic volumes in each corridor in the IPTN, as taken from available counts and an indication of service levels at selected locations along each route where counts are available.

- Location of problematic intersections or road sections in each corridor in the IPTN which could require significant upgrade in the detailed planning phase.

d) The compendium of guideline/procedure documents and associated technical note as described above.

C 3.2.2.3 Updated analysis for role of Rail, Rail Service and System Capacity

The C2 rail corridor serves as the backbone of public transport within EM. However, other lines in the rail system may also be candidates for trunk services in the IPTN.

Unfortunately, the rail authority, PRASA, is currently plagued with numerous inefficiencies institutionally, from an infrastructure perspective, operationally and from an economic and law enforcement perspective. The current thinking from PRASA indicates that while some forward strides can be made in the next 5-10 years (in terms of implementing new rolling stock, new signalisation, etc), it may take up tto 20 years before rail can begin operating efficiently and effectively within EM again.

Based on these considerations an assessment must be made of the role of rail as part of the IPTN, and must include an assessment of current and future potential rail service capacity and service performance characteristics over a 20 year period, and must be determined for 5 year intervals from 2020 rill 2040. These assessments must also consider the need for the extension of the C2 corridor itself to service catchments such as the Umkomaas area.

Service and capacity constraints including TRANSNET operational requirements must be taken into consideration for different lines in the rail network and distinction made between possible and committed upgrades and increase in capacity.

In assessing rail as a trunk service, a feeder to rail assessment must also be conducted to prepare a revised responsive feeder system to the rail corridor.

Deliverable:-

- A technical note (TN) summarising status quo of rail in EM. This must be detailed to demonstrate the various types and details of challenges being experienced by rail, how this has impeded the progress of rail services, and must define a problem statement to which this project will respond. As part of the IPTN review, this problem statement will guide the review of the rail component of the IPTN, which will then lead to confirming the requirements for making rail a viable option of the IPTN system, and will also allow for possible road-based options (refer also Section 3.2.2.8) to be tested as interim alternatives to the rail service until such time that the rail services can be successfully achieved so as to serve as a rail-based IPTN corridor.
- In terms of the testing of the rail, a TN must be prepared which must summarise rail service peak capacity and operating performance by line section, for the rail network for each target year. This must distinguish between capacity related to fleet procurement / upgrades, infrastructure upgrades and rescheduling of freight services during peak operations. Operating performance should be considered in terms of average operating speed for different lines and selected line sections. The TN should distinguish between committed/funded vs. planned/unfunded aspects of plans to increase capacity.
- A TN to report on the alternatives that can be implemented as a detailed revised responsive feeder system to the rail corridor/s. The actual testing of these alternatives must be undertaken as part of the activity pertaining to Section 3.2.2.5 and Section 3.2.2.8.

C3.2.2.4 Zero Subsidy Public Transport Operation

Since the intial planning for the IPTN, it has been understood that subsidy funding from NDOT and KZNDOT could ultimately become non-existant. It is also a reality that funding for transport projects, let alone PT, is progressively becoming a relatively smaller share of funding nationally and provincially. Most IPTN solutions, whether it is the current approach of using a trunk and feeer system or alternatives such as Quality Bus or hybrid systems still do depend on a level of subsidy especially for maintaining the operations of these services.

Therefore the scenario of a non-availability of a subsidy poses a very serious threat to public transport, impacting directly or indirectly on virtually the entire population in the City. Notwithstanding the legal commitment in terms of current contracts, the question of what would be the effect of such an action needs to be addressed. This work stream focuses on this matter in terms of addressing two basic questions:-

1. What, in quantitative terms would be the impact of terminating all current PT contract subsidy payments, considering :-

- Areas of service affected
- Numbers of people affected; overall, by area, by mode, by operator
- Operators affected
- Services affected
- number of vehicles currently used to service the affected routes, by operator

This analysis would probably need to be based on the documented results of the updated demand analysis.

2. In qualitative terms what would be the possible options for replacing the subsidised services and the ramifications of such changes, considering, inter alia:-

- The legal position
- The implications for the different operators affected
- Operators likely to replace the affected services on an unsubsidised basis
- The type and quality of service likely to be provided and the effect on standards of service and on PT users.
- The question of operating licences
- The use/deployment of fleet no longer used if subsidised services were to be discontinued, particularly if the fleet is in ownership of the Municipality
- “other”

Deliverable:

A technical note is required which sets out in detail the answers to the above questions and any related matters. This must include specific conclusions and recommendations on a strategic course of action that would be required, in the event of a discontinuation of subsidy support.

C3.2.2.5 Development and Costing of a revised IPTN and Public Transport System Restructuring Alternatives

The revised IPTN Services and Operations Plan for the eThekwini municipal area should be based on comparative analysis of PT system and service plans and infrastructure concept plans to ensure the most effective revised service concept is adopted in each existing corridor of the IPTN and/or on any new corridors that might be proposed emanating from the review.

This section addresses the requirements for undertaking the review with the intention of developing and costing alternatives to be considered in the comparative analysis, taking into consideration the work that has already been done to date.

The review and revised analysis should cover each corridor of the IPTN within the context of the system as a whole, taking into consideration current and future demand and modal splits. Where services have already been defined and adopted, investigations should be confined to consideration of optimisation of operations of these services and corridors, and the possible future introduction of LRT, if conditions warrant. For corridors which have not yet been developed beyond concept in the wall to wall plan, alternatives should be considered in terms of right of way typologies for trunk services, addressing possible operational typologies and associated modes, integration of revised alternatives with services, infrastructure and operations that have already been implemented for exiting IPTN services and corridors. The review must also identify the need for additional IPTN corridors and must address the requirements for these corridors in terms of demand, trunk right of way typologies, service and infrastructure requirements, etc.

Integral to this task is the assessment of land use opportunities to support the envisaged alternative alignments of the revised IPTN. The Service Provider is required to undertake a land-use study to determine the status quo and future opportunities to develop an adaptable/flexible model to densify along the respective corridors to support an integrated corridor development model associated with the IPTN.

In terms of rail, the review must test scenarios and timelines at which alternatives such as light rail (LRT) and/or heavy rail (HRT) could be practical alternatives for trunk services, taking into consideration the challenges currently being faced by the rail authorities, possible take-over of rail by the ETA, and the practical requirements associated with each of the respective scenarios that can be tested.

In terms of infrastructure be it for road-based or rail-based forms of the IPTN, the need and type of infrastructures influenced by Public transport demand, road cross-section, road reserve and local traffic conditions. Locations which may not initially require infrastructure treatment (e.g. priority infrastructure such as median priority treatment) in terms of existing demand and conditions may require such treatment in future. Consequently, levels of anticipated future demand related to different modal splits and target years should be considered in determining the short term and possible long term requirements for priority infrastructure. With particular respect to rail, in the event of LRT being selected as an alternative, this mode will require priority treatment from the outset. Such analysis should provide essential input to the content and timing of the implementation programme.

Fundamental to the review process is the investigation, definition and endorsement of demand and performance criteria to inform the preparation of a revised relevant, efficient, affordable, achievable and practical IPTN system.

Capital expenditure for infrastructure and fleet is a cost that affects the financial viability and sustainability of any public transport system option as well as the extent of the public transport network that is affordable at any point in time. For this reason different standards of infrastructure should be reviewed and considered in the financial analysis and therefore options for the revised treatment of infrastructure should be developed as part of this work stream.

For each alternative considered for a corridor, the following information must be developed for input to comparative analysis in section 3.2.2.7:

- Definition of a revised system and service plan, with fleet requirements by mode type for current levels of demand and future target years

- Fleet capital and operating costs by corridor
- Service maintenance costs
- Strategic level concept plans and cost estimates for priority infrastructure and interchanges required in each corridor, for current levels of demand and for future target years. Concept cost estimates must include all aspects affecting total cost of each project.
- Note: Once detailed cost estimates are available from the preliminary design in Section 3.2.2.8, these figures can be adjusted for the system overall.
- Alternative treatment and standards of infrastructure, for the above, based on capital cost considerations
- Definition and cost of ancillary systems required for priority treatment of the trunk routes (eg. Pre-emptive traffic signal control)
- The additional cost of providing universal accessibility which allows mobility impaired PT users to access any part of the PT system and service in a particular corridor.
- Concept plans and costs for depot(s) and service facilities required to support the overall operation
- Anticipated fare revenue at current fare levels
- Journey travel times for each alternative in terms of wait and in-vehicle times

Note:

1. Plans for priority infrastructure should be prepared on an aerial photographic base in sufficient detail and at a scale which allows feasibility of priority treatment proposals to be established taking into consideration existing road reserves, road geometry, and en-route intersection layouts, current levels of traffic demand, and adjacent property development. The plans should provide adequate information on layout and treatment of concept to prepare indicative cost estimates taking into consideration recent tender prices on similar projects throughout the country. Cost estimates should include all aspects affecting total cost of each project. A similar approach should be applied in developing and costing plans for trunk - feeder transfer interchange layouts, if and where necessary.

2. Fleet analysis must show the additional cost for fleet meeting conditions of universal accessibility for fleet operating along the trunk sections of the corridors and for feeder services to the trunk services.

The PT system and service cost analysis needs to take into consideration where applicable:-

- PT priority routes along the N3 (Western Freeway red carpet lanes) and the M4 southern freeway red carpet lanes.

- Existing PT routes/services which would be discontinued or modified as a result of introducing the revised IPTN system. These would include services in direct competition with the rail service.

The cost estimates for the supply and operation of PT services in each corridor and for the other parts that make up the entire IPTN system for the municipal area, must account for all input costs. This should include identification and costing of support and maintenance services. Estimates of operating costs to service existing demand must also be factored up to determine the costs for future target years related to demand and modal splits so these can be input to the cost model for comparative analysis.

A model must be developed (and/or any existing such models must be investigated, reviewed and revised) for analysing different aspects of PT system costs and revenue, and for producing reports for peak service, expanded off-peak service and extended hours of service. This model will be required in this section as well as for Comparative Analysis in section 3.2.2.7. It must therefore be possible to use the model to analyse different system alternatives in terms of at least the following-

- A single corridor or combination of corridors.
- Different time periods including peak, off-peak and annual.
- Different service level interventions which impact on costs, capital investment strategies, or fare structure changes
- Different forms of capital funding

The model must also be structured to interface with the evaluation matrix described in Section 3.2.2.7.

During this part of the review, criteria must be developed (refer also Section 3.2.2.7 regarding Phase 2 of the IPTN in its revised form) to prioritise the corridors that will form Phase 2 of the IPTN. The further requirements relating to this Phase 2 of IPTN are provided in section 3.2.2.7 and section 3.2.2.8.

Deliverables:

Deliverables must account for all aspects of the above and should include appropriate documentation in the form of one or more technical notes supported by plans and schedules, for the following:-

a) A final, substantiated recommendation for the configuration of the revised IPTN, including a plan for the entire network supported by schedules for each corridor and/or corridor segment (if and where applicable) showing:-
   - Corridor location
   - Length
   - Existing road cross-section and road reserve at selected key locations
   - Corridor PT demands
   - Peak hour classified or classified occupancy count information where available from existing counts
   - Indicative locations of congestion, and
   - apparent reasons for obstacles or constraints restricting capacity and free traffic flow by location
   - Taking into consideration land use input and demand analysis from section 3.2.2.2, this deliverable must also indicate where future corridor extensions will likely be required to meet a revised 20 year horizon demand.

b) Documentation of agreed criteria for mode selection for trunk and feeder services, related to demand, service frequency and performance criteria.

c) Documentation of demand and service related criteria for introducing different forms of PT priority infrastructure

d) Service descriptions of feeder and trunk services for existing and future demand, for alternative system/service options, if appropriate, in each corridor covering inter alia:

e) Corresponding to the service descriptions in d) above, a plan for the revised IPTN showing location of trunk routes, feeder routes with peak hour passenger volumes and PT vehicle trips at key locations along each route. Plans must also show interchange locations and sections where priority treatment is recommended. The plan must be cross-referenced to a set of plans on aerial photo bases, for the following:-

- Concept plans for alternative standards and treatment of PT priority infrastructure, as appropriate in each corridor.
- The location, size and access arrangements for the depot(s).

f) Related to the above, operating costs and revenue figures (peak, off-peak and annual) by corridor and service, for each system and service plan, for current and future years with different modal splits.

g) All inclusive cost estimates for new fleet taking into consideration fleet age profile analysis (Section 3.2.2.7)

h) Provisional maintenance costs and the basis thereof.

i) Schedules of affected, existing PT services, and extent of service provision for:-

- services to be changed or discontinued as part of any service proposal differentiating between subsidised and unsubsidised services, mode and operator or association
- Subsidy savings on any discontinued or altered service
- These schedules must identify by corridor, all contracted bus services affected as well as services of other affected public transport operators and associations and provide route statistics for all affected routes in terms of cost of operations, fare revenue and subsidy, where applicable.

j) Separate cost estimate for providing 'universal accessibility' as described above (for fleet and fixed infrastructure)

k) A cost model populated with the above information

l) Land use plan to support the revised IPTN plan

m) Summaries by corridor, for each alternative related to the existing and future demand conditions:-

- Size and fleet by type of PT vehicle and capital costs
- Peak period and annual passengers, passenger-km and vehicle-km for feeder services, trunk services and direct/complimentary services.
- Operating costs, revenue and subsidy by PT mode for peak, off-peak and annual
- Schedule of infrastructure projects and costs
- Additional costs for "universal accessibility"
- Maintenance costs

C 3.2.2.6 Support Systems Plan

For the revised IPTN system under contract to operate effectively, there is need for ITS-based monitoring, security and information systems and administrative systems for the management of operations and the collection and distribution of fare revenue.

The functionality of the system should, in general terms, cover:-

- Electronic fare payment/fare verification and data collection related to boarding activity at any defined location
- Vehicle tracking and monitoring of operations, in relation to gross price service contracts, for monitoring conformity to requirements of contracts and payment for service provided.
- CCTV surveillance on-board and at defined ranks and loading points for passenger security
- Real time operating information for daily management of the system and services
- Recording and reporting of operating performance and financial statistics for on-going planning, upgrading and management of the system and services, as well as KPI's, as defined in the Business Plan work stream
- Real time service information as well as general enquiries for passengers using the PT services

The ITS and its various components must be based on an integrated concept plan, which addresses critical success factors highlighted in and ITS performance specification, to be developed by the service provider.

Information from the business planning work stream will also, in part, define the type and structure of information reporting which the ITS must provide for.

Apart from a technical solution, administration and management arrangements must also be considered in the Concept Plan which must investigate and report on; inter alia, possible franchise options for the management of the ITS, including banking arrangements for fare collection, and distribution of fare revenue.

To the fullest extent possible the system concept should be developed on a modular basis for phased implementation considering critical success factors and the possible constraint of funding limitations.

The planning must take into account current ITS initiatives and projects in progress or completed by the City

The Concept Plan should include a recommended implementation programme, with preliminary cost estimates, linked to the phased implementation of the PT system. These costs must also be built into the business planning model.

Deliverables:

Deliverables must account for all of the above and should comprise a technical note addressing:-

a) A Performance Specification defining what the ITS system will achieve and critical success factors against which system performance can be evaluated.

b) An Integrated system concept plan describing what the system will comprise and how the system concept will meet the above agreed performance specification.

This plan must detail:-

- The components and configuration of the overall system and the sub-systems
- How each will be integrated

- What will be the functionality of each taking into consideration the requirements set out above
- Input requirements for each component of the system to function and outputs from each in terms of the overall functionality of the system, as described above
- The communications structure and protocol and where and in what way will the physical elements of the system be located.

c) A staffing organogram for the Operations Centre controlling the ITS system.

d) Structure and broad content of a maintenance plan for the system hardware and software.

e) Possible contract arrangements for the various outsourced services associated with any of the above functions.

f) Preliminary cost estimates for all aspects of the above.

g) Implementation phasing options with costs

C 3.2.2.7 Business Planning and development of revised operating model, business model and funding model

The primary purpose of the business planning work stream is to carry out comparative analysis of the public transport system service and infrastructure alternatives from both service performance and financial perspectives and from this, develop recommendations for phased implementation of an effective, affordable and sustainable public transport system. Figure 4 sets out the context within which this analysis process could be performed:

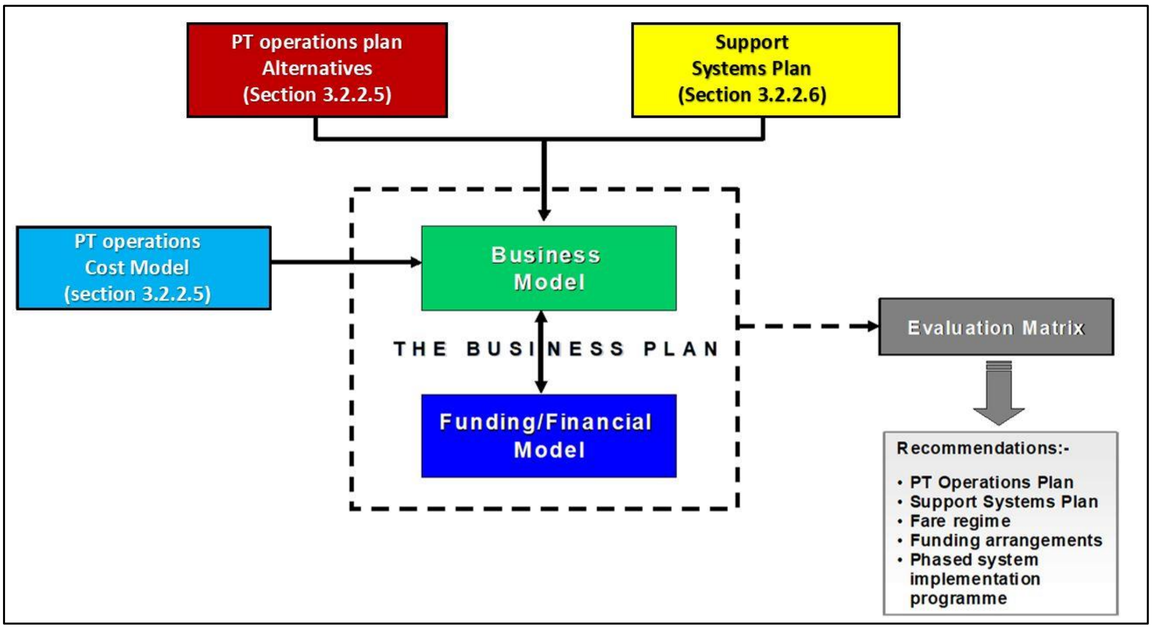

Figure 4: Public Transport System Financial & Performance Analysis Process

Inputs needed from analysis carried out in other work streams should include:-

- Details of the revised alternatives for the public transport systems of routes, services and infrastructure (Section 3.2.2.5)
- Capital cost analysis (infrastructure and fleet) and operations cost analysis (Section 3.2.2.5)

- PT support systems and service contract requirements and cost analysis (Section 3.2.2.6)
- PT service fare revenue analysis related to different fare structures and levels (see below)
- Funding and financing options (see below)

The financial side of the analysis which is output from the business model should be performed within the structure of the PT Operations Cost Model developed in Section 3.2.2.5.

An evaluation matrix, described below, should be interfaced with the Operations Cost Model and used in the analytical process for an objective, assessment of the PT system alternatives, from both financial and performance perspectives.

Fare revenue analysis

The business model must include some form of passenger fare modelling which incorporates sensitivity analysis for different fare structures affecting ridership and related fare revenue, as this affects user affordability and possible subsidy requirements. The fare modelling must be structured as an inter-active part of the PT Operations Cost model which will assist the public authority in establishing policy in respect of fare levels.

Funding and Financing options

To the fullest extent possible the recommended revised PT system should be designed to operate with the minimum level of operating subsidy. The ability to achieve this will depend largely on the extent of capital investment required for both fleet and infrastructure and how this will be funded or financed.

For this reason, the capital funding requirements and financing options also need to be incorporated into the business plan.

Where required, options need to be identified and analysed in respect of the following:-

- PT Infrastructure funding
- Any operational funding deficit
- Vehicle financing
- Support systems funding
- Infrastructure maintenance funding

Options exist for financing fleet and infrastructure and these must be investigated as they impact on the viability of the business plan. This work stream must investigate and report on realistic funding and financing options through both government and private institutions and organisations.

Requirements for fleet financing must be based on an analysis of the fleet age profile. (Refer also to Section 3.2.2.5 - Deliverable g)

The cost of maintenance activities should be determined in Section 3.2.2.5 and accounted for in this analysis.

The financial modelling should run in parallel with the PT operations planning since

Available funding for finance and the form in which it is made available could influence system affordability and consequently the final configuration of an affordable, sustainable PT system plan.

In subsequent phases of this project **the Business Plan** could form the basis for engaging funding authorities, financial institutions and organisations for sourcing funding and finance, as well as vehicle manufacturers and suppliers for negotiating rebates on bulk consumables such as fuel, tyres etc. In particular this will apply to Phase 2 (refer section 3.2.2.5) of the implementation programme. Therefore the business plan prepared for Phase 2 will have to be prepared in sufficient detail for a stand-alone plan.

Financial and Service KPI's

The purpose of these is to provide accessible, benchmarked performance and financial monitoring information through a management reporting system within the ITS. This will ensure the responsible public authorities and financial and funding institutions have the information needed to monitor performance and protect their investment. This is also essential for owners and management to ensure maintenance of adequate standards of performance.

The Evaluation Matrix

Referred to above be required to assist with the comparative analysis in the business planning, the adoption of a recommended revised system of routes and services for the public transport system across the Municipality and the definition of a prioritised implementation plan for the IPTN. As part of this evaluation tool, criteria should be developed to assist in prioritising corridors and selecting Phase 2 (refer also Section 3.2.2.5).

This tool will assist the project team and Client to evaluate the operating and financial aspects of the alternative PT systems and services in each corridor. The basis for the evaluation process should account for both financial and non-financial performance aspects of alternatives. Non-financial considerations should include but not be limited to parameters which reflect the extent of benefit or dis-benefit to PT users, current and potential, the opportunities for current operator participation in terms of the whole value chain related to the PT system restructuring, as well as factors affecting the complexity or difficultly of implementing proposals (eg. number of PT Services which have to be terminated or truncated as a result of the restructuring proposals).

Public Transport Business Structure / Legal Entity

All services operating as part of the restructured public transport system using the IPTN will be under contract. Ultimately, the most appropriate corporate/business structure and ownership model must be acceptable to operators, the ETA/Council, provincial and national authorities, financiers, labour and possible other key stakeholders.

Extensive investigations have already been carried out in this regard. These investigations need to be revisited and reviewed during this project so as to gauge what has already been implemented for both road and rail-based modes, be it for subsidised or non-subsidised services.

The service provider must review the adopted structures and arrangements to date to consider their appropriateness for other parts of the system of routes and services in the

IPTN, both now and into the future. The investigation also needs to consider differences which could exist where structures and arrangements need to incorporate the management and operation of rail-based services as part of the system of routes and services in the IPTN.

In arriving at the recommended business structure(s) and arrangements for management and operation of the various PT services within the IPTN, the analysis should include consideration of the benefits and dis-benefits of the adopted corporate structures and arrangements for service contracts in other major South African metros such as Nelson Mandela Bay Municipality, Cape Town and Johannesburg.

In evaluating and reporting on the most appropriate arrangements for the different categories of service the investigation should consider inter alia:-

- Legislation and legal aspects
- Ownership/shareholding and equity
- Ownership options and funding of fixed and movable assets
- Roles and responsibilities
- Administrative and Management structures
- Administrative and management systems and reporting requirements
- Costs to establish and run
- Financial viability and sustainability
- Tax implications

Sustainability

In preparing the Business Plan and all other associated models and elements of the Business Plan, detailed attention need as to be given to ensuring that the revised IPTN system is sustainable in every respect. This will require that sustainability indices must be developed, and that the funding models must respond to parameters relating to sustainability so as to ensure that both the technical aspects and economic aspects are aligned to sustainability.

PT Service Contracts

This investigation should develop proforma requirements and arrangements for PT service contracts as these relate to the above.

The Implementation Programme

It is required that a prioritised implementation programme be developed in close consultation with the Client for the recommended revised IPTN and related PT systems and services. The content of this programme should be informed by the analysis of service and financial performance of the various components of the public transport system across the municipal area.

The programme must prioritise implementation of each corridor in the IPTN, defining a cash flow for each key aspect of the programme. This work stream should also identify a provisional Phase 2 programme of projects and action plans.

Phase 2 of the IPTN implementation programme must be developed in greater detail than the overall revised strategic plan, and should also be prepared as a stand-alone programme. It must cover components of the physical system, the PT contracts, support systems and service contracts and action plans required to deliver the recommended Phase 2. It must identify milestones, dates of key deliverables, system and service commissioning dates and all key decision points in achieving the programme.

Once a Phase 2 has been agreed with the Client, the infrastructure projects within that phase will be developed and costed at preliminary design level of detail (Section 3.2.2.8)

In addition, the system of public transport routes and services which comprise the second phase of the IPTN implementation programme must also be developed fully to the level of detail of timetabling, together with all background and support information required to enter into contracts on these services.

Deliverables:

Deliverables in the form of technical notes, plans and schedules must account for all of the above and should include inter alia:-

a) The comparative analysis of PT systems, services and infrastructure, in terms of:-

- Description of alternatives tested and the related performance and financial characteristics, as described above
- Description of the comparative analysis methodology related to financial and non-financial considerations using a PT Operations Cost Model and some form of an Evaluation Matrix, with results there from

b) Service performance and financial KPI's identified in this work stream describing how each can be applied by key stakeholders in evaluating monitoring related aspects of service and financial performance.

c) Fare options and sensitivity analysis used in the business model and recommendations there from.

d) Criteria used for prioritising corridors and defining Phase 2 and a programme for implementation for the entire system, with emphasis on Phase 2, in terms of systems of routes, services and modes, fleet requirements, infrastructure requirements, support systems, service contracts, action plans and processes, with costs for implementation. This technical note must include an explanation of how each corridor, when implemented will together with previously implemented sections form an integrated system.

e) Following from the initial and current IPTN, an updated Inventory of operators and PT fleet age profile analysis.

f) Schedule of existing PT routes and services which must be altered or terminated as part of the Phase 2 system proposals, with associated subsidy savings.

g) Comparative analysis of Corporate and Business Structure/ Legal Entity alternatives, applicable to the various components of the PT system and services in the IPTN. Agreement thereon with the Client and appropriate material for discussions with the public transport industry in preparation for implementation of Phase 2.

h) Proforma contracts:-
   - PT service
   - Support service
   - Maintenance

i) Documentation of the process for accessing carbon credits including a methodology statement, outputs, resource requirements and indicative cost of carrying out such an investigation.

C 3.2.2.8 Consultation and Communication Processes

Consultations with selected stakeholders will be required to secure support for the overall concept of the revised IPTN proposals and implementation programme as well as the specifics of Phase 2. The consultation process will also need to secure a commitment to support the ongoing process needed to progress the implementation of Phase 2. This can best be achieved by ensuring the public transport industry has a level of awareness of the process and key findings of the investigations emerging from the process, from the outset of the project. With this in mind a sub-committee of the project steering committee should be set up with selected representatives from the public transport industry. The intent would be to keep this committee informed on key aspects of the outcomes of the planning process related to the preparation of the PT Operations Plan. On completion of the planning process, presentations could be made to a broadened representation of the industry and eventually, following Council adoption of preliminary recommendations, the full plan could be presented in workshops to a broad forum of stakeholders

The requirements for this work stream are to conduct the required communication and consultation programmes needed to secure support and commitment to the strategic planning recommendations and a commitment to participate in further detailed discussions in the next phase of this project on matters related to public transport industry participation and structuring of business and legal entities for ownership, management and operation of PT services..

Deliverables:-

a) Preparation for and presentations to an Operations Planning Sub-committee meeting, on average, every second month
b) Documentation of all formal and informal consultations.
c) Preparation of three press releases during the course of the project

C 3.2.2.9 Client Participation on Project Team

It is required that the service provider incorporates nominated, senior members of the eThekwini Transport Authority's (ETA) staff into their project team. It is intended that these individuals will be available to the project team, on a continuing basis, for 36 hours a week throughout the course of the project and will spend those hours in the consultant's office.

It is a requirement of the consultant's work programme that specific tasks and activities are identified which the ETA representatives can participate in, under the guidance and management of a senior member of the consultant's project team.

It is not intended that the selected individuals will take on any management responsibility; however, the ETA staff members should participate in such a way as to ensure they have, by the completion of the project, acquired a good understanding of the overall process and those specific tasks to which they have been assigned.

The ETA's nominated individuals will be identified along with their work experience profile at the compulsory briefing session. This information will assist the tenderers in defining an appropriate role for the ETA staff members and pricing their cost to cover the mentoring and management of these persons.

Note: Tenderers should price their proposals as if the ETA representatives were not involved in the project. The Client may choose to reduce or discontinue their representatives' participation at any time during the project.

Deliverables:-

A programme showing which tasks the ETA staff members will participate in and how they will be mentored and managed in the execution of those tasks.

C 3.2.2.10 Project Management

This must cover all tasks and activities associated with the management of this project including provision for presentations, meetings and workshops.

Deliverables:-

a) Monthly progress reports addressing progress on technical work streams, communication and consultation processes, and expenditure against budgets in work streams defined in Consultant's Work Programme.
b) Presentations on technical investigations and related processes at three provisional

key decision points/ milestone meetings identified in tenderers Work Programme. (Hard copy to be made available to Client, a minimum of 5 working days before presentations/discussions).

c) Final PowerPoint preparation and presentations to the Steering Committee and a Council meeting.

C 3.2.2.12 Project Reports

A Summary Report must be prepared, accompanied by a compendium of the technical notes developed during the project along with any supporting material from the various work streams. The summary must be a standalone report which could be distributed with or without the compendium.

An Executive Summary report of 10-15 pages must also be prepared which can be read and understood by the various stakeholders and could form the basis of a paper for the annual SATC**.**

C 3.2.2.13 Support to the Go! Durban Planning Workstream

This tender is also provide support to the Go! Durban Planning workstream for the following areas over the 36 month contract period for work emanating out of the IPTN review and demand model process:

a. PROJECT MANAGEMENT

Project management and administration functions to support the Go! Durban Planning Workstream includes and not limited to the following tasks for the duration of this contract:

- Preparation and updating of the Go! Durban Project Plan.
- Attendance and input at Project Progress Meetings
- Attendance and input for Project Board Meetings
- Ad-Hoc project meetings from time to time related to the overall Planning workstream
- Responding to general project related queries by the PMO and other eTA officials.
- Preparation and maintaining of all project budgets on a monthly, quarterly, and yearly basis for the planning workstream.
- Preparation of Technical Notes dealing with General Project Management.
- Preparation of and maintaining the project financial management spreadsheet.

b. SYSTEMS PLANNING

To the extent necessary and working with any other Service Provider/s appointed by the city to perform the review, refinement and updating of the IPTN wall to wall network plan which consists of trunks corridors, feeder routes, complimentary routes and station stop locations as well as other PT system design and infrastructure.

The network review and refinement exercise include but is not limited to:

- Once a year, input is required for the budget application based on any updates, revision, etc. of the systems plan. The team will be required to update the Systems Planning chapter with updates of projects, corridor demands, mode choice and budgets.
- This includes identifying and assessing PT route network and corridor developments based on PT demands.
- The planning, design, management and implementation of project streams and work processes required to ensure delivery on the technical and engineering aspects of the IPTN as per operational plan and related, legal, quality and technical standards and requirements.
- The timely delivery of the IPTN technical outputs.
- The continuous refinement of the Operational plan of phase 1 and other phases of the IPTN.
- The development of operational plans for further phases of the IPTN.
- Provide information for minor rezoning and land acquisition applications.
- Provision of Transport and PT modelling services at a macro, meso and microscopic level
- The design of public transport surveys required for the planning or implementation of its IPTN network and for other public transport plans and PT infrastructure designs.
- Coordination of delivery on the technical aspects of the project with work processes and deliverables being managed by other team members and appointed service providers.
- Ensuring the availability of the planning capabilities within the unit to properly provide the service as detailed in the IPTN network plan and Phase 1 and other phases of the operational plan with special attention to macroscopic and mesoscopic planning (route network, service hours, fleet sizing and renewal, etc.) and the production/definition of service timetables.
- Provision of GIS and CAD services.
- Planning and development of plans for e-hailing, metered taxis, supply and demand of PT services, learner transport, zero subsidy strategies, parking reductions based on PT usage, PT person trip generation studies, etc.
- Detailed conceptual designs of the IPTN system inclusive of route network, corridor development, demand survey and modelling, sizing of key infrastructure components (stops/stations, intermediate transfers, intermediate parking facilities, terminals, depots, control centre, park and ride facilities)
- Infrastructure design characteristics
- PT economic evaluations and social impact studies
- User preference surveys
- Assist in-house staff with technical designs, planning and other PT related planning functions like simulation models, collection of data, development of PT plans, etc.
- Land use planning to support PT systems inclusive of precinct designs around PT stations, stops, terminals, etc.

c. BUSINESS PLANNING

The Public Transport Grant requires that the Grant recipients submit, with their budget application, a Business Plan and Operations plan approved by Council. To the extent necessary, and working with any other Service Provider/s appointed by the city, technical support is required as follows:

- Provision of technical input, review, adjustments and/or updates to the existing plans developed for all Phase 1 and future phased corridors.
- Facilitate the development and execution of a business plan and implementation framework for the IPTN.
- The design and implementation of business structures required to regulate manage and operate public transport systems inherent to IPTN and other PT systems
- The preparation of tender processes and/or negotiated contracts in accordance with which operators will be assigned to public transport routes pertaining to the IPTN.
- The management and oversight of contracts for goods and services provided by private suppliers.
- The application and where necessary, adjustment of fare policies in terms of the business model.
- The timely procurement of fare collection, fare verification, intelligent transport and security systems and equipment, as well as any other equipment and systems required to facilitate the functioning of the IPTN.
- Assume responsibility for all consultations, negotiations and agreements required to establish an inclusive governance arrangement and operations structure for the IPTN
- To create contract management eThekwini Municipality internal to the IPTN project team in a manner that provides the required level of continuity between IPTN and subsequent phases of IPTN roll-out.
- Providing all relevant professional governance and institutional support needed in the process of formalizing the Municipal Entity, as required by the Employer.
- Providing professional advice regarding the organogram of the Municipal Entity, along with position descriptions for the required staff.
- Providing appropriate legal advice regarding the implementation of the proposed institutional structure.
- To create contract management eThekwini Municipality internal to the IPTN project team in a manner that provides the required level of continuity between IPTN and subsequent phases of IPTN roll-out.
- To provide the IPTN Project Leader with regular progress reports and any standard reports that may be required.
- Reassessment of how revenues flow from the customer and other sources of revenue to each of the key parties (e.g., vehicle operators, automated fare collection contractor, control center contractor, Municipal Entity, GO! Durban, Moja Cruise, People Mover, etc.), considering the relevant current legal framework. Provision of the precise calculations

required for determining the revenue shares of each sector. Recommending changes to the current model (if required).

- The flow, control, and disbursement of revenues to the relevant parties underpins the credibility and effectiveness of the business model. The development of a robust, transparent process will give each party the appropriate level of confidence to participate in the initiative.
- Provide a critical reassessment of funding provided for the project to date.
- Development of new financing options. This could include eThekwini Municipality -wide parking levy and property value capture along corridors, fuel levy
- Calculation of likely revenues to be generated from the different options inclusive of a PT transport development levy
- Engaging with over spheres of government, and with other Municipalities and appropriate bodies, regarding past and future funding, as directed by the Employer. This could include system infrastructure financing, operator vehicle financing, operational maintenance financing and financing of other relevant.

d. <u>FINANCIAL PLANNING</u>

The financial modelling technical support refers to the technical support relating to project financing, assessment of financial implications of all activities linked to infrastructure rollout and public transport infrastructure and operations, technical input into moderation exercise to ensure financial sustainability of the program. This would require expertise and a track record in the planning and implementation of the IPTN public transport operations. This would entail:

- Development, review and assessment of the Phase 1 and future phases of the operations plan financial model
- Technical opinions and advice to the ETA on IPTN financial models.
- Provide services and reports in respect of addressing value for money and affordability for the ETA
- Review and analysis of any financial proposal from the public transport operations technical teams.

C3.3 BASIS OF APPOINTMENT / REQUIREMENTS

The professional services shall satisfy the stated objectives of the Employer in relation to the provision of professional services associated with the project within the project budget, using the agreed design concept, and planning and design framework as a point of departure.

The Service Provider shall, as a minimum, in order to satisfy these objectives, provide the following services:

Architectural Services in accordance with the provisions for standard services set out by the South African Council for the Architectural Profession – *Professional Fees Guideline issued in Terms of Section 34(2) of the Architectural Profession Act No.44 of 2000* as applicable from 01 January 2012.

i) The Engineering council of South Africa – *Guideline Scope of Services and Tariff of fees for Persons Registered in terms of the Engineering Profession Act No.46 of 2000* as applicable from 01 January 2012.

ii) Quantity Surveying services as set out in the *Tariff of Professional Fees, effective 1 January 2005*, issued in terms of the Quantity Surveying Profession Act, 2000.Construction Management, Project Administration, Project Management and

iii) Project Monitoring services as set out in the *Guideline Scope of Services and Tariff of Fees for Persons Registered in terms of the Project and Construction Management Professions Act, 2000*, effective 1 February 2005, issued in terms of Project and Construction Management Profession Act, 2000 (Act No. 48 of 2000)

iv) Fees as stipulated above needs to be considered for all services as indicated in the scopes of work (section C3.5).

C3.3.1 Planning and Programming

The Employers broad overall programme for the roll-out of the City's IPTN programme should inform the preparation of a specific programme covering the scope of works under this appointment.

Planning, Conceptual Design 36 Months from date of Consultant appointment.

The programme shall indicate particulars of phased completion, programme constraints, milestone dates for completion, critical path activities and their dependencies. Any activities required to be carried out by the employer or by others are to be included in the programme.

The Service Provider shall each week provide the Employer with a schedule of meetings planned and decisions required for the forthcoming 4-week period.

C3.2.2 Quality Management System

The Service Provider shall undertake quality control in accordance with accepted best practices, and shall provide written procedures for the processes to be followed. The quality management system and quality policy statements shall be as agreed with the project team and the Employer.

C3.3.3 Details to Be Provided With Service Provider Invoices

The Employer shall set out the information that he/she will require from the Service Provider with each invoice to enable the invoice to be checked for correctness. **Payment is based on deliverables**. All disbursement related items must be attached to an invoice in-order for payment. The service provider is to stipulate in his/her proposal the deliverables for this project together with their respective costing.

C3.3.4 Software Applications

The Service Provider shall provide information in a form that is compatible with the Microsoft suite of software, including, inter alia, Microsoft Word, Excel, PowerPoint and Project. The design, CAD and GIS software shall be to the Service Provider's preference but must be compatible with ETA's programs. The Traffic Modelling Software shall be to the Clients preference. The models must have no copyright restrictions and must conform to ETA's **Manual for Micro simulation Modelling**, January 2013 and national and international bench marks.

C3.3.5 Format of Communications

Communication may be via e-mail or hardcopy. Documents requiring formal approval by the Employer (including but not limited to Design Approvals, Tender Evaluations and Changes to the Contract) shall be printed in hard copy for signature by the relevant parties.

The Service Provider shall retain copies of all correspondence throughout the period of the liability of the Service Provider and its members to the Employer.

C3.3.6 Management / Progress / Technical Meetings

Management meetings shall be held as required by the Employer, but generally on a monthly basis, to be attended by Head: ETA or nominee. The Service Provider shall be responsible for scheduling technical and working group meetings as necessary. The Service Provider shall inform ETA's project manager of such meetings.

The Service Provider shall document all meeting through meeting notes (minutes) and action item lists, which shall be distributed to the team within three calendar days of the meeting.

C3.3.7 Applicable National and International Standards

All work shall as a minimum be undertaken in line with the appropriate SANS standards. Use of standards other than SANS (where appropriate SANS standards exist) shall be subject to the prior approval of the Employer.

All contract documentation shall comply with the Construction Industry Development Board's Standard for Uniformity in Construction Procurement.

C3.3.8 Proof of Compliance with the Law

The Service Provider shall provide, on request by the Employer, proof that he/she is in compliance with any current legislation and subsequent amendments that may apply to any aspect of the work being undertaken.

C3.3.9 Skills Development

The Service Provider shall ensure that all candidate that participate in the Skills Development Programme/s, submit their application for Professional Registration. The Service Provider must provide their commitment and undertaking as required by ECSA.

All costs associated with the skills development program/s (eg. supervision, mentorship, risks, Professional Indemnity) shall be deemed to be included in the Service Providers Pricing.)

C3.3.10 Candidate Development Program

Graduate Engineers / Technologists / Technicians, currently in the employ of the EThekwini Municipality will be seconded to the successful Service Provider to enable the candidates to obtain the requisite exposure in accordance with the Engineering Council of South Africa, Engineering Professional Development Process. The Service Provider shall be required to provide the necessary exposure, on the project or via placement on another project undertaken by the Service Provider or placement with a consultant other than those involved on the project. The Service Provider shall be responsible to manage the candidates' progression, irrespective of the area of placement.

The Service Provider shall be required to assess each candidate's current progression and provide the relevant exposure in accordance with ECSA's Competency Development Standards. These graduates will be rotated as part of the Employer's undertaking with the Engineering Council of South Africa (ECSA).
The Service Provider will be required to develop a one (1) candidate during any period within the contract duration.

C3.3.11 Planning support and up skilling of ETA staff

This part of the project requires the service provider to provide planning support to the PTP branch of the ETA. This planning support will include but not be limited to providing planning assistance with current *Go! Durban* activities, PT modelling activities and other planning functions of the PTP branch.

A lump sum fee (refer to Pricing Schedule) is applicable to this part of the works. The service provider is required to indicate in its project organogram the staff members who will be committed to this activity. Such individuals need to meet the requirements of an experienced Public Transport Professional as set out in the professional and Experiential Requirements.

Over the course of the project, the PTP branch will call upon this panel of professionals to undertake tasks that will arise. In advance of such work being undertaken, a task order/scope of work will be prepared, which the service provider will need to price. Upon agreement of the price, The works will be undertaken. Payment will be made in respect of time taken for performing the task. The service provider is to also include the staff of the PTP branch during the process of completing these tasks, in the process up skilling the PTP staff in terms of undertaking the activities that will arise.

Deliverable

a) Organogram indicating the staff compliment to be dedicated to this requirement of the project

b) CVs of the respective staff members

C4. ANNEXURES

C4.1. STANDARD CONDITIONS OF TENDER

C4.2. CIDB STANDARD PROFESSIONAL SERVICES OF CONTRACT

Annex F

(normative)

Standard Conditions of Tender

F.1 General

F.1.1 Actions

F.1.1.1 The employer and each tenderer 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 tenderer 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. Tenderers 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.1.1.3 The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

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 of tender, the following definitions apply:

a) **conflict of interest** means any situation in which:
   i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
   ii) an individual or organisation is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or

ANNEXURE 2 : CIDB STANDARD PROFESSIONAL SERVICES OF CONTRACT

TABLE OF CONTENTS **PAGE**

ETHEKWINI MUNICIPALITY

Occupational Health & Safety Unit

37.2 Agreement in terms of Occupational Health and Safety Act No. 85 of 1993

Document Title	37.2 Agreement in terms of OHS Act of 1993
Client	eThekwini Municipality – ETA Unit
Project Name	Preliminary Design and Environmental Impact Assessment for a Second Access Road to the Port of Durban
Contract Number	1T- 45226
Revision	01
Date	16/10/2020
Internal Reference no.	37.2 AGM/107 /10/2020
Compiled by (Safety officer)	Siya Nkosi Signature: ____________ Date: 16 October 2020
Reviewed by (Manager: Safety& Risk)	Arty Zondi Signature: Arty Zondi Date: 16 October 2020

ETHEKWINI MUNICIPALITY

OCCUPATIONAL HEALTH AND SAFETY

OCCUPATIONAL HEALTH AND SAFETY ACT 1993, (ACT NO. 85 OF 1993) MANDATORY AGREEMENT – 37.2

Contractor Acknowledgement of Responsibility in terms of the Occupational Health and Safety Act

Written agreement between ETHEKWINI Municipality (the "employer")
And

(the "mandatary")

as provided for in terms of Section 37 (2) of the Occupational Health and Safety Act No.85 of 1993 as amended by Act 181 of 1993.

I hereby declare that I, ..., am authorised to represent the "mandatary" and acknowledge that the "mandatary" is an employer in its own right with all duties and responsibilities as prescribed in the Occupational Health and Safety Act no. 85 of 1993.

I agree to ensure that all work performed or machinery and plant used by the "mandatary" on any ETHEKWINI Municipality premises shall be in accordance with the provisions of the said Act.

Furthermore, I agree the "mandatary" shall comply with all ETHEKWINI Municipality site rules and safety, health, and environmental requirements as may be communicated or stipulated by ETHEKWINI Municipality prior to and during the course of any Contract awarded to the "mandatary" by ETHEKWINI Municipality.

Furthermore, I undertake to ensure that ETHEKWINI Municipality is timeously informed should the "mandatary", for whatever reason, be unable to perform in terms of this agreement.

The Professional Service Provider is expected to complete the COVID 19 point of entry questionnaire on daily basis.

The Professional Service Provider employees are expected to wear appropriate PPE

The Professional Service Provider driver is expected to comply with eThekwini Municipality speed limit and safety signage

Signed this ....day of ....20......

On behalf of the "mandatary" (print)..

(sign) ....

On behalf of the "employer" (print)..

(sign) ....

ETHEKWINI MUNICIPALITY
Occupational Health & Safety Unit

COVID 19 Health and Safety Specification

Document Title	COVID 19 Health & Safety Specification
Client	eThekwini Municipality – ETA Unit
Project Name	Preliminary Design and Environmental Impact Assessment for a Second Access Road to the Port of Durban
Contract Number	1t - 45226
Revision	01
Date	16/10/2020
Internal Reference no.	COVID 19/288 /10/2020
Compiled by (Client Construction Health and Safety Agent)	Name and surname: Siya Nkosi Signature: ____________ Date: 16 October 2020
Reviewed by (Manager: Safety & Risk)	Name and surname: Arty Zondi Signature: ____________ Date: 16 October 2020

ETHEKWINI MUNICIPALITY
OCCUPATIONAL HEALTH AND SAFETY UNIT

COVID 19 HEALTH AND SAFETY SPECIFICATION

Background:

Corona viruses are a large family of viruses that are found both in humans and animals. Some of these viruses are known to cause illnesses ranging from common cold to severe respiratory diseases. Corona virus (COVID-19) was identified in December 2019 in China. COVID-19 infections have spread to other countries in the world. Exposure to Covid-19 may cause flue like symptoms such as coughing, sneezing, headaches, fever, sore throat and at times affect the lungs and airways of employees. Symptoms can be mild, moderate, severe or fatal.

Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus. To reduce the impact of COVID-19 outbreak conditions on businesses, workers, customers, and the public, it is important for all employers to plan now for COVID-19. For employers who have already planned for influenza outbreaks involving many staff members, planning for COVID-19 may involve updating plans to address the specific sources of exposure, routes of transmission, and other unique characteristics of SARS-CoV-2 (i.e. compared to influenza virus outbreaks).

Introduction

The legislation governing workplaces in relation to COVID-19 is the Occupational Health and Safety Act, Act 85 of 1993, as amended, read with the Hazardous Biological Agents

Regulations. Section 8 (1) of the Occupational Health and Safety (OHS) Act, Act 85 of 1993, as amended, requires the employer to provide and maintain as far as is reasonably practicable a working environment that is safe and without risks to the health of employees. Specifically, section 8(2)(b) requires steps such as may be reasonably practicable to eliminate or mitigate any hazard or potential hazard before resorting to Personal Protective Equipment (PPE). However, in the case of COVID-19, a combination of controls is required, although the main principle is to follow the hierarchy of controls.

While engineering and administrative controls are considered more effective in minimizing exposure to SARS-cov-2, PPE may also be needed to prevent certain exposures. While correctly using PPE can help prevent some exposures, it should not take the place of other prevention strategies

This is a risk assessment for dealing with the current COVID-19 situation in the construction site. It may not likely to cover all scenarios therefore Construction Management should develop Standard Operating Procedures as there may be unique circumstances and make a necessary call in the interest of the health and safety of employees

This is a risk assessment for dealing with the current COVID-19 situation in the construction site. It may not likely to cover all scenarios therefore management should develop SOP's as there may be unique circumstances and make a necessary call in the interest of the health and safety of Contractor employees

Definitions

"**BCEA**" means the Basic Conditions of Employment Act, 1997 (Act No.75 of 1997)

"**COVID-19**" means Coronavirus Disease 2019

"**Disaster Management Act**" means the Disaster Management Act, 2002 (Act No.57 of 2002)

"**OHSA**"means the Occupational Health and Safety Act, 1993 (Act No.85 of 1993)

"**PPE**" means personal protective equipment

"**virus**" means SARS-Cov-2 virus

"**Worker**" means any person who works in an employer's workplace including an employee of the employer or contractor, a self-employed person or volunteer "**workplace**" means any premises or place where a person performs work

"**NICD**" means National Institute for Communicable Diseases

"**OMP**" means Occupational Medical Practitioner

Hand Hygiene:

- The Professional Service Provider must provide 70% alcohol-based hand sanitizers to his/her employees.

Social Distancing:

- The Professional Service Provider must ensure social distancing is always maintained when working.
- The professional Service Provider must ensure that where the minimum distance is impossible employees must always be instructed to wear cloth mask or face shield.

Personal Protective Equipment (PPE)

- The Professional Service Provider must always wear cloth mask.
- The main benefit of everyone wearing a cloth mask is to reduce the amount of virus droplets being coughed up by those with infection and transmitted to others and to surface that others may touch.

Point of entry screening

- The Professional Service Provider must ensure that the daily point of entry screening is completed when entering eThekwini Municipality premises.

Symptomatic employees

- The Professional Service Provider must ensure that employees who are sick with continuous cough, sore throat, difficulty breathing, or a high temperature in the workplace will be encouraged to stay home.

Emergency Numbers

- Corona virus (COVID-19) 24-Hour Hotline number:0800 029 999
- Corona virus (COVID-19) WhatsApp Number: 0600 12 3456
- COVID-19 National Crisis Helpline - 0861 322 322
- NICD (National Institute of Communicable Diseases) 24-Hour toll-free hotline number: 0800 029 999 or 0800 111 132
- SAPS gender-based violence service complaints (SAPS) - 0800 333 177

- GBV (Gender Based Violence) Command Centre -0800 428 428/ *120*7867# (free from any cell phone)/ SMS Line: 32312
- Women Abuse Helpline - 0800 150 150
- People Opposing Women Abuse (POWA) - Tel: 011 642 4345/ Afterhours cellphone: 0837651235
- Child Line - 0800 055 555
- Lifeline South Africa - 0800 012 322 (free on mobile networks including landlines)
- FAMSA - Advice on family relationships - 011 975 7107
- Human trafficking - Report cases of human trafficking - hotline operated by the Salvation Army and Be Heard - 08007 37283 (0 8000-rescue)
- National Human Trafficking Helpline - 0800 222 777
- Persons with Disabilities - SMS 'help' to 31531
- National AIDS Helpline - 0800 012 322
- Suicide Helpline - 0800 567 567
- Stop Gender Violence - 0800 150 15
- Substance Abuse Helpline - 0800 12 13 14

References

- COVID-19 Disaster Management Act
- Occupational Health & Safety Act 85 of 1993
- The Department of Employment and Labour: Workplace Preparedness: COVID-19 (SARS-CoV-19 virus)
- COVID-19 Occupational Health and Safety Measures in Workplaces COVID-19 (C19 OHS), 2020
- Hazardous Biological Agents Regulations
- National Institute for Occupational Health (NIOH)

COMPANY LOGO

Covid-19 access into construction site, point of entry screening questionaire

Company / Construction Site: ____

Name and Surname: _______________________________________ **Co No:** __________________

Line Manager Name: ____

Question:	Yes	No
1. Have you had flu or symptoms of flu in the last few weeks?		
2. Do you have a persistent cough that has started in the last few days?		
3. Do you have symptoms of fever? (red, tearing or burning eyes, sweats, clammy hands)?		
4. Do you have any signs of a respiratory infection, shortness of breath, difficulty breathing? *(Self-test: Hold in your breath for 10 seconds)*		
5. In the last 14 to 21 days, have you travelled outside the borders of South Africa?		
6. In the last 14 to 21 days, have had contact with anybody that has travelled outside the Provincial or South African borders?		
7. Have you been near or in contact with anyone who has symptoms or tested positive for COVID-19?		
If you have answered yes to any of the above questions, please inform your supervisor immediately. Brief description of events (When, where and who else were you with: ______ ______ ______		
Personal Commitment		
✓ I further undertake to immediately report any change in my medical condition to my supervisor/manager!		
✓ I will always maintain excellent personal and company hygiene standards!		
✓ I will maintain and keep the minimum social distance of 1m between myself and other employees!		
✓ I will utilize PPE and sanitizers provided to me to prevent the spread of the virus!		
✓ I will ensure all equipment / materials handed over to another person has been cleaned and sanitized!		
✓ I will not abuse, misuse, share or lose the PPE and related materials / equipment issued to me!		
Employee Signature		
Date		

Temperature:______ °C. (if temperature is at 38°C or higher refer to Process Flow Annexure 1 document then deny entry, isolate and start reporting process)

Entry Cleared Yes ☐ **No** ☐

Construction Manager/Supervisor: ______________________ **Signature:** ________ **Date:** __________

Comments:____
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____
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