



Electronically downloaded documentation is obtainable from the National Treasury's eTenders website or the eThekweni Municipality's Vendor Portal.

Hard copy versions can be obtained from the Employer at the physical address stated in the Tender Notice and Invitation to Tender, upon payment of the non-refundable fee.

Reference is to be made to
Clause F.1.2 and F.3.2
of the Conditions of Tender.

ETHEKWINI TRANSPORT AUTHORITY

STRATEGIC TRANSPORT AUTHORITY, PUBLIC TRANSPORT PLANNING

PROCUREMENT DOCUMENT

PROFESSIONAL SERVICES

CONTRACT No: 1T- 4468

**TITLE: REVIEW OF THE ETHEKWINI MUNICIPALITY'S INTEGRATED
PUBLIC TRANSPORT NETWORK (IPTN) PLAN AND THE
DEVELOPMENT OF A PUBLIC TRANSPORT DEMAND
MODEL**

Issued by: **ETHEKWINI TRANSPORT AUTHORITY**

Date of Issue: June 2022

Document Version : 02/03/2022

NAME OF TENDERER :

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PART T1 : TENDERING PROCEDURES
T1.1 : TENDER NOTICE AND INVITATION TO TENDER

Tenders are hereby invited for the works to undertake a review of the eThekweni Municipality's IPTN plan, to investigate and prepare alternative IPTN solutions that are cost-effective, easy to implement and practical to operate. Fundamental activities will include the development of solutions that are appropriate within the context of constrained budgets and the new normal as a result of the Covid-19 pandemic. Major activities will include development of appropriate alternative IPTN solutions in terms of services and infrastructure, based on revised public transport demand and financial requirements and constraints.

The Employer is the eThekweni Municipality as represented by: Deputy Head : STRATEGIC TRANSPORT
AUTHORITY, PUBLIC TRANSPORT PLANNING

Tenders must be submitted on official tender documentation issued (either in hard copy or in electronic format) by the eThekweni Municipality.

- Electronically downloaded documentation is obtainable from the National Treasury's eTenders website or the eThekweni Municipality's Vendor Portal. The entire document should be printed and suitably bound by the tenderer.

The website to download of tenders is: <http://etenders.treasury.gov.za>

A non-refundable tender charge is payable by bank guaranteed cheque made out in favour of the Employer, or cash, and is required on collection of the tender documents: No charge

(F.2.7) There will be a non-Non-compulsory clarification meeting and site inspection with representative(s) of the Employer as follows: MS TEAMS

21 June 2022

MS TEAMS

Non-compulsory virtual briefing session will be held on 21 June 2022 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 Wednesday, 15 June 2022 to Ronald.pillay@durban.gov.za for ETA to send meeting login credentials.

Bidders are requested to submit email queries related to the bid. All email queries are to be submitted before 01 July 2022. Email questions and answers will be consolidated and posted on eTender/Municipality website for the benefit of all tenderers by 08 June 2022.

(F.1.4) Queries relating to these documents, up to 3 days prior to the close of tenders, may be addressed to the Employer's agent whose contact details are: Ronald Pillay
031 311 7636 (t)
083 704 1459
Ronald.pillay@durban.gov.za

(F.2.13) Tender offers shall be delivered to: Engineering Unit, Municipal Centre,
166 K.E. Masinga Road (formerly Old

Fort Road)
DURBAN
and placed in the tender box
located in the ground floor foyer

(F.2.15) Tender offers shall be delivered:

on or before Friday, 15 July 2022
at or before 11:00

Requirements for sealing, addressing, delivery, opening and assessment of tenders are 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 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.1.1 The employer : The Employer for this Contract is the eThekweni Municipality as represented by:
Error! Reference source not found.

F.1.2 Tender documents: The Tender Documents issued by the Employer comprise the documents as per the **INDEX** of this Tender Document.

Tenders must be submitted on official tender documentation issued (either in hard copy or in electronic format) by the eThekweni Municipality.

- Electronically downloaded documentation is obtainable from the National Treasury's eTenders website or the eThekweni Municipality's Vendor Portal. The entire document should be printed and suitably bound by the tenderer.
- Hard copy versions can be obtained from the Employer at the physical address stated in the Tender Notice and Invitation to Tender, upon payment of the non-refundable fee.

In addition, Tenderers are advised in their own interest, to obtain their own copies of the following acts, and regulations or standard documents, referred to in this document:

- The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the Construction Regulations 2014.
- The Preferential Procurement Policy Framework Act No 5 of 2000.
- The Construction Industry Development Board Act No 38 of 2000 and the Regulations (2013)
- CIDB Standard for Uniformity in Construction Procurement (July 2015).
- The Employer's current Supply Chain Management Policy.

F.1.4 The employer's agent : The Employer's agent is :

Name: Ronald Pillay
Tel : 031 311 7636 (t)
Fax : 083 704 1459
Email : Ronald.pillay@durban.gov.za

F.2.1 Eligibility : A Tenderer will not be eligible to submit a tender if:

- (a) the Tenderer submitting the tender is under restrictions or has principals who are under

- restriction to participate in the Employer's procurement due to corrupt or fraudulent practices;
- (b) the Tenderer does not have the legal capacity to enter into the contract;
 - (c) The Tenderer does not comply with the legal requirements stated in the Employer's current SCM Policy;
 - (d) The Tenderer cannot demonstrate that it possesses the necessary expertise and competence, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract;
 - (e) 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.
 - (f) In the event of a compulsory clarification meeting:
 - The Tenderer fails to attend the compulsory clarification meeting;
 - The Tenderer fails to have "Form T2.2.1.1: Certificate of Attendance at Clarification Meeting and Site Inspection" in Part T2.2 - Returnable Schedules and Forms signed by the HEAD : **ETHEKWINI TRANSPORT AUTHORITY** , or his representative.
 - (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.

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

"Documents may be obtained, free of charge, in electronic format, from the National Treasury's eTenders website or the eThekweni Municipality's Vendor Portal. The entire electronically downloaded document should be printed and suitably bound by the tenderer.

A Non-Refundable Tender Charge, as stated in the "Tender Notice and Invitation to Tender", is applicable if hard copies are obtained from the Cashier."

F.2.7 Non-compulsory Clarification meeting : 21/06/2022 at 11h30 via MS TEAMS TEAMS

MS TEAMS

Non-compulsory virtual briefing session will be held on 21 June 2022 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 Wednesday, 15 June 2022 to Ronald.pillay@durban.gov.za for ETA to send meeting login credentials.

Bidders are requested to submit email queries related to the bid. All email queries are to be submitted before 01 July 2022. Email questions and answers will be consolidated and posted on eTender/Municipality website for the benefit of all tenderers by 08 June 2022.

Should there be any points that require clarity, queries can be forwarded to: F.1.4 The Employers Agent

Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to, and tenders will be received only from those tendering entities appearing on the attendance list.

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

F.2.13 Submitting a tender offer : The following applies to this tender

- **F.2.13.3:** Tender offers shall be submitted as an original only;
- **F.2.13.3:** Parts of each tender offer communicated on paper shall be submitted as an original, plus [FOUR (04)] copies of two volumes for evaluation purposes containing:
 - Volume 1: All deliverables as per section C3.4 Broad Scope of Works and
 - Volume 2: CV's and other information
 - The tenderer is also required to produce an electronic submission on External Harddrive as well as submit via email: Tenders@durban.gov.za .
- **F.2.13.5:** Identification details to be shown on each tender offer package, are: Contract No., Contract Title, Tenderers Name, Contact Address;
- **F.2.13.9 :** Telephonic, telegraphic, telex, facsimile, posted or e-mailed tender offers **will not** be accepted.

F.2.15 Closing time : The closing time and the address for delivery of tender offers is :

Closing Date : [on or before Friday, 15 July 2022](#)
Closing Time : [at or before 11:00](#)
Delivery Address : [Engineering Unit, Municipal Centre,
166 K.E. Masinga Road \(formerly Old Fort Road\)
DURBAN](#)

F.2.16 Tender offer validity : The Tender Offer validity period is 84 Days from the closing time for submission of tenders.

F.2.23 Certificates : Refer to [Part T2.1.2](#) for a listing of certificates that must be provided with the tender.

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 Boardroom, 6th Floor, Municipal Building, 166 KE Masinga Road](#)

F.3.11 Evaluation of Tender Offers : The procedure for evaluation of responsive Tender Offers will be in accordance with the eThekweni Municipality's current SCM Policy, the Preferential Procurement Policy Framework Act No 5 of 2000.

- The financial offer will be reduced to a comparative basis using the Tender Assessment Schedule;
- The procedure for the evaluation of responsive tenders is **Method 2**;
 - The **80/20** preference points system will be used where the financial value (incl. VAT) of one or more responsive tender offers have a value that equals or is less than R 50,000,000. The Formula used to calculate the **Price Points** will be that in F.3.11.3.4(a) and the **Preference Points** will be allocated according to the PPPFA.
 - The **90/10** preference points system will be used where the financial value (incl. VAT) of all responsive tenders received have a value in excess of R 50,000,000. The Formula used to

calculate the **Price Points** will be that in Cl. F.3.11.3.5(a) and the **Preference Points** will be allocated according to the PPPFA.

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

Quality criteria	Subcriteria	Maximum number of points	Evaluation Schedule(s)
Proposed Approach / Methodology / Programme	Is there a technical approach and detailed methodology showing how the work will be undertaken?	25	See page 29
	Is the methodology logical in its arrangement and sequencing of work elements?	5	
	Are the costs of the various work streams in proportion to their contribution to the end product?	10	
Tenderer's Experience	Have the key personnel of the team demonstrated sufficient knowledge with projects of a similar nature and scale	25	See page 35
Proposed Organisation And Staffing	Has the team demonstrated that it has the required organisational structure and staffing to successfully deliver the project?	10	See page 37
Experience Of Key Staff	Have the key personnel demonstrated the adequate level of education and experience to successfully deliver the project? (Max Points = 20)	25	See page 39
Maximum possible score for quality (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.

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 not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;
- (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;
- (e) 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. **The Municipality reserves the right to award one tender per tenderer should the Unit (ETA) have more than one tender advertised during the same period.**

F.3.18 Copies of contract : The number of paper copies of the signed contract to be provided by the Employer is ONE. Bidders are required to submit a SOFT COPY of their complete tender submission saved onto a memory stick along with their hard copy submission.

The additional conditions of tender are:

F.2.2.2 (Cost of tendering)

Replace this clause with the following:

"The cost of the tender documents charged by the employer shall be as per the Employer's current SCM Policy / Conditions of Targeted Procurement."

F.2.6 Acknowledge addenda

Add the following paragraphs to the clause:

"Acknowledgement of receipt will be by the return of the relevant completed and signed portion of the addenda, to the address / fax number / 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.2.24 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

F2.25 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.

F.2.26 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.

PART T2 : RETURNABLE DOCUMENTS

T2.1 : LIST OF RETURNABLE SCHEDULES, FORMS, AND CERTIFICATES

T2.1.1 General

The Tender Document must be submitted as a whole. All forms must be properly completed as required, and the document shall not be taken apart or altered in any way whatsoever.

The Tenderer is required to complete each and every Schedule and Form listed below to the best of his 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 not responsive. The same applies to the Targeted Procurement Schedules.

T2.1.2 Returnable Schedules, Forms and Certificates

Company Specific

Certificate of Authority	14
Declaration of Municipal Fees	17
Compulsory Enterprise Questionnaire	18
 MBD2 : Tax Clearance Certificate Requirements	 20
MBD4 : Declaration of Interest	21
MBD5 : Declaration For Procurement Above R10 Million	23
MBD6.1 : Preference Points Claim Form ITO the Preferential Regulations	24
MBD8 : Declaration of Bidder's Past SCM Practices	25
MBD9 : Certificate of Independent Bid Determination	27

Technical and Evaluation

Details of proposed methodology/programme including proposed empowerment strategy	27
Details of experience of tenderer	33
Details of proposed organisation and staffing of the project team, including a schedule of personnel to be utilised on the project	35
Details of experience of key staff	39

Contractual

Joint Venture Agreements (if applicable)	44
Record of Addenda to Tender Documents	45
Amendments, Qualifications and Alternatives	46
 Form of Offer and Acceptance	 48
Pricing Schedule	58

T2.1.3 Preferential Procurement Schedules and Affidavits

In the event of the Tenderer not being registered with the eThekweni Municipality, the tenderer must register on the internet at www.durban.gov.za by following these links:

- eThekweni Municipality
 - City Government
 - Administration
 - Administrative Clusters
 - Finance
 - Supply Chain Management
 - Accredited Supplier and Contractor's Database.

NOTES

- (a) The information for registration as in the possession of the eThekweni 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.

T2.2 : RETURNABLE SCHEDULES, FORMS, AND CERTIFICATES

The returnable schedules, forms, and certificates as listed in T2.1.2 can be found on the pages [12](#) to [58](#)

CERTIFICATE OF ATTENDANCE AT CLARIFICATION MEETING / SITE INSPECTION

This is to certify that:

(tenderer name)

of (address)

.....

was represented by the person(s) named below at the **Non-compulsory clarification meeting** held for all tenderers at:

(location) MS TEAMS

on (date) 21 June 2022

starting at (time) 11h30

MS TEAMS

Non-compulsory virtual briefing session will be held on 21 June 2022 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 Wednesday, 15 June 2022 to Ronald.pillay@durban.gov.za for ETA to send meeting login credentials.

Bidders are requested to submit email queries related to the bid. All email queries are to be submitted before 01 July 2022. Email questions and answers will be consolidated and posted on eTender/Municipality website for the benefit of all tenderers by 08 June 2022.

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 representative, namely :

Name :

Signature :

Capacity :

Date :

Time :

CERTIFICATE OF AUTHORITY

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

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(IV) JOINT VENTURE	(V) SOLE PROPRIETOR

Tenderers are to attach Company / Close Corporation / Partnership / Joint Venture / Sole Proprietor registration certificates.

In the case of a Joint Venture, the Joint Venture Agreement and power of attorney are to be attached.

In the case of one-man concerns, ID certificates are to be attached.

(I) CERTIFICATE FOR COMPANY

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

Chairman :

Date :

As Witnesses : 1. 2.

(II) CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as

..... hereby authorise Mr/Ms,

acting in the capacity of, to sign all documents in connection

with the tender for Contract No. and any contract resulting from it on our behalf.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>	<u>DATE</u>

Note : *This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.*

(III) CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as

..... hereby authorise Mr/Ms,

acting in the capacity of, to sign all documents in connection

with the tender for Contract No. and any contract resulting from it on our behalf.

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>	<u>DATE</u>

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

(IV) CERTIFICATE FOR JOINT VENTURE

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize

Mr/Ms , authorized signatory of the company,

..... acting in the capacity of lead partner, to sign all documents in

connection with the tender offer for Contract No. and any contract resulting from it on our behalf.

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

<u>NAME</u>	<u>ADDRESS</u>	<u>SIGNATURE</u>	<u>DATE</u>

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

(V) CERTIFICATE FOR SOLE PROPRIETOR

I,, hereby confirm that I am the sole owner of

the business trading as

Signature of Sole owner :

Date :

As Witnesses : 1.

2.

DECLARATION OF MUNICIPAL FEES

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 No.

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

Electricity

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

Water

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

Rates

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

JSB Levies

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

Other

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

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. ATTACHED, to the back inside cover of this document, please find copies of the above account's and or agreements signed with the municipality.

- Where the TENDERER'S place of business or business interests are outside the jurisdiction of eThekweni municipality, a copy of the accounts/agreements from the relevant municipality must be attached (to the back inside cover of this document).
- Where the tenderer's Municipal Accounts are part of their lease agreement, then a copy of the agreement, or official letter to that effect is to be attached (to the back inside cover of this document).

NAME :

(Block Capitals)

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

DATE:

COMPULSORY ENTERPRISE QUESTIONNAIRE

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

- 1) **Name of enterprise:**
- 2) **VAT registration number, if any:**
- 3) **CIDB registration number, if any:**
- 4) **Particulars of sole proprietors and partners in partnerships**

Full Name	Identity number*	Personal income tax number *

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

- 5) **Particulars of companies and close corporations**

Company registration number, if applicable:

Close corporation number, if applicable:

Tax Reference number, if any:

- 6) **Record in the service of the state**

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

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

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

Insert separate page if necessary

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

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

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

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

Insert separate page if necessary

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

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

Signed Date

Name Position

Enterprise Name

MBD 2 : TAX CLEARANCE CERTIFICATE REQUIREMENTS

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

- 1) In order to meet this requirement bidders are required to complete the TCC 001 : "Application for a Tax Clearance Certificate" form and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2) SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3) The original Tax Clearance Certificate must be submitted together with the bid (attached to the inside back cover of this procurement document). Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4) In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5) Copies of the TCC 001 : "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za .
- 6) Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za .
- 7) Notwithstanding Clauses 1) to 6) above; since 18 April 2016, SARS has introduced a new Tax Compliance Status System (TCS). As part of this enhanced system, tenderers can now submit a Tax Compliance Status PIN instead of an original Tax Clearance Certificate (TCC). This TCS PIN can be used by third parties to certify the taxpayer's real-time compliance status.
For further particulars please contact your nearest SARS branch, or call the SARS Contact Centre on 0800 00 7277, or log onto SARS eFiling.

Attach a valid Tax Clearance Certificate OR Tax Compliance Status PIN, issued by the TCS System of the South African Revenue Service, to the inside back cover of this procurement document

MBD 4 : DECLARATION OF INTEREST

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 Full Name of bidder or his or her representative
- 3.2 ID Number of bidder or his or her representative
- 3.3 Position occupied in the enterprise (dir, trustee, shareholder²)
- 3.4 Company registration number
- 3.5 Tax Reference number
- 3.6 VAT registration number
- 3.7 The names of all directors / trustees / shareholders / members / sole proprietors / partners in partnerships, their individual identity numbers and state employee numbers must be indicated in paragraph 4 below.
- 3.8 Are you presently in the service of the state? YES / NO
 - 3.8.1 If yes, furnish particulars
- 3.9 Have you been in the service of the state for the past twelve months? YES / NO
 - 3.9.1 If yes, furnish particulars
- 3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO
 - 3.10.1 If yes, furnish particulars

¹ MSCM Regulations: "in the service of the state" means to be –

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

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

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

3.11.1 If yes, furnish particulars

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

3.12.1 If yes, furnish particulars

3.13 Are any spouse, child or parent of the company's directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.13.1 If yes, furnish particulars

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract YES / NO

3.14.1 If yes, furnish particulars

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

Full Name	Identity number	State Employee Number	Personal income tax number *

Signed Date

Name Position

Enterprise Name

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.

		Tenderers are to circle applicable	
1.0	Are you by law required to prepare annual financial statements for auditing?	YES	NO
1.1	If YES, you will be required to submit audited annual financial statements (on request during the tender evaluation period) 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 on a letterhead. (Attach this letter to the back inside cover of this document).		
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 on a letterhead. (Attach this letter to the back inside cover of this document).		
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 on a letterhead. (Attach this letter to the back inside cover of this document).		

I, the undersigned, certify that the information furnished on this declaration form is correct. I accept that the state may act against me should this declaration prove to be false.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

MBD 6.1 (Reduced) : PREFERENCE POINTS CLAIM ITO THE PREFERENTIAL REGULATIONS)

1.0 GENERAL

1.1 Preference points for this tender shall be awarded as per the Tender Data (T1.2.2 – F.3.11) and the Preferential Procurement Regulations.

1.2 Failure on the part of a tenderer to submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS), or a Sworn Affidavit for an EME, or sworn affidavit for a QSE (in line with the revised BBBEE codes of Good Practice), together with the bid will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

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

Attach the B-BBEE Verification Certificate to the inside back cover of this document.

2.0 DECLARATION

2.1 B-BBEE Status Level of Contribution claimed:
(tenderer to complete)

2.2 Will any portion of the contract be sub-contracted? (circle applicable) YES / NO

2.2.1 If YES, indicate:

(i) what percentage of the contract will be subcontracted?%
(tenderer to complete)

(ii) the name of the sub-contractor?
(tenderer to complete)

(iii) the B-BBEE status level of the sub-contractor?
(tenderer to complete)

(iv) whether the sub-contractor is an EME? (circle applicable) YES / NO

2.3 I / we, the undersigned, certify that the B-BBEE status level of contribution indicated in paragraph 2.1 above qualifies the company / firm for preference points and I / we acknowledge that the remedies as per Clause 14 of the Preferential Procurement Regulations shall apply.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

MBD8 : DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

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

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

In order to give effect to the above, the following questionnaire must be completed.

Tenderers are to
circle applicable

- 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).

YES NO

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.

If yes, furnish particulars

.....

- 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)?

YES NO

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.

If yes, furnish particulars

.....

- 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

If yes, furnish particulars

.....

Tenderers are to
circle applicable

- 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

If yes, furnish particulars

.....

- 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

If yes, furnish particulars

.....

I, the undersigned, certify that the information furnished on this declaration form true and correct. I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

MBD9 : CERTIFICATE OF INDEPENDENT BID DETERMINATION

This Municipal Bidding Document (MBD) must form part of all bids¹ invited.

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

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

- (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.

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

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid, in response to the invitation for the bid made by the **ETHEKWINI TRANSPORT AUTHORITY UNIT**, do hereby make the following statements that I certify to be true and complete in every respect:

- 1. I have read and I understand the contents of this Certificate;
- 2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
- 3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
- 4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;

5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:

- a) has been requested to submit a bid in response to this bid invitation;
- b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder.

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding. (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.

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)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

APPROACH PAPER / METHODOLOGY / PROGRAMME

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:

PROPOSED APPROACH / METHODOLOGY / PROGRAMME	
<ul style="list-style-type: none"> Is there a technical approach and detailed methodology showing how the work will be undertaken? (Max Points = 25) 	
Score	Description
<i>(score 0)</i>	<i>No Submission</i>
<i>Poor (score 40)</i>	<i>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 methodology is unacceptable.</i>
<i>Satisfactory (score 70)</i>	<i>The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is managed etc. is too generic. Adequate methodology.</i>
<i>Good (score 90)</i>	<i>The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc. is specifically tailored to the critical characteristics of the project. Reasonable methodology.</i>
<i>Very good (score 100)</i>	<i>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 methodology is comprehensive.</i>
<ul style="list-style-type: none"> Is the methodology logical in its arrangement and sequencing of work elements? (Max Points = 5) 	
Score	Description
<i>(score 0)</i>	<i>No submission.</i>
<i>Poor (score 40)</i>	<i>The work plan omits important tasks or the timing of the activities and correlation among them is inconsistent with the approach. There is lack of clarity and logic in the sequencing. The workflow provided is unacceptable.</i>

<i>Satisfactory (score 70)</i>	<i>All key activities are included in the work plan, but are not detailed. There are minor inconsistencies between timing, project deliverables and the proposed approach. Adequate workflow provided.</i>
<i>Good (score 90)</i>	<i>The work plan fits the approach paper well: all important activities are indicated and their timing and sequencing is appropriate and consistent with project objectives and requirements. There is a fair degree of detail that facilitates understanding of the proposed work plan. Reasonable workflow provided.</i>
<i>Very good (score 100)</i>	<p><i>Besides meeting the “good” rating, decision points and the sequencing and timing of activities are very well defined, indicating that the service provider has optimised the use of resources. The work plan permits flexibility to accommodate contingencies. Detailed workflow provided.</i></p> <p>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.</p> <p>The programme is well thought out and makes allowance for all the key risk areas.</p> <p>The approach paper details ways to improve the project outcomes and the quality of the outputs</p>
<p>• Are the costs of the various work streams in proportion to their contribution to the end product? (Max Points = 10)</p>	
Score	Description
<i>(score 0)</i>	<i>No submission</i>
<i>Poor (score 40)</i>	<i>Unacceptable proportion</i>
<i>Satisfactory (score 70)</i>	<i>Adequate in proportion</i>
<i>Good (score 90)</i>	<i>Reasonably in proportion</i>
<i>Very good (score 100)</i>	<i>Fully in proportion</i>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

MANDATORY SPECIFICATION : EMPOWERMENT STRATEGY COMMITMENT

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the tenderer, declares that:

	<p><u>CONTRACT PARTICIPATION GOAL</u></p> <p>Refer to clauses C3.6.2 and C3.7.9 for detailed explanation of the CPG Empowerment Strategy :</p>	
	<p><u>Notes:</u></p> <ol style="list-style-type: none"> <i>1. Failure to meet the minimum requirements of the Empowerment Strategy (CPG) as stipulated in the specification and /or failure to submit this document at the time of tender will render your tender non-responsive and will be disqualified.</i> <i>2. SUFFICIENT evidence and/or information to prove compliance with the Empowerment Strategy requirements as per tenderer's declaration is required and MUST form part of this tender submission.</i> <i>3. The tendering entity MUST sub-contract or JV partner minimum two Enterprises under the CPG requirement and contracted enterprises MUST be within the Ethekeeni Municipality Jurisdiction.</i> 	
1.1	Name of the Contracted Enterprise/s and CPG percentage Offered by the tendering entity	<div data-bbox="1211 936 1427 1016" style="border: 1px solid black; width: 100px; height: 30px; text-align: right; padding-right: 5px;">%</div> <div data-bbox="639 1167 672 1192">1.0</div> <div data-bbox="1211 1335 1427 1415" style="border: 1px solid black; width: 100px; height: 30px; text-align: right; padding-right: 5px;">%</div> <div data-bbox="1211 1608 1427 1688" style="border: 1px solid black; width: 100px; height: 30px; text-align: right; padding-right: 5px;">%</div>
1.2	Proposed work to be performed under the CPG per contracted enterprise.	

1.3		

	<p>Proposed Empowerment Strategy by the tendering entity and/or Work Plan with an emphasis on Skills Transfer.</p>	
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2.0	<u>SKILLS DEVELOPMENT</u>
2.1	<u>Candidate Development Programme</u> Refer to clause C3.2.2.2.6 for detailed explanation of the Candidate Development Programme:
	<p>Graduate Engineers / Technologists / Technicians, currently in the employ of the EThekweni 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.</p> <p>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 maximum of 2 candidates during any period within the contract duration.</p>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

TENDERER'S EXPERIENCE

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 this 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:

TENDERER'S EXPERIENCE	
Have the key personnel of the team demonstrated sufficient knowledge with projects of a similar nature and scale? (Max Points = 25)	
Score	Description
<i>(score 0)</i>	<i>No Submission</i>
<i>Poor (score 40)</i>	<i>The team has limited relevant experience. The proposed team is weak in important areas and is unlikely to deliver within the specified timeframe. There is no clarity in allocation of tasks and responsibilities</i>
<i>Satisfactory (score 70)</i>	<i>The team has relevant experience but has not dealt with critical issues specific to the assignment. The technical level and composition of the proposed team is adequate and staffing is consistent with both timing and deliverables. At least 1 project of a similar scale and nature undertaken within the last 10 years</i>
<i>Good (score 90)</i>	<i>The team has extensive experience in relation to the project and has worked previously under similar conditions and circumstances. Besides meeting the "satisfactory" rating, the proposed team is well balanced i.e. it shows good co-ordination, complimentary skills, clear and defined duties and responsibilities and a number of experts. Members of the team have worked together before and have undertaken at least 2 projects of a similar scale and nature within the last 10 years.</i>
<i>Very good (score 100)</i>	<i>The team has outstanding experience in projects of similar nature. Besides meeting the "good" rating, the proposed team is well integrated and members have worked together extensively in the past and undertaken 3 or more projects of a similar scale and nature within the last 10 years</i>

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

PROPOSED ORGANISATION AND STAFFING

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 his / her organisation and staffing proposals to this page.

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

PROPOSED ORGANISATION AND STAFFING	
Has the team demonstrated that it has the required organisational structure and staffing to successfully deliver the project? (Max Points = 10)	
Score	Description
<i>(score 0)</i>	<i>No Submission</i>
<i>Poor (score 40)</i>	<i>30% of the team is locally based. Team composition has been included but is incomplete. Distribution of the various tasks has been poorly defined and poorly assigned to the staff.</i>
<i>Satisfactory (score 70)</i>	<i>50% of the team is locally based. Entire team composition has been included. Distribution of the various tasks has been defined and assigned to the staff.</i>
<i>Good (score 90)</i>	<i>70% of the team is locally based. Very well-defined team. Entire team composition has been included. Distribution of the various tasks has been clearly defined and assigned to the staff.</i>
<i>Very good (score 100)</i>	<i>Exceptionally well-defined team. Entire team composition has been included. Entire team is locally based. Distribution of the various tasks has been exceptionally well-defined and assigned to the staff.</i>

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

[illegible]

EXPERIENCE OF KEY STAFF

The experience of assigned staff member in relation to the scope of work will be evaluated based on similar work **undertaken within the Ethekeeni 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, **fully resourced teams for each individual deliverable and specialised experts** 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 entity(s) for one or more of the below job titles. **Please note the examples on the table for populating the rest of the table.**

Job Title	Minimum ² Qualification Required	Professional Registration Required	BRT ¹ or similar ³ experience required?	Other Key Experience Required	Responsible (Use an "X" to indicate)		Percentage	
					Main Service Provider	CPG Partner	Main Service Provider	CPG Partner
Eg. 1 Specialist Public Transport Planner	BSc. Eng - Civil	Pr. Eng	Yes	Demonstrate 10 years of experience	X	x	70	30
Eg. 2 Specialist Public Transport Planner	BSc. Eng - Civil	Pr. Eng	Yes	Demonstrate 10 years of experience		x		100
Project Executive	BSc.(Eng) - Civil	Pr. Eng/Pr.Tech(Eng)	Yes	Demonstrate 10 years of experience				

Project Manager	BSc.(Eng) - Civil	Pr. Eng/Pr.Tech(Eng)/PMP	Yes	Demonstrate 10 years of experience				
Secretariat	Relevant Tertiary Qualification		No	Demonstrate track record on similar projects				
Traffic And Transportation Specialist/s	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr. Tech Eng	Yes	Demonstrate track record on similar projects				
Transport Modeller	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr. Tech Eng	Yes	Demonstrate track record on similar projects				
Public Transport Planning and Operations Specialist	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr. Tech Eng	Yes	Demonstrate track record on similar projects				
Transport Economist Services	B.Comm (Transport Economics) or other bachelor degree/post grad in Transport Economics		Yes	Demonstrate track record on similar projects				
Geotechnical Engineering Services	Pr. Eng, Pr. Tech Eng	Pr. Eng, or Pr Tech Eng	No	Demonstrate track record on similar projects				
Architectural Services	Pr.Arch		Yes	Demonstrate track record on similar projects				
Urban Design Services	Pr Urban Design Pr Urban Design Tech		Yes	Demonstrate track record on similar projects				
Land Use Management/Town Planning Services	Pr Plan		Yes	Demonstrate track record on similar projects				
Transit Orient Development (TOD) Specialist	Pr Plan		Yes	Demonstrate track record on similar projects				
Geometric Design Services	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr Tech Eng	Yes	Demonstrate track record on similar projects				
Roads And Pavement Design Services	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr Tech Eng	No	Demonstrate track record on similar projects				
Structural Engineering Services	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr Tech Eng	No	Demonstrate track record on similar projects				
Civil Engineering Services	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr Tech Eng	No	Demonstrate track record on similar projects				
Environmental Management Services	PrSci.Nat		No	Demonstrate track record on similar projects				
Quantity Surveying Services	Pr QS		No	Demonstrate track record on similar projects				

Universal Access Services		Pr. Eng, or Pr Tech Eng	Yes	Demonstrate track record on similar projects				
Business development specialist			Yes	the business development specialist must have more than 10 years experience in an economic, financial, commercial or business development related field. Demonstrate experience in formulating business development plans from inception to successful implementation.				
Land Valuer			No	Demonstrate track record on similar projects				
Services Co-Ordination			No	Demonstrate track record on similar projects				
GIS Specialists			No	Demonstrate track record on similar projects				
Rail Specialist	Pr.Eng, Pr Tech Eng	Pr. Eng, or Pr Tech Eng	Yes	Demonstrate track record on similar projects				
ITS Specialist			Yes	Demonstrate track record on similar projects				
Administrative/Junior or Technical Staff			No	Demonstrate track record on similar projects				
<p>Note 1: "experience" implies experience on projects of a similar nature with respect to the Scope</p> <p>Note 2: "accredited degree / diploma" implies a minimum 3 yr qualification within the built environment, from a registered University or Institute of Technology.</p> <p>Note 3: Preferred is BRT experience but experience in PT projects that is "similar" to the BRT concept will be accepted</p>								

Business development specialist – the business development specialist must have more than 10 years experience in an economic, financial, commercial or business development related field, with demonstrable experience in formulating business development plans from inception to successful implementation.

As a minimum, key members of the team must be based in eThekweni on a full time basis for the duration of the project especially the Project Executive, Project Manager and Secretariat.

Apart from technical expertise to deliver the requirements set out below, the contracted parties must have excellent report writing, verbal and presentation communication skills.

Equally, it is essential that the composition of the team demonstrates a high level of local knowledge and expertise, particularly in respect of legal issues, consultation processes and protocol, and the unique aspects of the local public transport industry.

CVs of the team director, and team leaders of not more than 2 pages each should be contained in Volume 2.

Each CV should be structured under the following headings:

The scoring of the experience of key staff will be as follows:

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

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

EXPERIENCE OF KEY STAFF	
Have the key personnel demonstrated the adequate level of education and experience to successfully deliver the project? (Max Points = 25)	
Score	Description
(score 0)	No Submission
Poor (score 40)	Key staff has limited levels of experience < 5 years experience. (inclusive of 1 - 2 years BRT experience or similar where applicable)
Satisfactory (score 70)	Key staff has reasonable levels of experience 5-7 years experience. (inclusive of 3 -6 years BRT experience or similar where applicable)
Good (score 90)	Key staff has extensive levels of experience 8-10 years experience. (inclusive of 7-9 years BRT experience or similar where applicable)
Very good (score 100)	Key staff has exceptional levels of experience ≥10 years experience. (≥9 years BRT experience or similar where applicable)

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

NAME :

(Block Capitals)

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

DATE:

JOINT VENTURES AGREEMENTS

Joint Venture agreement and Power of Attorney Agreements to be attached here.

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		

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

AMENDMENTS, QUALIFICATIONS AND ALTERNATIVES

(This is not an invitation for amendments, deviations or alternatives but should the Tenderer desire to make any departures from the provisions of this contract he shall set out his proposals clearly hereunder. The Employer will not consider any amendment, alternative offers or discounts unless forms (a), (b) and (c) have been completed to the satisfaction of the Employer).

I / We herewith propose the amendments, alternatives and discounts as set out in the tables below :

(a) AMENDMENTS

PAGE, CLAUSE OR ITEM NO	PROPOSED AMENDMENT

Notes:

- (1) Amendments to the General and Special Conditions of Contract are not acceptable;**
- (2) The Tenderer must give full details of all the financial implications of the amendments and qualifications in a covering letter attached to his tender.**

(b) ALTERNATIVES

PROPOSED ALTERNATIVE	DESCRIPTION OF ALTERNATIVE

Notes:

- (1) Individual alternative items that do not justify an alternative tender, and an alternative offer for time for completion should be listed here.**
- (2) In the case of a major alternative to any part of the work, a separate Bill of Quantities, programme, etc, and a detailed statement setting out the salient features of the proposed alternatives must accompany the tender.**
- (3) Alternative tenders involving technical modifications to the design of the works and methods of construction shall be treated separately from the main tender offer.**

(c) **DISCOUNTS**

ITEM ON WHICH DISCOUNT IS OFFERED	DESCRIPTION OF DISCOUNT OFFERED

Notes:

- (1) *The Tenderer must give full details of the discounts offered in a covering letter attached to his tender, failing which, the offer will be prejudiced.*

NAME : (Block Capitals)

SIGNATURE : DATE:
(of person authorised to sign on behalf of the Tenderer)

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- 4468

Contract Title: Review of eThekweni Municipality's Integrated Public Transport Network (IPTN) plan and 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:

Signature (of person authorized to sign the tender) :

Name (of signatory in capitals) :

Capacity (of Signatory) :

Name of Tenderer (organisation) :

Address :

Witness:

Signature :

Name(in capitals) : :

Date :

Note : Failure of a Tenderer to complete 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 :

:

Witness:

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 (<i>in capitals</i>)
.....	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 eThekweni Municipality as represented by : Deputy Head : **Error! Reference source not found.**

3.4 & The authorised and designated representative of the Employer is: **Error! Reference source not found.**

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

- Telephone : 031 311 7636 (t)
- Cell : 083 704 1459 (c)
- e-mail : Ronald.pillay@durban.gov.za

The address for the Receipt of communications is: : [Engineering Unit, 166 K.E. Masinga Road \(formerly Old Fort Road\), DURBAN, 4001](#)

1 The Project is : 1T- 4468
[Review of eThekweni Municipality's Integrated Public Transport Network \(IPTN\) plan and development of a Public Transport demand model.](#)

1 Period of Performance : 24 **MONTHS**

1 Start Date : **Kick-off / Inception Meeting**

3.4.1 Communications by e-mail / facsimile **is not** permitted.

3.5 The location for the performance of the Project is : **EtheKweni Municipal Area**

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 arising out of negligence or poor performance by the service provider and CPG

- partners for the whole of the services are R 5 000 (Five Thousand Rands) per working day from the completion date to final completion.
- 3.15.1 The programme shall be submitted within **14 Days** of the award of the Contract.
- 3.15.2 The Service Provider shall update the programme at intervals not exceeding **04 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 not required to assist in the obtaining of approvals, licenses and permits from the state, regional and municipal authorities having jurisdiction over the Project.
- 5.5 The Service Provider is required to obtain the Employer’s prior approval in writing before taking any of the following actions:
- The only travel cost that may be claimed is for travel within the eThekweni Municipal Area. If the appointment requires travel outside the Municipal Area, this will be restricted to approval by the designated official in the ETA prior to the proposed travel. If any travel by aircraft is required, prior written approval is required and the reimbursement of travel cost is restricted to the normal economy class**
- 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 from the date of the **Kick-off/Inception Meeting** when Contract becomes effective.
- 8.2.1 The Contract is concluded when : **all deliverables are produced to the satisfaction of the EtheKwini Transport Authority**
- 9.1 It must be noted that the copyright for all documents and the contents thereof produced in terms of this appointment shall rest with the eThekweni Municipality. No information, databases, documentation, reports, simulation models or any material obtained by the Service Provider (or their sub-consultants) from the eThekweni Transport Authority and on behalf of the eThekweni Transport Authority may be forwarded, copied or given to any person, consultant, organization, without prior written approval of the eThekweni Transport Authority. The service provider (or sub-consultant and /or contractor) will not be permitted to use the contents and data-sets of this project for any other purpose unless requested to do so by the eThekweni Transport Authority. The service provider will also relinquish all data to the client on completion of the work with no copyright restrictions.
- 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 **Adjudication**.
- 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 : **by the Association of Arbitrators chosen from the panel of adjudicators set up by ICE-SA, a joint division of the Institution of Civil Engineers and South African Institution of Civil Engineering (see www.ice-sa.org.za)**
- 12.3.3 The adjudicator is the person appointed by: by the Association of Arbitrators chosen from the panel of adjudicators set up by ICE-SA, a joint division of the Institution of Civil Engineers and South African

Institution of Civil Engineering (see www.ice-sa.org.za)

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 **01 months** from the date of termination or completion of the Contract.

15 The interest rate will be prime interest rate of the Employers bank at the time that the amount is due.

The additional conditions of contract are:

ACC1 **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.

ACC2 **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 as part of the CPG requirements of this contract.

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	<p>The Service Provider is:</p> <p>.....</p> <p>Address :</p> <p>.....</p> <p>.....</p> <p>Telephone : Fax :</p>
5.3	<p>The authorised and designated representative of the Service Provider is:</p> <p>Name :</p> <p>The address for receipt of communications is:</p> <p>Address :</p> <p>.....</p> <p>.....</p> <p>Telephone : Fax :</p> <p>E-Mail :</p>
1	<p>The Period of Performance is : 24 months</p>
5.5 & 7.1.2	<p>The Key Persons and their jobs / functions in relation to the services are:</p> <p>Name :</p> <p>Specific Duties :</p> <p>Name :</p> <p>Specific Duties :</p>

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 eThekweni 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

No.	ITEM	AMOUNT (R)	
		Yr. 1 (2022-2023)	Yr. 2 (2023-2024)
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		
10.1	Provisional Amount for Data Collection and traffic surveys Specify maximum handling fee irrespective of total cost.	R 1 000 000	
10.2	Specify maximum handling fee relating to item 10.1		
11.1	Provisional Amount for Topographical Surveys Specify maximum handling fee irrespective of total cost.	R 1 000 000	
11.2	Specify maximum handling fee relating to item 11.1		
12.1	Provisions for Geotechnical Investigations Specify maximum handling fee irrespective of total cost.	R 1 000 000	
12.2	Specify maximum handling fee relating to item 12.1		
13	Contingency	15%	
14	Disbursements	15%	
	Sub-Total		
	Vat		
	Total carried to Form of Tender		

NAME :

(Block Capitals)

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

DATE:

PART C3 : SCOPE OF WORK

C3.1 INTRODUCTION

C3.1.1 BACKGROUND

In 1999, eThekweni 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 EThekweni Municipality initiated its IRPTN project in response to the NDoT's 2007 PTAP and associated strategies as described above. EThekweni 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.

eThekweni 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 versioned 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 plan was developed comprising 9 trunk corridors (8 road-based, 1 rail-based). These corridors are illustrated and described in the figure below.

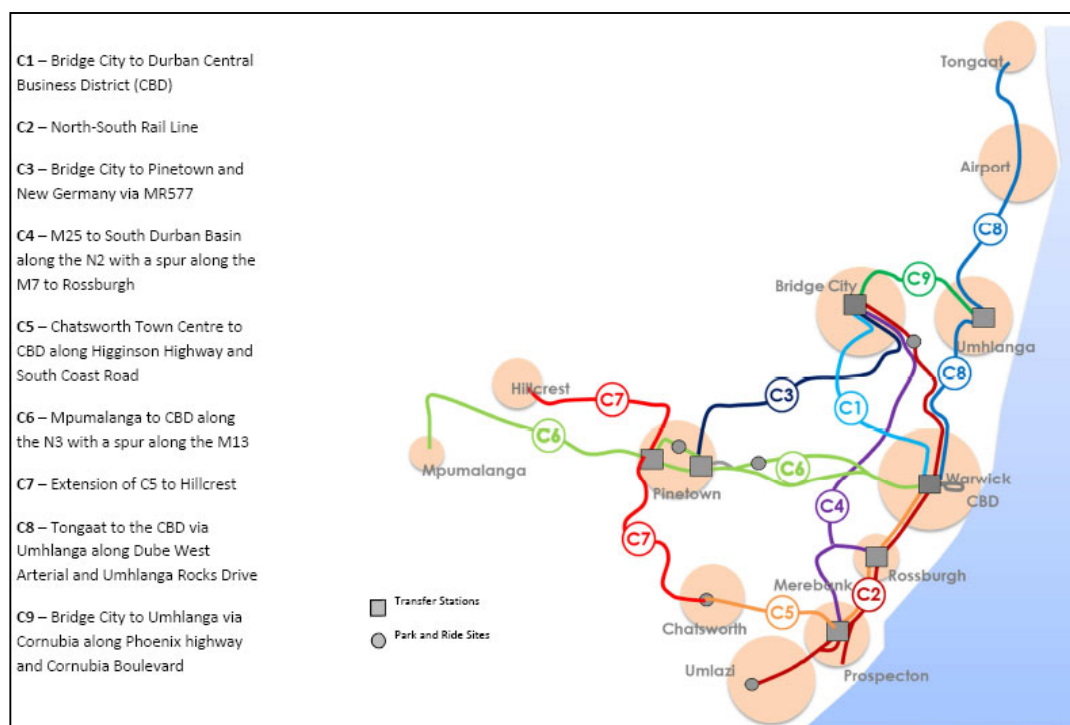


Figure 1: Original corridors of the initial wall-to-wall IRPTN plan for EM

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 Ethekeeni Municipality which covers the period 2020 to 2025
- A detailed Public Transport Study for the Pinetown CBD which is to address 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 the dates shown in Table 2.

Table 2: Current revised timeframes for completion of IPTN

PHASING		PLANNED OPERATIONAL YEAR
Phase 1	C3	2019
	C9	2022
	C1	2024
	C2 (Rail)	2024
Phase 2	C5, C7	2026
Phase 3	C4, C8	2028
Phase 4	C6	2030

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/BRT's 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

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 been 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 eThekweni 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.

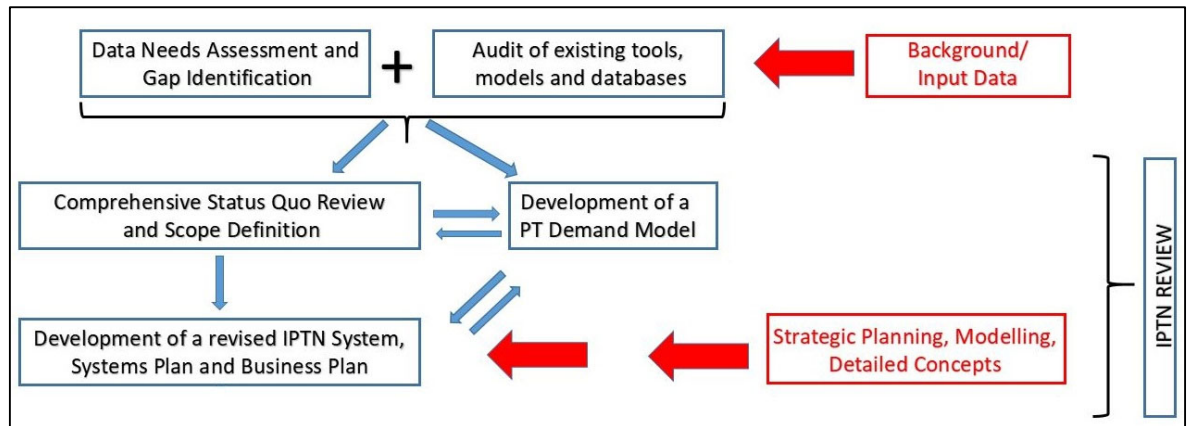


Figure 3: Broad project activities

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 initial 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 the development of the PT Demand model. These activities and their outputs will serve as the background data/information to inform the 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.

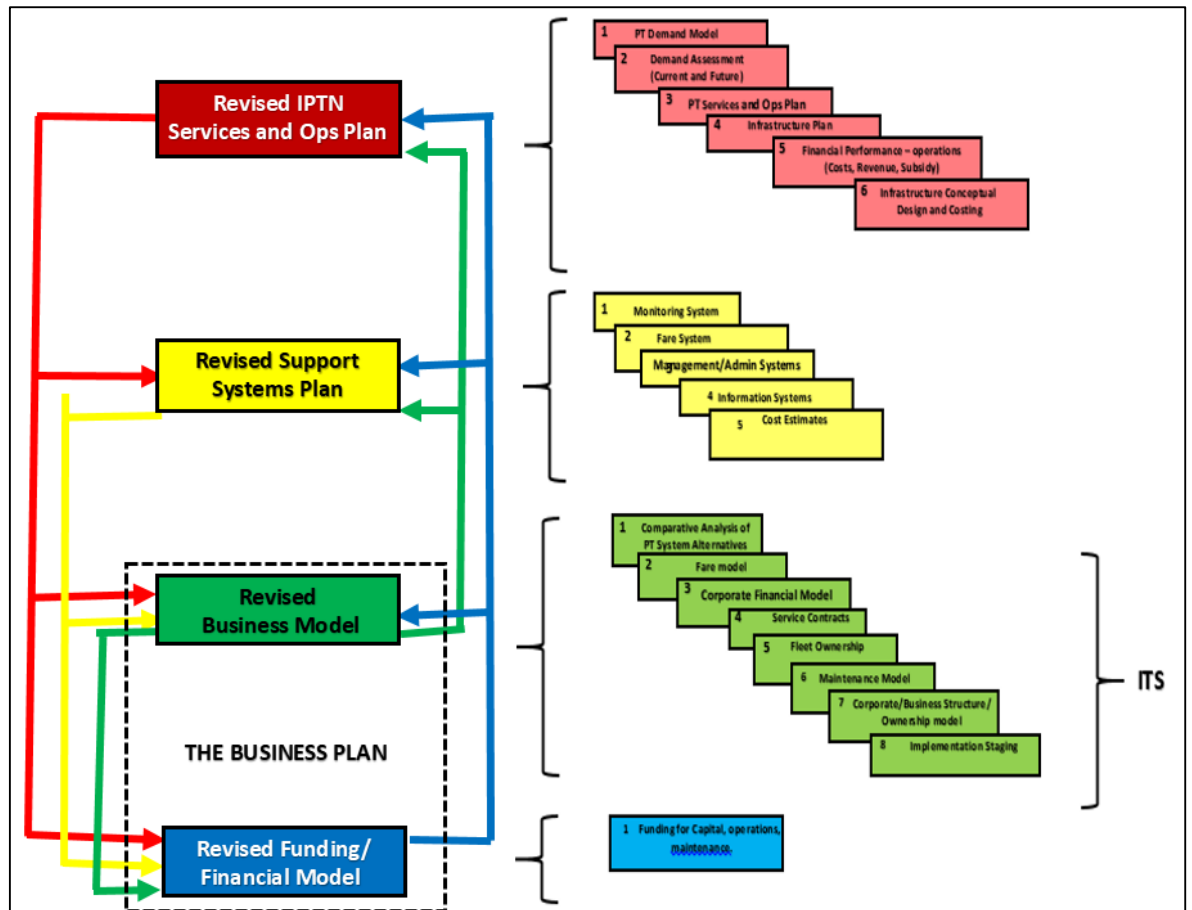


Figure 4: Detailed indicative project flow diagram

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 eThekweni 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 require 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 eThekweni Municipality

C 3.2.2 Study Requirements and Deliverables

The following sections, which should be read within the context of Section 3.1.2 “Contextualisation of the IPTN Review Project”, 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.

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.

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 CIP 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 eThekweni 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
 - EThekweni 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 eThekweni, 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 eThekweni 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 eThekweni 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 counts, 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 to 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 till 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 initial planning for the IPTN, it has been understood that subsidy funding from NDOT and KZNDOT could ultimately become non-existent. 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 feeder 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 eThekweni 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:

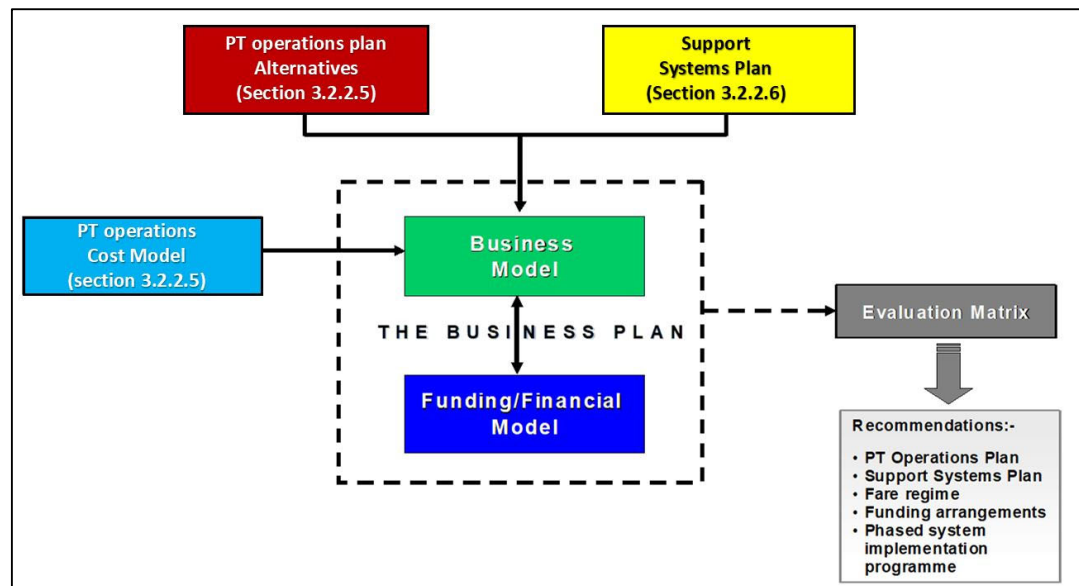


Figure 4: Public Transport System Financial & Performance Analysis Process

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 difficulty 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 eThekweni 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 24 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.

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 24 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.

C3.3.2 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 Empowerment Strategy

A Contract Participation Goal (CPG) is applicable to this appointment whereby a minimum of 30% of Total Value of Appointment (fees plus all disbursements) is to be outsourced to an entity or entities with a profile indicated in the table below. The intention of the CPG is to offer maximum opportunities for targeted entities with an emphasis on skills transfer.

CPG Entity Description	Equity Ownership Of CPG Entity	Annual Turnover Of CPG Entity	% Of Outsourced Value Contributing Towards CPG
PBE (Substantially Owned)	76% to 100%	< R50m	100%
PBE (Empowered)	51% to 75%	< R50m	50%
BBE (Substantially Owned)	76% to 100%	< R50m	50%
BBE (Empowered)	51% to 75%	< R50m	25%

Priority Business Enterprise(PBE): At least 100% owned by individuals from the Priority Population Group (PPG) in terms of equity and voting rights/powers, with a corresponding management representation.

Black Business Enterprise (BBE): At least 100% Black owned in terms of equity and voting rights/powers, with a corresponding management representation.

Black Persons: The definition includes Africans, Coloureds and Indians who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the 1984 tri-cameral parliamentary system and only received a franchise during 1994.

Priority Population Group (PPG): Black individuals who fall into the population groups that were not offered a franchise in the national elections before or after the introduction of the 1984 tri-cameral parliamentary system and only received a franchise during 1994.

This CPG will apply regardless of the equity ownership or BBBEE status of the consultant or lead consultant e.g. A lead consultant who has PBE (substantially owned) status will still be required to obtain a minimum CPG of 30% via outsourcing. In the case of a JV, a JV partner who fits the profile of one or more of the entities described above will be considered as contributing towards the CPG.

C3.3.10 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.)

C3.3.11 Candidate Development Program

Graduate Engineers / Technologists / Technicians, currently in the employ of the EThekweni 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.

C3.3.12 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

ANNEXURE 1 : STANDARD CONDITIONS OF TENDER – CIDB SFU (2015)

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 inequity 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:
- someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
 - 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

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July, 2009: Edition 3 of CIDB document 1015

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