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Dear Tenderers

**QUESTIONS AND ANSWERS FOR PROVISION OF CADASTRAL SURVEY SERVICES IN LIMLANGA CLUSTER ON AN “AS AND WHEN REQUIRED BASIS” FOR A PERIOD OF FIVE (05) YEARS. E2921DXMPOU**

1. Please take note of the following questions that were made in Enquiry No: **E2921DXMPOU**

**Technical criteria feedback:**

**Q:** If a company is not a sole proprietor, is proof of ownership of resources acceptable in the name of the owner of the company?

**A:** Yes it will be acceptable.

**Q:** If a Director has experience in previous employment as a Geomatics Professional and opens a new company, is the experience acceptable on the new company?

**A:** Yes, there must be contactable references and proof of experience provided by the previous employer.

**Q:** In a multi professional discipline company where Geomatics Professional is appointed as a Director but not a Shareholder, will that be acceptable or eligible to tender?

**A:** No, In Accordance to the Geomatics Profession Act Section 17 (1)(c) “that every shareholder of the company must be a director thereof and that only a shareholder of the company may be a director thereof”. Act attached herein.

**Q:** Eskom cannot dictate ownership structure of a company in terms of the Companies Act No. 71 of 2008 and the requirement that a Team Leader is a Professional Land Surveyor registered with SAGC (not necessarily a shareholder of the company or director), furthermore a company can practice having a team leader registered with SAGC as a Professional Land Surveyor not being a Shareholder or director of a company. Please provide clarity or advise on the latter.

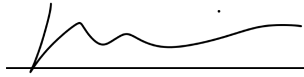
**A:** The GPA regulates the practising of geomatics work, including cadastral survey work, which is reserved for registered Geomatics Professional Land Surveyors. The intention of section 17 of the GPA is to ensure that geomatics work is undertaken under the responsibility, control, and accountability of appropriately registered professionals.

While the Companies Act governs company ownership and directorship structures, compliance with the Companies Act does not exempt entities from complying with the GPA and its professional regulatory requirements.

Accordingly, the SAGC’s view is that a company rendering cadastral survey services must demonstrate that the geomatics work is under the effective responsibility and oversight of a registered Geomatics Professional Land Surveyor. Merely appointing a Geomatics Professional Land Surveyor as a Team Leader without sufficient professional authority and accountability may not satisfy the intent of the GPA.

**NOTE:** No late tender submission will be accepted.

**Yours faithfully,**



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**Nelly Nkosi**  
**Procurement Manager (Limlanga Cluster- Mpumalanga)**

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