



Zululand
District Municipality

CONTRACT NO. ZDM008/2025-2026

**PANEL OF CIVIL ENGINEERING CONSULTANTS
TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES
AND RURAL SANITATION INFRASTRUCTURE PROJECTS
FOR THE PERIOD OF 36 MONTHS.**

TENDER DOCUMENT

Name of Tender	
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ISSUED BY:

Zululand District Municipality
Private Bag X76
ULUNDI
3838

Tel: (035) 874 5500

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

SUMMARY FOR TENDER OPENING PURPOSES	
(To facilitate the reading out of tender parameters at the opening of tenders, the tenderer shall complete this form and submit it with this tender document)	
CONTRACT NO:	ZDM008/2025-2026
Name of Tenderer: (Submitting the tender)	
CSD NUMBER:	
Percentage discount offered on Normal Services fee (As stated in the Form of Offer)	Is %.
Alternative Tender Amount offered?	N/A
Time for Completion:	36 months
Maximum Time for Completion:	36 months
Details of Contact Person:	
Name (Print):	
Telephone No:	
Mobile No:	
E-mail address (if available):	
<p><i>Note: In the event of conflict between the data provided in this summary and that given in the tender, the latter shall prevail.</i></p> <p>NAME: _____</p> <p>SIGNATURE: _____ DATE: _____</p> <p>(of person authorised to sign this tender)</p>	

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

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The Tenderer shall also satisfy himself/herself that this document is complete in accordance with the above contents and if any pages are found to be missing, or duplicated, shall immediately request the Employer to rectify the discrepancy. No liability will be admitted by the Employer in respect of errors in the Tenderer's Offer due to the foregoing

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T1 TENDERING PROCEDURES

T1.1 TENDER NOTICE AND INVITATION TO TENDER

TENDER NOTICE

The ZULULAND DISTRICT MUNICIPALITY
hereby invites tenders for:

Tender Ref. No	Tender Name & Details	Mandatory Requirement	Closing Date
ZDM008/2025-2026	<p>PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.</p> <p>The scope of work consists of assisting the Municipality with the business plan preparation, design and monitoring the implementation of Water and Sanitation Infrastructure projects.</p>	The company must be certified to maintain an internationally accepted quality assurance system.	03 February 2026

Compulsory Clarification Meeting: A compulsory clarification meeting will be held at **10h00 on Friday 16 January 2026 at the Technical Boardroom, Zululand District Municipality, Ulundi.** Tender documents will be available to download as from **08 December 2025** on the www.zululand.gov.za websites/E-tenders for free. **No documents will be issued at the tender briefing. Attendance without the tender document will not be permitted. Latecomers will not be allowed.**

Technical Enquiries can be directed to: Mr T.G Soko on the Email: tgsoko@zululand.org.za and copy Indwandwe@zululand.org.za. Supply Chain related enquiries may be directed to: The SCM Manager: Mr. T.S Zulu on the email tzulu@zululand.org.za and copy zkhuzwayo@zululand.org.za.

STAGE 1: TEST FOR RESPONSIVENESS

Tender submissions will first be assessed for responsiveness. Only submissions that fully comply with the mandatory requirements and include all returnable documents will proceed to the next stage of evaluation. Non-responsive submissions will be disqualified

In order for a tender to be considered responsive, it must comply with ALL of the following criteria:

1. Bids will be evaluated in accordance with the applicable Preferential Point Scoring System as set out in the Councils Supply Chain Management Policy. The following form, MBD 1, MBD 4, MBD 5, MBD 6.1, MBD 8 and MBD 9 must be completed and submitted with the bid.
2. A valid Tax Clearance Compliance Status Pin Certificate must accompany all bids;
3. Full CSD Report (Not older than 30 days from the tender closing);
4. Bids must be accompanied with CIPC documentation to verify ownership;
5. Current Municipal Account not in arrears for more than 90 days/ Valid Lease Agreement;
6. Company profile with traceable reference.

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STAGE 2 : FUNCTIONALITY/ELIGIBILITY CRITERIA

Criteria	Criteria Description	Score	Maximum Points Allocation	Verification Method
Company Office Locality	Tenderer has office within boundaries of ZDM	15	15	Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office outside the ZDM boundaries but within KZN	10		Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office outside the KZN boundaries but within South Africa	5		Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office no office within South Africa boundaries.	0		No Submission
Company Registration with Consulting Engineers South Africa (CESA)	Company is Registered with Consulting Engineers South Africa (CESA)	15	15	Tenderer to attach certified copy of registration certificate
	Company is in a process of Registration with Consulting Engineers South Africa (CESA)	10		Tenderer to attach certified copy of letter from CESA confirmation receipt of Application
	Company is not Registered with Consulting Engineers South Africa (CESA)	0		No Submission
Company Relevant Experience in Water Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 5 Water Infrastructure projects with a total construction value of ≥R100 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 4 Water Infrastructure projects with a total construction value of ≥R100 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project

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	Tenderer has not successfully prepared Business Plans, Designed and Monitored Water Infrastructure projects with a total construction value of \geq R100 Million for each project	0		No Submission
Company Relevant Experience in Wastewater Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	0		No Submission
Company Relevant Experience in Rural Sanitation Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Rural Sanitation Infrastructure projects with a total construction value of \geq R50 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Rural Sanitation Infrastructure projects with a total construction value of \geq R50 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	0		No Submission
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Water Conservation and Water Demand Management projects with a total construction value of \geq R20 Million for each project	10		Tenderer to attach Consultant Assessment Form For Each Project

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Company Relevant Experience in Water Conservation and Water Demand Management Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Water Conservation and Water Demand Management projects with a total construction value of \geq R20 Million for each project	5	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored at least Water Conservation and Water Demand Management projects with a total construction value of \geq R20 Million for each project	0		No Submission
Company Relevant Experience in Ongoing Revision of Water Service Development Plan Contracts	Tenderer has successfully completed 3 or more Contracts for the ongoing Revision of Water Service Development Plan.	10	10	Tenderer to attach Consultant Assessment Form For Each Contract
	Tenderer has successfully completed 1 - 2 Contracts for the ongoing Revision of Water Service Development Plan.	5		Tenderer to attach Consultant Assessment Form For Each Contract
	Tenderer has not completed Contracts for the ongoing Revision of Water Service Development Plan.	0		No Submission
Relevant Qualifications and Experience of Senior Civil Engineer	Degree / BTech in Civil Engineering and registration as ECSA-PrEng or PrTechEng being compulsory with at least 15 years' (post prof registration) engineering experience in project planning, design and project management.	10	10	Attach recent CV with 15 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 10 to 15 years' experience, contactable references & certified copies of qualifications.
		0		No Submission
Relevant Qualifications and Experience of Senior Design Engineer / Structural Engineer	Degree / BTech in Civil / Structural Engineering and registration as ECSA-PrEng or PrTechEng or PrEngTechni being compulsory with at least 10 years' (post registration) engineering experience in project planning, design and project management.	10	10	Attach recent CV with 10 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
	National Diploma in Civil / Project Management and registration as PrEngTechni or PrCPM or PrPM being compulsory with at least 10 years' (post	10		Attach recent CV with 10 or more years' experience, contactable references & certified

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Relevant Qualifications and Experience of Project Manager	registration) experience in managing and supervising construction projects.		10	copies of qualifications
		5		Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
Relevant Qualifications and Experience of Site Resident Engineer (RE)	National Diploma in Civil Engineering with at least 10 years' (post qualification) experience in construction supervision and contract administration of similar projects.	10	10	Attach recent CV with 10 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
Total Maximum Allocated Points			120	

Bidders must score at least 90 points to move forward in the evaluation process. Those who score below 90 will be disqualified and excluded from further consideration.

The 80/20 point system for acquisition of services, works or goods will be allocated as per Zululand District Municipal Supply Chain Management Policy at project allocation stage.

Tender Closing Date: 03 February 2026 at 12h00.

Duly completed tender documents **sealed in an envelope marked with the tender number and the closing date** are to be deposited into the **tender box at Zululand District Municipality, Lot B-400 Gagane Street, Ulundi, 3838 by no later than 12h00 on the closing date where they will be opened in public.** Telegraphic, telefaxed or posted tenders **WILL NOT** be accepted.

Tenders may only be submitted on the tender documentation that is issued. Requirements for sealing, addressing, delivering, opening and assessment of tenders are stated in the Tender Data.

The Bid Committee of Zululand District Municipality does not bind itself to accept the lowest or any tender.

**Mr R.N. HLONGWA
MUNICIPAL MANAGER
ZULULAND DISTRICT MUNICIPALITY**

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T1.2 TENDER DATA

1. GENERAL

The Tender Data shall be read with the Standard Conditions of Tender in order to expand on the Tenderer's obligations and the Employer's undertakings in administering the tender process in respect of the project under consideration.

Each item of Tender Data given below is cross-referenced to the relevant clause in the Standard Conditions of Tender. Variations to the Standard Conditions of Tender are reflected in 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.

2. TENDER DATA APPLICABLE TO THIS TENDER

CLAUSE NO.	TENDER DATA
F.1.1	The Employer is the Zululand District Municipality
F.1.2	<p>Tender Documents The single volume approach is adopted for this contract.</p> <p>The list of returnable documents identifies which of the documents a tenderer must complete when submitting a tender offer. The tenderer must submit his tender offer by completing the returnable documents including the fully priced Pricing Schedule, signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the single volume procurement document back to the Zululand District Municipality bound up.</p> <p>The tender documents issued by the employer comprise of the following:</p> <p><u>TENDER</u></p> <p>T1: Tendering Procedures T1.1: Tender Notice and Invitation to Tender T1.2: Tender Data T1.3: Standard Conditions of Tender</p> <p>T2: Returnable Documents T2.1: List of Returnable Documents T2.2: Returnable Schedules and Forms</p> <p>CONTRACT</p> <p>Part C1: Agreements and Contract Data C1.1 Form of Offer and Acceptance C1.2 Conditions of Contract and Contract Data</p> <p>Part C2: Pricing Schedule C2.1 Pricing Instructions and Schedule C2.2 Priced fees and disbursements</p> <p>Part C3: Scope of Works C3 Scope of Work</p>
F.1.4	<p>Communication and employer's agent Since the employer does not have an employer's agent all communication is to be directed to the General Manager: Planning as follows:-</p> <p>Name : Mr Thokozani Soko Capacity : General Manager: Planning Address : Zululand District Municipality</p>

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CLAUSE NO.	TENDER DATA
	Private Bag x76, Ulundi, 3838 Tel: (035) 874 5500 E-mail: tgsoko@zululand.org.za and copy Indwandwe@zululand.org.za
F.1.5	The Employer's right to accept or reject any tender offer The Employer is not obliged to accept the lowest or any tender offer
F.2.1.1	Eligibility Joint ventures are eligible to submit tenders and will be evaluated according to the joint capacity offered by the joint venture. A Tenderer will not be eligible to submit a tender if: <ul style="list-style-type: none"> (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 submitting the tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing; (d) The Tenderer does not comply with the legal requirements stated in the Employer's procurement policy; (e) The Tenderer cannot demonstrate that he possesses the necessary professional and competent technical qualifications, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the contract; (f) Tenders that do not meet the minimum requirements in terms of key personnel and experience will be disqualified; (g) 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. (h) Tenderers that score less than 90 points for Functionality Criteria will not be considered further during the evaluation TENDERERS TO TAKE PARTICULAR NOTICE OF THIS CLAUSE AS TENDERERS WHO DO NOT COMPLY HERewith WILL NOT BE CONSIDERED ELIGIBLE Furthermore, only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders: <ol style="list-style-type: none"> 1. Tenderer is registered on the Central Supplier Database 2. Tenderer is qualified and professionally registered for the service to be provided 3. Tenderer has the managerial capacity, reliability and experience regarding the nature of the project Only those tenderers who score a minimum score of 90 points in respect of the following functionality criteria will proceed to the price and preference goals.
F.2.4	Confidentiality and copyright of documents All work produced, including records, drawings, documents and photography pertaining to this tender shall remain the property of Zululand District Municipality and no part thereof may be copied, reproduced in any manner without the written consent of Zululand District Municipality.
F.2.6	Acknowledge addenda It is the responsibility of the Tenderer to keep checking Websites for any addenda issued before the closing date. The bidder is to acknowledge receipt of Addenda to this Tender Document, sign it and attach it to the appropriate page under Returnable Documents and adhere to stipulated amendments when filling the tender document. Failure to adhere to addendum will result to disqualification.

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CLAUSE NO.	TENDER DATA																			
F.2.7	Clarification meeting The arrangements for the compulsory site inspection visit and clarification meeting are as follows: Location: Zululand District Municipality, at B-400 Gagane Street Ulundi Date : 16 January 2026 Starting time : 10:00 Enquiries regarding the tender may be directed to: Name : Mr T.G Soko or Mr L. Ndwandwe Telephone No. : (035) 874 5500 E-Mail address : tgsoko@zululand.org.za and copy lnndwandwe@zululand.org.za																			
F.2.8	Seek clarification The closing date for submission of tender offers is as indicated in the tender notice and invite and is 03 February 2026 . Should the bidder require clarification on any matter then such should be done so in writing at least three working days before the closing time stated in the Tender Data. Accept that failure to request clarification on tender documents, in at least 3 working days prior to the closing time stated in the tender data, it shall be deemed that all matters in the tender documents are clearly understood. Accept that the Employer shall not be obligated to respond to any requests for clarification of tender documents submitted in less than 3 working days prior to the closing date																			
F.2.12.1	Alternative tender offers Alternative offers will not be considered																			
F.2.13.3	Submitting a tender offer Tender offers shall be submitted as an original only. Additional hard copies of the tender document will not be required. Under no circumstances whatsoever may the tender forms be retyped or redrafted.																			
F.2.13.5 & F.2.13.7	Submitting a tender offer The employer's address for delivery of tender offers and identification details to be shown on such tender offer package are: <table><tr><td colspan="2">Location of Tender box:</td><td>Zululand District Municipality Offices in Ulundi</td></tr><tr><td colspan="2">Physical address:</td><td>Lot B-400 Gagane Street, Ulundi,3838</td></tr><tr><td rowspan="4">Identification details</td><td>Reference Number</td><td>ZDM 008/2025-2026</td></tr><tr><td>Title of Tender</td><td>PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.</td></tr><tr><td>Closing Date</td><td>Tuesday, 03 February 2026</td></tr><tr><td>Time</td><td>12H00</td></tr><tr><td colspan="2">Postal address:</td><td>Private Bag X76, Ulundi, 3838</td></tr></table>		Location of Tender box:		Zululand District Municipality Offices in Ulundi	Physical address:		Lot B-400 Gagane Street, Ulundi,3838	Identification details	Reference Number	ZDM 008/2025-2026	Title of Tender	PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.	Closing Date	Tuesday, 03 February 2026	Time	12H00	Postal address:		Private Bag X76, Ulundi, 3838
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	Closing Date	Tuesday, 03 February 2026																		
	Time	12H00																		
Postal address:		Private Bag X76, Ulundi, 3838																		
F.2.13.6	Submitting a tender offer A two-envelope procedure will NOT be followed.																			
F.2.13.9	Submitting a tender offer Accept that tender offers submitted by facsimile or e-mail will be rejected by Zululand District Municipality																			

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CLAUSE NO.	TENDER DATA
F.2.14	<p>Information and data to be completed in all respects</p> <p>Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as being non-responsive</p>
F.2.15.1	<p>Closing time</p> <p>Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery. Telephonic, telegraphic, telex, facsimile or e-mailed and late tender offers will not be accepted.</p> <p>The closing time for submission of Tender Offers is: 12h00 on Tuesday, 03 February 2026</p>
F.2.16	<p>Tender offer validity</p> <p>The tender offer validity period is 120 (one hundred and twenty) days from the tender closing date after the time and date set for the opening of tenders, or until the Tenderer is relieved of this obligation by the Employer, in writing, at an earlier date.</p> <p>Should the tender validity expire on a weekend or public holiday, the tender validity period shall remain open until the closure of business on the next working day.</p> <p>However, the Tenderer may be requested in writing, not later than fourteen (14) days before this validity period will lapse, to extend the validity of this tender for a specific period. The written approval of the Tenderer must then be received before the lapsing of the original validity period, in order to remain valid.</p> <p>Should a Tenderer –</p> <ul style="list-style-type: none"> • Withdraw his tender during the period of its validity; or • give notice of his inability to execute the contract or fail to execute the contract; <p>then he shall be liable for and pay to the Employer –</p> <ul style="list-style-type: none"> • all expenses incurred in calling for fresh tenders, if it should be necessary; • the difference between his tender and any less favourable tender accepted either by fresh tenders being called or by another tender being accepted from those already received; • any escalation of the final contract price resulting from any delay caused in calling for fresh tenders; <p>provided always that the Employer may exempt a Tenderer from the provisions here of, if it is of the opinion that the circumstances justify such exemption.</p>
F.2.22	<p>Return of other tender documents</p> <p>Tenders may only be returned on the tender documentation that is issued by the Zululand District Municipality for Contract ZDM008/2025-2026. Requirements for sealing, addressing, delivering, opening and assessment of tenders are stated in the tender data</p>
F.2.23	<p>Certificates</p> <p>The following mandatory certificates must be submitted with tender offers.</p> <ol style="list-style-type: none"> 1 Original, Valid Tax Clearance Certificate and Tax reference number, Request reference number and PIN obtained from SARS 2 National Treasury Central Supplier Database Compliance Information (CSD), containing registration confirmation status of National Treasury with MAAA" supplier reference number. 3 Certificate of Registration/s with the Engineering Council of South Africa as a Professional (ECSA Professional Registration/s) 4 Joint Venture Agreement and Power of Attorney in case of Joint Ventures; 5 VAT Registration Certificate from the South African Revenue Services (SARS); 6 Company / CC / Trust / Partnership registration certificates; 7 Proof that payment for municipal services is up to date not more than 30 days;

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CLAUSE NO.	TENDER DATA
	<p>8 Certified Copies of Identity Document in the case of individuals operating as a Sole Proprietor one-man concerns</p> <p>9 Bidders have submitted the bid in the prescribed format;</p> <p>10 The bidder has submitted current valid proof of professional indemnity insurance cover – minimum R20million cover;</p> <p>11 Affiliation of the Company with CESA</p> <p>12 ISO 9001: 2015 Certificate</p> <p>13 Completed and signed Bid Document</p>
F.3.4.2	<p>Opening of tender submissions</p> <p>The location for opening of the tender offers, immediately after the closing time thereof shall be at:</p> <p>Time: 12:00 on Tuesday, 03 February 2026</p> <p>Location: Zululand District Municipality Offices, B400 Ugagane Street, Ulundi</p>
F.3.5	<p>Two-envelope system</p> <p>The two-envelope system will not apply to this tender</p>
F.3.11.1	<p>General</p> <p>The ZULULAND DISTRICT MUNICIPALITY has adopted a policy in supporting the legislation applicable to Procurement of tenders and Management of Construction Contracts. To achieve the RDP principles, an environment conducive to emerging and SMME's Professional Service Providers has to be created. Therefore, the procurement policy adopted by ZULULAND DISTRICT MUNICIPALITY will be implemented in this Tender to give effect to Section 217(2) of the Constitution and as published in Government Gazette no 16085, dated 23 November 1994.</p>
F.3.11.2	<p>Tenders will be evaluated in two stages in accordance with the standard tender evaluation Method 2: Test for Responsiveness and Functionality as follows:</p> <p>STAGE 1: TEST FOR RESPONSIVENESS</p> <p>In order for a tender to be considered responsive, it must comply with ALL of the following criteria:</p> <ol style="list-style-type: none"> The tender documentation must be completed and signed in all respects; The tenderer must be qualified and professionally registered for the service to be provided; The tender documentation must include all necessary and applicable documentation as listed in F2.23 above; <p>STAGE 2: FUNCTIONALITY/ELIGIBILITY CRITERIA</p> <p>Bidders will be evaluated on functionality whereby a minimum of a 90 point threshold needs to be attained for Consideration to proceed to next stage of evaluation process. Tenderers who obtain less than the required minimum points are automatically disqualified.</p> <p>The onus is on tenderers to provide sufficient detail, attached to their tenders, to allow for useful evaluation. No points will accrue in the case of vague, ambiguous or absence of detail information.</p> <p>The tender must comply with the eligibility criteria noted in F2.1.1;</p>

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FUNCTIONALITY CRITERIA

Criteria	Criteria Description	Score	Maximum Points Allocation	Verification Method
Company Office Locality	Tenderer has office within boundaries of ZDM	15	15	Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office outside the ZDM boundaries but within KZN	10		Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office outside the KZN boundaries but within South Africa	5		Tenderer to attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
	Tenderer has office no office within South Africa boundaries.	0		No Submission
Company Registration with Consulting Engineers South Africa (CESA)	Company is Registered with Consulting Engineers South Africa (CESA)	15	15	Tenderer to attach certified copy of registration certificate
	Company is in a process of Registration with Consulting Engineers South Africa (CESA)	10		Tenderer to attach certified copy of letter from CESA confirmation receipt of Application
	Company is not Registered with Consulting Engineers South Africa (CESA)	0		No Submission
Company Relevant Experience in Water Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 5 Water Infrastructure projects with a total construction value of ≥R100 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 4 Water Infrastructure projects with a total construction value of ≥R100 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project

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	Tenderer has not successfully prepared Business Plans, Designed and Monitored Water Infrastructure projects with a total construction value of \geq R100 Million for each project	0		No Submission
Company Relevant Experience in Wastewater Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	0		No Submission
Company Relevant Experience in Rural Sanitation Infrastructure Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Rural Sanitation Infrastructure projects with a total construction value of \geq R50 Million for each project	10	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Rural Sanitation Infrastructure projects with a total construction value of \geq R50 Million for each project	5		Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored Wastewater Infrastructure projects with a total construction value of \geq R50 Million for each project	0		No Submission
	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 3 Water Conservation and Water Demand Management projects with a total construction value of \geq R20 Million for each project	10		Tenderer to attach Consultant Assessment Form For Each Project

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Company Relevant Experience in Water Conservation and Water Demand Management Projects	Tenderer has successfully prepared Business Plans, Designed and Monitored at least 1 to 2 Water Conservation and Water Demand Management projects with a total construction value of ≥ R20 Million for each project	5	10	Tenderer to attach Consultant Assessment Form For Each Project
	Tenderer has not prepared Business Plans, Designed and Monitored at least Water Conservation and Water Demand Management projects with a total construction value of ≥ R20 Million for each project	0		No Submission
Company Relevant Experience in Ongoing Revision of Water Service Development Plan Contracts	Tenderer has successfully completed 3 or more Contracts for the ongoing Revision of Water Service Development Plan.	10	10	Tenderer to attach Consultant Assessment Form For Each Contract
	Tenderer has successfully completed 1 - 2 Contracts for the ongoing Revision of Water Service Development Plan.	5		Tenderer to attach Consultant Assessment Form For Each Contract
	Tenderer has not completed Contracts for the ongoing Revision of Water Service Development Plan.	0		No Submission
Relevant Qualifications and Experience of Senior Civil Engineer	Degree / BTech in Civil Engineering and registration as ECSA-PrEng or PrTechEng being compulsory with at least 15 years' (post prof registration) engineering experience in project planning, design and project management.	10	10	Attach recent CV with 15 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 10 to 15 years' experience, contactable references & certified copies of qualifications.
		0		No Submission
Relevant Qualifications and Experience of Senior Design Engineer / Structural Engineer	Degree / BTech in Civil / Structural Engineering and registration as ECSA-PrEng or PrTechEng or PrEngTechni being compulsory with at least 10 years' (post registration) engineering experience in project planning, design and project management.	10	10	Attach recent CV with 10 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
Relevant Qualifications	National Diploma in Civil / Project Management and registration as PrEngTechni or PrCPM or PrPM being compulsory with at least 10 years' (post registration) experience in managing	10		Attach recent CV with 10 or more years' experience, contactable references & certified copies of qualifications

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and Experience of Project Manager	and supervising construction projects.	5	10	Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
Relevant Qualifications and Experience of Site Resident Engineer (RE)	National Diploma in Civil Engineering with at least 10 years' (post qualification) experience in construction supervision and contract administration of similar projects.	10	10	Attach recent CV with 10 or more years' experience, contactable references & certified copies of qualifications
		5		Attach recent CV with 5 to 10 years' experience, contactable references & certified copies of qualifications
		0		No Submission
Total Maximum Allocated Points			120	

Only bidders who score a minimum score of 90 points shall be considered for further evaluation. Bidders who fail to score a minimum score of 90 points shall be disqualified and will not be considered for further evaluation.

F.3.11.3 Points scored for price (Contract Value less than R 50 000 000)

The 80/20 preference point system will be used to allocate points for tenders in this category.

It is estimated that tenders on this contract will be evaluated on the 80/20 preference point system

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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3. ANNEXURE F: STANDARD CONDITIONS OF TENDER

(As contained in Annexure F of Board Notice 136 of 10 July 2015: Standards for Uniformity in Civil Engineering Procurement Contract)

F1 GENERAL

F1.1 Actions

F1.1.1 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 F2 and F3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

F1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

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

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

F1.1.3 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.

F1.2 Tender Documents

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

F1.3 Interpretation

F1.3.1 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.

F1.3.2 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.

F1.3.3 For the purposes of these conditions for the calling for expressions of interest, the following definitions apply:

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

organisation which employs that employee.

- b) **comparative offer** means the tenderer's financial offer after all tendered parameters that will affect the value of the financial offer have been taken into consideration in order to enable comparisons to be made between offers on a comparative basis;
- c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his/her staff or agents in the tender process;
- d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels;
- e) **organization** means a company, firm, enterprise, association or other legal entity, whether incorporated or not, or a public body;
- f) **quality (functionality)** means the totality of features and characteristics of a product or service that bear on its ability to satisfy stated or implied needs.

F1.4 Communication and employer's agent

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be read, copied and recorded. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

F1.5 The employer's right to accept or reject any tender offer

F1.5.1 The employer may accept or reject any variation, deviation, tender offer, or alternative tender offer, and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The employer shall not accept or incur any liability to a tenderer for such cancellation and rejection, but will give written reasons for such action upon written request to do so.

F1.5.2 The employer may not subsequent to the cancellation or abandonment of a tender process or the rejection of all responsive tender offers re-issue a tender covering substantially the same scope of work within a period of six months unless only one tender was received and such tender was returned unopened to the tenderer.

F1.6 Procurement procedures

F1.6.1 General

Unless otherwise stated in the tender data, a contract will, subject to F.3.13, be concluded with the tenderer who in terms of F.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submission that are received at the closing time for tenders.

F1.6.2 Competitive negotiation procedure

F1.6.2.1 Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of F.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of F.3.8 relating to the material deviations or qualifications which affect the competitive position of tenders shall not apply.

F1.6.2.2 All responsive tenderers, or not less than three responsive tenderers that are highest ranked in

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terms of the evaluation method and evaluation criteria stated in the tender data, shall be invited in each round to enter into competitive negotiations, based on the principle of equal treatment and keeping confidential the proposed solutions and associated information. Notwithstanding the provisions of F2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

F1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to make a fresh tender offer, based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

F1.6.2.4 The contract shall be awarded in accordance with the provisions of F3.11 and F3.13 after tenderers have been requested to submit their best and final offer.

F1.6.3 Proposal procedure using the two stage-system

F1.6.3.1 Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the tender data, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

F1.6.3.2 Option 2

F1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement documents.

F1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

F2 TENDERER'S OBLIGATIONS

F2.1 Eligibility

F2.1.1 Submit a tender offer only if the tenderer complies with the criteria stated in the tender data and the tenderer, or any of his/her principals, is not under any restriction to do business with employer.

F2.1.2 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

F2.2 Cost of tendering

Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer comply with the requirements.

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F2.3 Check documents

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

F2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

F2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

F2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

F2.7 Clarification meeting

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

F2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least three working days before the closing time stated in the tender data.

F2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

F2.10 Pricing the tender offer

F2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

F2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

F2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

F2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

F2.11 Alterations to documents

Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasers and the use of masking

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fluid are prohibited.

F2.12 Alternative tender offers

F.2.12.1 Unless otherwise stated in the tender data, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

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

F2.13 Submitting a tender offer

F2.13.1 Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

F2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

F2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data and the parts communicated electronically in the same format as they were issued by the employer. All documentation added to the tender documents to be in English only.

F2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

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

F2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

F2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

F2.13.8 Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

F2.13.9 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data.

F2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the employer as non-responsive.

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F2.15 Closing time

F2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery. The employer shall not accept tender offers submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the tender data

F2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

F2.16 Tender offer validity

F2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

F2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.

F2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer written notice before the closing time for tenders that a tender is to be withdrawn or substituted.

F2.16.4 Where a tender submission is to be substituted, submit a substitute tender in accordance with the requirements of F2.13 with packages clearly marked as "SUBSTITUTE".

F2.17 Clarification of tender offer after submission

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

Note: Sub-clause F2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

F2.18 Provide other material

F2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

F2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

F2.19 Inspections, tests and analysis

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

F2.20 Submit securities, bonds, policies, etc.

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

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F2.21 Check final draft

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

F2.22 Return of other tender documents

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

F2.23 Certificates

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

F3 THE EMPLOYER'S UNDERTAKINGS**F3.1 Respond to requests from the tenderer**

F3.1.1 Unless otherwise stated in the tender data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

F3.1.2 Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to pre-qualify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

- a) an individual firm, or joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;
- b) the new partners to a joint venture were not pre-qualified in the first instance, either as individual firms or as another joint venture; or
- c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

F3.2 Issue Addenda

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

F3.3 Return late tender offers

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

F3.4 Opening of tender submissions

F3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

F3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened and, where applicable, the total of his/her prices, preferences claimed and time for completion, if any, for the main tender offer only.

F3.4.3 Make available the record outlined in F3.4.2 to all interested persons upon request.

F3.5 Two-envelope system

F3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

F3.5.2 Evaluate the quality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the quality evaluation more than the minimum number of points for quality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any preferences claimed. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for quality.

F3.6 Non-disclosure

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

F3.7 Grounds for rejection and disqualification

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

F3.8 Test for responsiveness

F3.8.1 Determine, after opening and before detailed evaluation, whether each tender offer properly received:

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

F3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

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

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

F3.9 Arithmetical errors, omissions or discrepancies

F3.9.1 Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.

- F3.9.2** Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with F3.11 for:
- a) the gross misplacement of the decimal point in any unit rate;
 - b) omissions made in completing the pricing schedule or bills of quantities; or
 - c) arithmetic errors in:
 - i) line-item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or
 - ii) the summation of the prices.

- F3.9.3** Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices.

- F3.9.4** Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:
- a) If bills of quantities or pricing schedules apply and there is an error in the line-item total resulting from the product of the unit rate and the quantity, the line-item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
 - b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

F3.10 Clarification of a tender offer

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

Bidders are advised that they take responsibility for submitting a **TENDER OFFER** that is correct and without any arithmetical errors. All line items must reflect the correct unit price and total price as per the Bill of Quantities provided by the Zululand District Municipality, after taking into account all the quantities. The sum of all line items must correctly reflect the total of all line items, without VAT and inclusive of VAT to those registered for Value Added Tax with the South African Revenue Services (SARS). Zululand District Municipality may disqualify bidders that submit bids with arithmetical or non-justifiable errors on tender offer

F3.11 Evaluation of tender offers

F3.11.1 General

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

F3.11.8 Scoring preferences

Confirm that tenderers are eligible for the preferences claimed in accordance with the provisions of the tender data and reject all claims for preferences where tenderers are not eligible for such preferences. Calculate the total number of tender evaluation points for preferences claimed in accordance with the provisions of the tender data.

F3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer's information the policies and / or certificates of insurance which the conditions of contract identified in the contract data, require the employer to provide.

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F3.13 Acceptance of tender offer

Accept the tender offer, if in the opinion of the employer, it does not present any unacceptable commercial risk and only if the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contract,
- d) is not insolvent, in receivership, bankrupt or being wound up, has his/her affairs administered by a court or a judicial officer, has suspended his/her business activities, or is subject to legal proceedings in respect of any of the foregoing,
- e) complies with the legal requirements, if any, stated in the tender data, and
- f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

F3.14.1 Prepare contract documents

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

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents, and
- c) other revisions agreed between the employer and the successful tenderer.

F.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

F3.15 Complete adjudicator's contract

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

F3.16 Notice to unsuccessful tenderers

F3.16.1 Notify the successful tenderer of the employer's acceptance of his/her tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period.

F3.16.2 After the successful tenderer has been notified of the employer's acceptance of the tender, notify other tenderers that their tender offers have not been accepted.

F3.17 Provide copies of the contracts

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

F3.18 Provide written reasons for actions taken

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

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T2 Returnable Documents

T2.1 List of Returnable Documents

The Tenderer must complete the following returnable documents:

T2.1	LIST OF RETURNABLE DOCUMENTS		T.28 - T.29
MBD	1	INVITATION TO BID	T.30 – T.32
MBD	4	DECLARATION OF INTEREST	T.33 – T.35
MBD	5	DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (VAT INCL)	T.36 – T.37
MBD	6.1	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022	T.38 – T.44
MBD	8	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	T.45 – T.46
MBD	9	CERTIFICATE OF INDEPENDENT BID DETERMINATION	T.47 – T.49
	A	RECORD OF ADDENDA TO TENDER DOCUMENTS	T. 50
	B	CERTIFICATE OF AUTHORITY OF AN ENTITY	T.51 – T.55
	C	REGISTRATION CERTIFICATE/S OF AN ENTITY	T.56
	D	AFFIDAVIT OF GOOD STANDING THAT WILL BE INCORPORATED INTO THE CONTRACT	T.57
	E	SCHEDULE OF ALL WORK PROVIDED FOR AN ORGAN OF THE STATE OVER THE LAST FIVE YEARS	T.58
	F	BANKING DETAILS	T.59
	F1	DECLARATION OF FINANCIAL CAPACITY	T.60
	G	SCHEDULE OF THE TENDERER'S EXPERIENCE	T.61
	G1	CONTRACTOR ASSESSMENT FORM FOR TENDER ADJUDICATION PURPOSES	T.62 – T.63
	H	CURRICULUM VITAE FORMAT OF KEY PERSONNEL	T.64
	H1	SCHEDULE OF OTHER KEY PERSONNEL	T.65
	I	DECLARATION OF AVAILABLE EQUIPMENT TO AND TECHNOLOGY TO EXECUTE THE WORK	T.66 – T.67
	J	SCHEDULE OF SUB-CONSULTANTS	T.68
	K	COMPANY QUALITY MANAGEMENT SYSTEM	T.69
	L	COMPANY AFFILIATION WITH PROFESSIONAL ENTITIES	T.70
	M	COMPANY PROFESSIONAL INDEMNITY	T.71
	N	DISCOUNTS	T.72
	O	WORKMANS' COMPENSATION REGISTRATION CERTIFICATE (OR PROOF OF PAYMENT OF CONTRIBUTIONS IN TERMS OF THE COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT NO. 130 OF 1993)	T.73
	P	TAX CLEARANCE COMPLIANCE CERTIFICATE PIN	T.74

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	Q	DECLARATION OF PAYMENT OF MUNICIPAL SERVICES	T.75
	Q1	DECLARATION OF TENDERER WHO DOES NOT HAVE A MUNICIPAL RATES ACCOUNT BUT IS RENTING OR LEASING AN OFFICE	T.76
	R	NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE	T.77
	S	DECLARATION OF SOLVENCY OR LIQUIDITY	T.78

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BIDDER'S QUESTIONNAIRE**MBD1**

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE ZULULAND DISTRICT MUNICIPALITY					
BID NUMBER:	ZDM008/2025-2026.	CLOSING DATE:	Tuesday, 03 February 2026	CLOSING TIME:	12H00
DESCRIPTION	PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (MBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Zululand District Municipality,					
Lot B-400 Gagane Street					
Ulundi,					
3838					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
TAX COMPLIANCE STATUS	TCS PIN:		AND	CSD No:	
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE		R
SIGNATURE OF BIDDER		DATE		
CAPACITY UNDER WHICH THIS BID IS SIGNED					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
CONTACT PERSON	T. Zulu		CONTACT PERSON	T.G Soko	
TELEPHONE NUMBER	035 874 5500		TELEPHONE NUMBER	035 874 5500	
E-MAIL ADDRESS	tzulu@zululand.org.za and copy nmlambo@zululand.org.za		E-MAIL ADDRESS	tgsoko@zululand.org.za , and copy Indwandwe@zululand.org.za	

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PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED– (NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3.</p> <p>2.5 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.6 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>2.7 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.6. IS THE ENTITY OR ANY OF ITS DIRECTORS UNDER ANY FORM OF LIQUIDATION OR SEQUESTRATION, INSOLVENT OR IN PROCESS THEREOF? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>

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**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.
NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.**

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

DECLARATION OF INTEREST

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

1. No bid will be accepted from persons in the service of the state¹.
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.
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 Identity Number:

3.3 Position occupied in the Company (director, 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, 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.

.....

¹MSCM 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

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-
- 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.
.....
- 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:
.....
.....

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

Full Name	Identity Number	State Employee Number

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

**DECLARATION FOR PROCUREMENT ABOVE R10 MILLION
(ALL APPLICABLE TAXES INCLUDED)**

**This form shall only be completed if the Tender Sum exceeds R10 million
(all applicable taxes included).**

1. Are you by law required to prepare annual financial statements for auditing?

YES / NO (Delete whichever is not applicable)

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

.....

.....

2. 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 (Delete whichever is not applicable)

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

- 2.2 If yes, provide particulars.

.....

.....

.....

.....

3. 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 (Delete whichever is not applicable)

- 3.1 If yes, furnish particulars

.....

.....

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4. 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 (Delete whichever is not applicable)

4.1 If yes, furnish particulars

.....
.....

CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF TENDERER

MBD 6.1**ZULULAND DISTRICT MUNICIPALITY SUPPLY CHAIN MANAGEMENT POLICY**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Objective Criteria.

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF OBJECTIVE CRITERIA, AS PRESCRIBED IN THE ATTACHED ZDM SUPPLY CHAIN MANAGEMENT POLICY

1. GENERAL CONDITIONS

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

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

1.2 The value of this bid is estimated not to exceed R50 000 000 (all applicable taxes included) and therefore the **80/20** system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) Preference points system

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

	POINTS
PRICE	80
PREFERENCE POINTS SYSTEM	20
Total points for Price and PREFERENCE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of Objective criteria together with the bid, will be interpreted to mean that preference points are not claimed.

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

2. DEFINITIONS

In this Policy, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has the same meaning as in the Act, and –

- **“competitive bidding process”** means a competitive bidding process referred to in paragraph 12 (1) (d) of this Policy;
- **“competitive bid”** means a bid in terms of a competitive bidding process;
- **“final award”**, in relation to bids or quotations submitted for a contract, means the final decision on which bid or quote to accept;

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-
- **“formal written price quotation”** means quotations referred to in paragraph 12

(1) (c) of this Policy;
 - **“highest acceptable tender”**- means a tender that complies with all specifications and conditions of tender and that has the highest price compared to other tenders.
 - **“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;
 - **“long term contract”** means a contract with a duration period exceeding one year;
 - **“lowest acceptable tender”**- means a tender that complies with all specifications and conditions of tender and that has lowest price compared to other tenders.
 - **“list of accredited prospective providers”** means the list of accredited prospective providers which the municipality must keep in terms of paragraph 14 of this policy;
 - **“other applicable legislation”** means any other legislation applicable to municipal supply chain management, including –

(a) the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

(b) the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003)
 - **“price”**- means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts.
 - **“specific goals”**- means specific goals as contemplated in section 2(1)(d) of the Act which may include contracting with persons, or categories of persons, historically disadvantaged by unfair discrimination on the basis of race, gender and disability including the implementation of programmes of the Reconstruction and Development Programme as published in Government Gazette No. 16085 dated 23 December 1994.
 - **“tender”**- means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
 - **“tender for income-generating contracts”**- means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and

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disposal of assets through public auctions.

- **“Co-operative”**- means a co-operative registered in terms of section 7 of the Co- operatives Act, 2005 (Act no. 14 of 2005).
- **“Designated group”** means:
 - (a) Black designated groups,
 - (b) Black people,
 - (c) Women,
 - (d) People with disabilities, or
 - (e) Small enterprises, as defined in section 1 of the National Small Enterprise Act, 1996, (Act no. 102 of 1996).
- **“Designated sector”**- means a sector, sub-sector or industry or product designated in terms of regulation 8(1)(a).
- **“EME”**- means an exempted micro enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad- Based Black Economic Empowerment Act.
- **“Final award”**- in relation to bids or quotations submitted for a contract, means the final decision on which bid or quote to accept.
- **“Formal written price quotation”**- means quotations referred to in paragraph 16
 - (c) of this Policy.
- **“Functionality”**- means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- **“Treasury guidelines”** means any guidelines on supply chain management issued by the Minister in terms of section 168 of the Act;
- **“National Treasury”**- has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act no. 1 of 1999).
- **“QSE”**- means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment in terms of section 9(1) of the Broad- Based Black Economic Empowerment Act.
- **“Rand value”**- means the total estimated value of a contract in Rand, calculated at the time of the tender invitation.
- **“Rural area”** means:
 - (a) A sparsely populated area in which people farm or depend on natural resources, including villages and small towns that are dispersed through the area, or
 - (b) An area including a large settlement which depends on migratory labour and remittances and government social grants for survival and may have a traditional land tenure system.
- **“Stipulated minimum threshold”** means the minimum threshold stipulated in terms of regulation 8(1)(b).
- **“Township”** means an urban living area that any time from the late 19th century until 27 April

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1994, was reserved for black people, including areas developed for historically disadvantage individuals post 27 April 1994.

- **“Treasury”** has the meaning assigned to it in section 1 of the Public Finance Management Act, 1999 (Act No. 1 of 1999).
- **“the Act”** means the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003);
- **“the Regulations”** means the Local Government: Municipal Finance Management Act, 2003, Municipal Supply Chain Management Regulations published by Government Notice 868 of 2005;
- **“written or verbal quotations”** means quotations referred to in paragraph 12(1)(b) of this Policy.
- **“municipality”** means Zululand District Municipality.
- **“Youth”** has the meaning assigned to it in section 1 of the National Youth Development Agency Act, 2008 (Act no. 54 of 2008).

3. POINTS AWARDED FOR PRICE

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

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \\ P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) & & P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right) \\ & \mathbf{or} & \end{array}$$

Where:

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{min} = Comparative price of lowest acceptable bid

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4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

No.	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Verification Method
1.	Locality (within Zululand District Municipality).	16		Attach certified copy of recent utility bills, bank statements, or a valid lease / rental agreement in the company's name
2.	Director/ owner with disability.	1		Medical certificate.
3.	Director/ owner with black women.	1		CSD report/ CK document.
4.	Director/ owner with youth.	2		CSD report/ CK document
5.	Non-compliant contributor.	0		

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5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1 Name of company /firm

5.2 VAT registration number :

5.3 Company registration number :

5.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

5.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

5.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

5.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

5.8 Total number of years the company/firm has been in business?

5.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the Objective Criteria, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 5 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 5, the Tenderer may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct.
- (iv) If the Objective Criteria that has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition

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to any other remedy it may have –

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

I, THE UNDERSIGNED (NAME)

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

.....
SIGNATURE

.....
DATE

.....
POSITION

.....
NAME OF TENDERER

As Witnesses:

1.....

Name in Block Letters.....

2.....

Name in Block Letters.....

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DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD 8)

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 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. willfully 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).
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes	No
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	No
4.3.1	If so, furnish particulars:		

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Item	Question	Yes	No
4.4	Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months?	<input type="checkbox"/>	<input type="checkbox"/>
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	<input type="checkbox"/>	<input type="checkbox"/>
4.7.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)

**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.**

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid rigging.
- 5 In order to give effect to the above, the attached 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.

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MBD9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.

in response to the invitation for the bid made by:

ZULULAND DISTRICT MUNICIPALITY

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

I certify, on behalf of: _____ that:
(Name of Bidder)

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.
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; or
 - (f) bidding with the intention not to win the bid.

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

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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.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

A: RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the Employer 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		

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

B: CERTIFICATE OF AUTHORITY OF AN ENTITY

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

(I) CERTIFICATE FOR COMPANY

I, chairperson of the Board of Directors of
, hereby confirm by resolution of the Board

(copy attached) taken on 20....., that
 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.

Signature of Chairman:

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

(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 this tender and any contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

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.*

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(III) CERTIFICATE FOR PARTNERSHIP

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 this tender and any contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

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

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(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 this tender and any contract resulting from it 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.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead partner	
	
	

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

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(V) CERTIFICATE FOR SOLE PROPRIETOR

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

business trading as:

Signature of Sole owner:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

C: REGISTRATION CERTIFICATES OF AN ENTITY**ENTITY REGISTRATION:**

[Important note to Tenderer: Registration Certificates for Companies, Close Corporations and Partnerships and ID documents for Sole Proprietors, must be inserted here. In the case of a Joint Venture, a copy of a duly signed Joint Venture Agreement clearly setting out the roles and responsibilities of the parties must be included with particular reference to the guarantees required in terms of the Contract Data. The Joint Venture Agreement must also clearly indicate how payment is to be affected to the entity and distributed to the parties].

Registered Name	Registration Number

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

D: AFFIDAVIT OF GOOD STANDING THAT WILL BE INCORPORATED INTO THE CONTRACT

The Tenderer hereby certifies that neither it nor any of the principals of the enterprise is listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector. The Tenderer further certifies that none of its principals have ever been convicted of fraud.

DECLARATION *(to be signed in the presence of a Commissioner of Oaths)*

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

Signature:

Duly authorized to sign on behalf:

Address:

.....

.....

Telephone:

Signed and sworn to before me at..... on

this theday ofby the Deponent, who

has acknowledged that he/she knows and understands the contents of this Affidavit, that its true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

Commissioner of oaths

NOTE: This affidavit comprises one (1) page all of which must be initialled by both the Deponent and the Commissioner of Oaths

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E: SCHEDULE OF ALL WORK PROVIDED FOR AN ORGAN OF THE STATE OVER THE LAST FIVE YEARS

[Tenderers are to attach a schedule detailing the name of each project, the organ of state for which the project was undertaken and the date the project was completed. If not complete list the project as "current"]

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

F: **BANKING DETAILS**

Tenderers financial capacity to finance and undertake a contract of this nature will also be checked and consequently it is a requirement that the details below be provided.

NAME OF TENDERER						
NAME OF ACCOUNT HOLDER AT BANK						
TYPE OF ACOUNT (Please tick)	CURRENT/CHEQUE	<input type="checkbox"/>	SAVINGS	<input type="checkbox"/>	TRANSMISSI ON	<input type="checkbox"/>
BANK						
BRANCH NAME						
ACCOUNT NUMBER						
BRANCH CODE						
BANK TELEPHONE NO						
BANK ADDRESS						
NAME OF BANK MANAGER						
TELEPHONE NUMBER						
NO OF YEARS ABOVE ACCOUNT HAS BEEN WITH BANK						
CREDIT FACILITIES AVAILABLE (State Amount)						

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

F1: DECLARATION OF FINANCIAL CAPACITY

The following particulars must be furnished in support of the preceding returnable to test financial capacity.

- No bid will be accepted from persons who cannot prove adequate financial capacity to execute the contract according to the specifications and scope of work and withing the stipulated timeframe.
- In order to prove financial capacity, the tenderer must attach the following:
 - a) A letter from the bank with bank stamp confirming that the tenderer has an active bank account.
 - b) Proof of bank account and letter of good standing with a credit rating.
 - c) If the tenderer is unable to demonstrate sufficient credit facility available, the tenderer must at least provide written undertaking/proof of guarantee or financial capacity from a reputable and accredited financial service provider/lender.

CERTIFICATION

I, THE UNDERSIGNED (NAME):

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

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

.....
DATE

.....
POSITION

.....
NAME OF TENDERER

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

G: SCHEDULE OF THE TENDERER'S EXPERIENCE

Tenderers are to provide references for other recent projects of a similar nature and statue with which the company has been involved in.

The information provided here will be used to evaluate the Tenderer's eligibility to undertake the contract. It is important that the Tenderer ensure that sufficient and legible information is provided to enable the Employer to evaluate the criteria noted in the table in **F.3.11.2**.

Name and Telephone Number of Client	Project Description	Project Value	Details of services provided

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

DATE:

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G1: CONSULTANT ASSESSMENT FORM FOR TENDER ADJUDICATION PURPOSES

The Tenderer must request previous Client to complete this form for each project they have completed as claimed in the Tenderers Experience Schedule. The completed and signed forms are to be submitted with the Tender.

The following form will be requested to be completed by the Tenderers previous Clients' Agents.

Project Details

Employer :
.....

Consultant :
.....

Description of project :
.....

Project Construction Value.....

Project Professional Fees Value.....

Contract Start date: Contract End Date:.....

SCALE RATING			
CATEGORIES	Poor (≤50%)	Satisfactory (51-75%)	Good (76 - 100%)
Technical Expertise: Overall Consultant's knowledge, skills, and experience in project execution.			
Communication: Effectiveness in conveying ideas, listening, and responding to Client's needs			
Project Management: Ability to plan, coordinate, and deliver projects on time, within budget, and to the required quality standards.			
Collaboration and Teamwork: Willingness to work with Clients' staff, stakeholders, and other consultants to achieve project goals			
Innovation and Problem-Solving: Ability to think creatively, identify solutions, and implement innovative approaches.			
Timeliness and Reliability: Consultant's ability to meet deadlines, respond to requests, and maintain reliability throughout the project			
Cost-Effectiveness: Consultant's ability to provide value for money, manage costs, and optimize resources.			
Adaptability and Flexibility: Willingness to adapt to changing project requirements, Client's needs, and unexpected challenges			
OVERALL RATING:			

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

Project included (please tick applicable):

Planning studies, investigations and assessments / Business Plan Preparation		Design		Construction Monitoring		Revision of Water Service Development Plan Contracts	
--	--	--------	--	-------------------------	--	--	--

Any other remarks considered necessary to assist in evaluation of the Service Provider?

.....

Client's contact person:

Company: Capacity:

Telephone: Email:

Signature: Date:

Tenderer to submit assessment form (for each project) completed by the client's Senior Technical Official / SCM Official / Municipal Manager.



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H: CURRICULUM VITAE FORMAT OF KEY PERSONNEL

The success of this project will largely depend on the ability of the **Senior Civil Engineer's** experience in the project planning, design and project management of water and sanitation infrastructure projects. The Tenderer must indicate who they intend using for this function and must list the incumbent's experience.

Failure to provide proof of a suitable candidate to manage the work on a permanent basis during the currency of the contract will result in dis-qualification.

[illegible]

Attach Full Recent CV, ID Copy, Copy of Qualifications and Professional Registration Certificate of Senior Civil Engineer

SIGNATURE:

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

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

H 1. SCHEDULE OF OTHER KEY PERSONNEL

The success of this project will largely depend on the ability of the **Service Provider** to manage resources. The Tenderer must indicate who they intend using for this function and must list the incumbent's experience.

Failure to provide proof of a suitable candidate to undertake the work on a permanent basis during the duration of the contract will result in disqualification.

Position	Candidate's Name	Candidate's ID Number	Qualification/s	Professional Membership & Number	Year's Relevant Experience
Design Engineer / Structural Engineer					
Site Resident Engineer/					
Project Manager					

Attach Full Recent CV, ID Copy, Copy of Qualifications and Professional Registration Certificate of:

**Design Engineer or Structural Engineer
Site Resident Engineer
Project Manager**

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

I: DECLARATION OF AVAILABLE EQUIPMENT AND TECHNOLOGY TO EXECUTE THE WORK

The undersigned bidder, declares that they have a fully established office and equipment:

Infrastructure and Technology	Number Owned	Number Hired	Description
Fully Operational Office			Physical Address of the operational office
Complete computer hardware			Brand Name of Computer Hardware
			1.
			2.
			3.
			4.
			5.
Required Design and Draughting Software for Civil Engineering Projects. (Bulk Water Supply, Reticulation Including WWTW, Treatment Plants, Bulk Sewer Supply, WCDM and WSDP)			Brand Name and Model of the software;
			1.
			2.
			3.
			4.
			5.
Drawing Plotter (Able to print up to A0 drawings)			Brand Name and Model:
			1.
			2.
			3.
			4.
			5.

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

DECLARATION

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the enterprise and hereby declare that, the bidder of this bid **ZDM008/2025-2026** will make fully established office and equipment available within Zululand District Municipality boundaries after receiving project allocation and budget confirmation letter, failing which the project allocation may be terminated.

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the tenderer, confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise to the best of my belief both true and correct.

NAME:.....

SIGNATURE: DATE:

Duly authorized to sign on behalf of (Bidder Name):.....

NOTE: This declaration comprises one (1) page all of which must be also initialled.

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

J: SCHEDULE OF SUB-CONSULTANTS

We notify you that it is our intention to employ the following Sub-Consultants for work on this Tender.

	Name and Address of Proposed Sub-Consultant	Nature and Extent of Work	Previous Experience working with this Sub-Consultant
1.			
2.			
3.			
4.			
5.			

SIGNATURE:

DATE:

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

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL
SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

K: COMPANY QUALITY MANAGEMENT SYSTEM

ISO 9001 certificate or Internal Quality Management Plan to be attached here.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

L. COMPANY AFFILIATION WITH PROFESSIONAL ENTITIES

Registration Certificate of the Company with Consulting Engineers South Africa (CESA) must be attached here.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

M. COMPANY PROFESSIONAL INDEMNITY

Proof of Professional Indemnity Insurance to the minimum value of R20 million to be attached here.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

N: DISCOUNTS

The Employer will not consider any discounts unless forms (a) have been completed to the satisfaction of the Employer).

I / We herewith propose the discounts as set out in the tables below:

(a) DISCOUNTS

ITEM ON WHICH DISCOUNT IS OFFERED	DESCRIPTION OF DISCOUNT OFFERED

Note: The tenderer must give full details of the discounts offered in a covering letter attached to his/her tender, failing which, the offer will be prejudiced

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

O: WORKMANS' COMPENSATION REGISTRATION CERTIFICATE (OR PROOF OF PAYMENT OF CONTRIBUTIONS IN TERMS OF THE COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT NO. 130 OF 1993)

[Certified Copy of the Certificate or Proof of Payment thereof obtained from the Workmen's Compensation Commissioner to be inserted here]

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL
SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

P: TAX CLEARANCE CERTIFICATE

TAX CLEARANCE COMPLIANCE CERTIFICATE PIN

[Valid Tax Clearance Compliance Certificate Pin obtained from SARS to be attached to this page]

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

Q: DECLARATION OF PAYMENT OF MUNICIPAL SERVICES**DECLARATION TO CERTIFY THAT:**

THE TENDERER HAS NO UNDISPUTED COMMITMENTS FOR MUNICIPAL SERVICES TOWARDS A MUNICIPALITY OF WHICH PAYMENT IS OVERDUE FOR MORE THAN 30 DAYS.

DECLARATION

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, confirms that there are no undisputed commitments for municipal services towards a municipality of which payment is overdue for more than 30 days to my personal knowledge, and save where stated otherwise to the best of my belief both true and correct.

Signature:

Duly authorized to sign on behalf of:

Address:

.....

.....

Telephone:

Date:

Municipal rates statement must be attached to this page. Proof of payment may be attached only in the event that the Tenderer has recently paid the outstanding balance but it has not reflected on the municipality's account.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

Q1: DECLARATION OF TENDERER WHO DOES NOT HAVE A MUNICIPAL RATES ACCOUNT BUT IS RENTING OR LEASING AN OFFICE

This is a declaration that:

THE TENDERER DOES NOT HAVE A MUNICIPAL RATES ACCOUNT BUT IS LEASING OR RENTING OFFICE SPACE FROM A LANDLORD.

DECLARATION

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the firm, confirms that the Tenderer does not have a municipal rates account but is leasing or renting office space from a Landlord.

Signature:

Duly authorized to sign on behalf of:

Lease Address:

.....

.....

Telephone:

Date:

NOTE: Lease Agreement and latest Lease account statement to be attached to this page which includes that the Tenderer no outstanding balance. Proof of payment may be attached only in the event that the Tenderer has recently paid the outstanding balance but it has not reflected on the Landlord's account.

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

R: NATIONAL TREASURY'S CENTRAL SUPPLIER DATABASE

Tenderers are required to self-register on National Treasury's Central Supplier Database (CSD) which has been established to centrally administer supplier information for all organs of state and facilitate the verification of certain key supplier information. ZDM is required to ensure that price quotations are invited and accepted from prospective bidders listed on the CSD. Business may not be awarded to a Tenderer who has failed to register on the CSD. Only foreign suppliers with no local registered entity need not register on the CSD. The CSD can be accessed at <https://secure.csd.gov.za/>. Tenderers are required to provide the CSD summary form and the information below to ZDM in order to enable it to verify information on the CSD:

Supplier Number: _____

Unique registration reference number: _____.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

S: DECLARATION OF SOLVENCY OR LIQUIDITY

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

- a. Under liquidation
- b. Sequestration
- c. Insolvency.

This Clause is applicable even after the bid is awarded.

We, the undersigned directors, declare that they are not under liquidation, sequestration or insolvent.

No	Name of Director	ID number	Signature

➤ DECLARATION OF SOLVENCY/ LIQUIDITY

- All tenderers attention is drawn to this Form (declaration of Solvency or Liquidity of the tenderer).
- All tenderers are therefore required to complete It.
- Failure to complete the form or attempt to falsify or hide this information may render the tender non-responsive.

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

DATE:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

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PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

C1. AGREEMENTS AND CONTRACT DATA

C1.1 FORM OF OFFER AND ACCEPTANCE

OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of:

CONTRACT NO ZDM008/2025-2026: PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS.

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

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance the Tenderer offers to perform all of the obligations and liabilities of the Service Provider 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 percentage discount offered on Basic fee is %.

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 Service Provider in the Conditions of Contract identified in the Contract Data.

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

Name:*(of signatory in capitals):*

Capacity:*(of Signatory):*

Name of Tenderer: *(Organisation):*

Address:
.....

Telephone number:

Witness:

Signature:.....

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

Date:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

ACCEPTANCE

By signing this part of this 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 Agreements and contract data, (which include this agreement)
- Part C2 Pricing data
- Part C3 Scope of work

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the returnable 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 form of offer and acceptance. No amendments to or deviations from said documents are valid unless contained in this schedule.

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 securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil 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 working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

For the Employer:

Signature:

Name: (in capitals)

Capacity:

Name of Employer: ZULULAND DISTRICT MUNICIPALITY

Address: B-400, Gagane Street, Ulundi

Witness:

Name / Signature:

Date:

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

SCHEDULE OF DEVIATIONS

The extent of deviations from the tender documents issued by Zululand District Municipality prior to the tender closing date is limited to those permitted in terms of the Tender Data and the Conditions of Tender.

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

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

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

1.

Subject:

Details:
2.

Subject:

Details:
3.

Subject:

Details:
4.

Subject:

Details:

By the duly authorized representatives signing this Schedule of Deviations, Zululand District Municipality 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 Zululand District Municipality during this process of offer and acceptance.

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

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

For the Tenderer:

For the Employer:

_____	Signature	_____
_____	Name	_____
_____	Capacity	_____

Name and address of organisation:

Name and address of organisation:

_____	_____
_____	_____
_____	_____

_____	Witness Signature	_____
_____	Witness Name	_____
_____	Date	_____

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

CONFIRMATION OF RECEIPT

The Tenderer, (now Consultant), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the _____ (day)

of _____ (month)

20 _____ (year)

at _____ (place)

For the Contractor:

.....
Signature

.....
Name

.....
Capacity

**Signature and Name
of Witness:**

.....
Signature

.....
Name

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

C1.2 CONTRACT DATA

The Conditions of Contract are the Standard Professional Services Contract (July 2009) published by the Construction Industry Development Board, together with the Municipality's Special Conditions of Contract.

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

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

VARIATIONS TO THE GENERAL STANDARD PROFESSIONAL SERVICES CONTRACT

PART 1 - DATA PROVIDED BY THE EMPLOYER

REF. CLAUSE No	DATA PROVIDED BY THE EMPLOYER
	Name of Employer: Zululand District Municipality
3.4 and 4.3.2	The authorized and designated representative of the Employer is: Name: Mr T.G Soko The address for receipt of communications is: Email: tgsoko@zululand.org.za Address: Lot B-400 Gagane Street, B-North Private Bag X76 ULUNDI 3838
1	The Project is: CONTRACT NO. ZDM008/2025-2026: APPOINTMENT OF A PANEL OF PROFESSIONAL CONSULTING CIVIL ENGINEERS WITHIN ZULULAND DISTRICT MUNICIPALITY, AS AND WHEN REQUIRED, FOR A PERIOD OF 36 MONTHS
1	The Period of Performance for the ZDM008/2025-2026 Contract is thirty-six (36) months. Inclusion on the panel does not guarantee project allocation to the service provider. When a need for a project arises, Zululand District Municipality will select the service providers from the panel (using electronic system) who will be requested to submit returnable for the specific prescribed project and be evaluated according to that project's deliverables.
3.4.1	Communications by e-mail are preferred.
3.5	The location for the performance of this contract is the footprint area of the Zululand District Municipality .
3.6	The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.
3.15.1	Upon receiving project allocation letter and briefing on the expected deliverables, the consultant shall submit project milestones within 14 days to the client. Then upon inclusion of project in the Municipality's Implementation Plan the project cash flow projection shall be submitted within 21 days to the client.
3.16.1	Escalation will not apply to this contract.
4.3.1(d)	The Service Provider will be required to assist in the obtaining of approvals, licensing and permits from the state, regional and municipal authorities having jurisdiction over the Project.
5.4.1	The Service Provider is required to provide professional indemnity insurance cover of a minimum value of R20Million.

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

REF. CLAUSE No	DATA PROVIDED BY THE EMPLOYER
5.5	The Service Provider is required to obtain the Employer's prior approval in writing before taking, inter alia, any of the following actions: a) Changing any of the Key Personnel indicated in Schedule H and H1 Above. b) Proceeding to the next Project Stage.
8.1	The commencement date of the Panel shall be the effective date when the Form of Acceptance has been signed by both parties to the Contract. The Service Provider shall commence its performance within 21 Days of receipt of the project allocation letter from the Employer. The project allocation letter will only be valid for the period of this panel subject to completion of any project under construction.
8.2	The completion date of this Panel shall be 36 months after the effective date. Consultant's individual contracts will however be reviewed on an annual basis after an evaluation of the performance of the Service Provider has been undertaken by the Municipality's Supply Chain Management
9.1	Copyright of documents and drawings prepared for the Project shall be vested with the Employer.
12.1.2	Interim settlement of disputes is to be by mediation.
12.2/12.3	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: The Municipal Manager Zululand District Municipality
12.4.2	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by: The Municipal Manager Zululand District Municipality
13.1.3	In a Joint Venture, even if both parties have Professional Indemnity Insurance, the stated Lead Service Provider should provide the full Professional Indemnity insurance in accordance with the above requirements stated in 5.4.1.
14	Remuneration The Service Provider will appointed at risk and will only be remunerated on a project that has been approved by funder and included in the Municipal Implementation Plan and at the time in which the project has been approved for procurement process. The Service Provider will only be remunerated for work undertaken or completed as per the six ECSA stages and in accordance to the written notification/s issued by the Employer. The rate for remuneration will be in accordance to the latest ECSA Guideline for Professional Fees (Government Gazette #52691 – May 2025) with the fee discounts as tendered for under this bid applied. Due to possible design changes taking place during construction phase, a 60/40 split will be applied to ECSA Stage 3 (Design) Fee component. Whereby the 60% due will be paid on ECSA Stage 3 completion approval and the balance thereof 40% during construction under ECSA Stage 5.

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

PART 2 - DATA PROVIDED BY THE SERVICE PROVIDER

REF. CLAUSE No	DATA PROVIDED BY THE SERVICE PROVIDER
1	<p>The Service Provider is:.....</p> <p>Address of Tenderer:</p> <p><u>Physical:</u></p> <p><u>Postal</u></p> <p><u>e-mail:</u></p> <p><u>Telephone No:</u></p>
5.3	<p>The authorised and designated representative of the Service Provider is:</p> <p>Name:</p> <p>Name: The address for receipt of communications is: Telephone: Facsimile: Email: Address:</p>

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

C2. PRICING DATA

C 2.1 PROFESIONAL FEES DERTEMINATION/TERMS OF REFERENCE

C 2.1.1 Project Cost Based Fees

Unless otherwise stated, the project cost-based fees for Service Provider's will be calculated according to ECSA Guideline Scope of Services and Professional Fees Guideline for Professional Fees (Government Gazette #52691 – May 2025).

The fee calculation will initially be based on the Project cost estimates that are provided at the time of tendering and will be reviewed the first-time once tenders for construction have closed and the construction prices of the preferred Contractor(s) are known. A second and final revision of the basic fee calculation will be done once construction is complete and the final construction value is known.

Payment of the basic fee shall be made in stages as follows:

Stage of Services	Typical percentage points for each stage
Inception	5%
Concept and Viability	25%
Design Development	25%
Documentation and Procurement	25%
Contract Administration and Inspection	15%
Close-Out	5%

C.2.2 Discount on Project Cost Based Fees

- The fee amount to be provided at project allocation stage shall include all services required to execute the works. The rates shall consider Construction Monitoring and Specialists.
- A maximum of 20% discount will be allowed on Project Cost Based Fee.

2.2.1 The percentage discount offered on Basic fee is %.

2.2.2 Rates for Additional Services and Disbursement shall be provided by the service provider upon project allocation

2.2.3 Total professional fees (including disbursements, additional services etc.) paid to the service provider shall not exceed 14% of construction cost.

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

DATE:

C 3. TERMS OF REFERENCE

1. BACKGROUND AND OBJECTIVES

Zululand District Municipality is mandated to deal with service delivery of infrastructure projects within its area of jurisdiction in line with current legislation.

The municipality, as the custodian for service delivery gets allocated conditional grant funding from various funding streams to implement service delivery projects on behalf of Government.

ZDM's capital infrastructure programme is funded through the following funding streams:

- Municipal Infrastructure Grant (MIG)
- Regional Bulk Infrastructure Grant (RBIG)
- Water Services Infrastructure Grant (WSIG)
- Any other special funding by either government or private sector

And may in the future obtain any other special funding for special projects or mainstream projects either from other government grants or private sector

ZDM's objective on this tender is to appoint suitable and capable Professional Service Providers (PSP) to a roster panel. Upon formal appointment to a project, it will be expected that the PSP is extensively experienced and compliant to proficiently deliver the prescribed project deliverables within the set milestones in a professional manner to the ZDM.

The Service Provider shall provide suitably qualified, registered and experienced personnel to undertake assignments relating to the delivery of the project/s as set out below, as and when required, during the Period of Performance.

2. SCOPE OF WORK

The fundamental purpose of the Municipality to develop a roster is to eradicate backlogs while ensuring service delivery with integrity through its area of jurisdiction and compliance to the Gazetted conditional grants framework and condition.

There are three components required to ensure prominent service delivery. These components are described in detail under the latest ECSA guidelines and summarised as follows:

- a) Planning studies, investigations and assessments
- b) Normal Services
- c) Additional Services.

The Consulting Civil Engineer will be required to provide full delivery of services relevant to the Consulting Civil Engineering specialist discipline, core competency in the area of practise and project requirements. Specific instructions and specification in that regard will be provided as and when the work is required and allocated.

The three components of work may relate to specific focus areas or a combination of the focus areas which include inter alia: -

- water purification plants
- waste water treatment plants
- bulk water and wastewater pipelines
- water and sewer reticulation pipelines
- rural dry sanitation
- development and implementation of groundwater supply systems
- development of surface water sources

PANEL OF CIVIL ENGINEERING CONSULTANTS TO ASSIST IN UNDERTAKING WATER SUPPLY SERVICES AND RURAL SANITATION INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 36 MONTHS

- plant audits
- water conservation water demand management (WCWDM)
- water resource management
- non-standard and standard constructed water and wastewater Infrastructure asset management
- facilitating of various programmes i.e. (EPWP, WSDP)
- development of strategic and sector plans

The professional service providers to be appointed will be engaged in accordance to ECSA guidelines and fee structures and not only will they fulfil their professional mandate but will be expected to provide support to the municipality and shall be required to undertake, amongst other activities: -

- Assist in Establishing Project Steering Committees to steer their overall appointment;
- Stakeholder liaison – internal and external;
- Preparation of project business plans;
- Develop scoping documents or conceptual plans with cost estimates;
- Undertake preliminary and final design work including the preparation of the associated reports and drawings for Employer approval
- Prepare tender documentation and present to Bid-Spec for approval
- If required undertake tender evaluation
- Provide coordination, management and monitoring of the implementation of the projects;
- Prepare various periodic reports or presentations as may be instructed by the municipality for presentation to various stakeholders for accountability;
- Advise the municipality in complying with legislative requirements;
- Prepare and submit Closeout Reports
- Assist with the technical input in marketing and lobbying for financial support to implement the projects identified
- Be able to perform other services internally or through sub-consulting such as:
 - I. Health and Safety Services
 - II. Environmental Management Services
 - III. Topographical Survey
 - IV. Geotechnical Investigations
 - V. Geo-hydrological Investigations
- Be able to Mentor and train Zululand District Municipality personnels as per Standard for Developing Skills through Infrastructure Contracts (CIDB Gazette #48491 – March 2023).

Planning Studies, Investigations and Assessments

These typical services relate to carrying out planning, studies, investigations, assessments as well as the preparation and submission of reports embodying proposals or feasibility studies and will be remunerated on a time and cost basis.

These activities include inter alia:-

- Consultation with the client or client's authorised representative.
- Inspection of the project site.
- Developing and defining the scope of work where required.
- Preliminary investigation, route location, planning and a level of design appropriate to allow decisions on feasibility.
- Assessment of existing infrastructural elements with the view of informing the project on options of how to integrate existing works with proposed new works.
- Consultation with authorities and other entities having rights or powers of sanction as well as consultation with the public and stakeholder groups.
- Advice to the client as to regulatory and statutory requirements, including environmental management and the need for surveys, analyses, tests and site or other investigations, as well as approvals, where these are required for completion of the services.
- Searching for, obtaining, investigating and collating available data, drawings and plans relating to the works.

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- Where applicable, investigating financial and economic implications relating to the proposals or feasibility studies.
 - Assist the client to develop timeframes for next stages of the project where required.

Description of Services for Normal Project Delivery Stages

The Project specific services will include (all or part thereof) of the Normal and Additional Engineering Services executed aligned with the following guideline documents:

Engineering Council of South Africa (ECSA), "Guideline Professional Fees Scope of Services and Tariff of Fees for Persons Registered in terms of the Engineering Profession Act, 46 of 2000", (ECSA 2025 Guidelines).

South African Council for the Project and Construction Management Professions (SACPCMP), "Amended Guideline Scope of Services and Recommended Guideline Tariff of Fees for Persons Registered in terms of the Project and Construction Management Professions Act, 48 of 2000", (SACPCMP 2025 Guidelines).

Stage 1 - Inception: Establish client requirements and preferences, assess user needs and options, appointment of necessary consultants, establish the project brief including project objectives, priorities, constraints, assumptions, aspirations and strategies. Deliverables will typically include:

- agreed scope of services and scope of work
- signed agreement
- report on project, site and functional requirements
- schedule of required sub consultants or specialists, surveys, tests, analyses and site investigations
- schedule of consents and approvals and related timeframes
- project initiation programme
- approval by client to proceed to Stage 2

Stage 2 – Concept and Viability: Prepare and finalise the project concept in accordance with the brief, including project scope, scale, character, form and function, plus preliminary programme and viability of the project. Deliverables typically include:

- concept design
- schedule of required surveys, test and other investigations and related reports
- process design
- preliminary design
- cost estimates, as required
- Indicative project documentation and construction programme
- approval by client to proceed to Stage 3

Stage 3 – Design Development (also termed detailed design): Develop the approved concept to finalise the design, outline specifications, cost plan, financial viability and programme for the project. Deliverables will typically include:

- design development drawings
- outline specifications
- local and other authority submission drawings and reports
- detailed estimates of construction costs
- Indicative project documentation and construction programme
- approval by client to proceed to Stage 4

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Stage 4 – Documentation and Procurement: Prepare procurement and construction documentation, confirm and implement the procurement strategies and procedures for effective and timeous procurement of necessary resources for execution of the project. Deliverables will typically include:

- specifications
- services co-ordination
- working drawings
- budget construction cost
- tender documentation
- tender evaluation report
- priced contract documentation.
- Contractors' letter of appointment

Stage 5 – Contract Administration and Inspection: Manage, administer and monitor the construction contracts and processes including preparation and coordination of procedures and documentation to facilitate practical completion of the works according to specification and within prescribed period/time. Deliverables will typically include:

- schedules of predicted cash flow
- construction documentation
- drawing register
- estimates for proposed variations
- contract instructions
- financial control reports
- monthly valuations for payment certificates
- progressive and draft final accounts
- practical completion and defects list
- all statutory certification and certificates of compliance as required by the local and other statutory authorities
- certificate of practical completion

Stage 6 – Close-Out: Fulfil and complete the project close-out, including necessary documentation to facilitate effective completion, handover and operation of the project. Deliverables will typically include:

- valuations for payment certificates
- works and final completion lists
- operations and maintenance manuals, guarantees and warranties
- as-built drawings and documentation
- field survey and asset register
- final accounts
- completion certificates

Construction Monitoring

Level 3 of construction monitoring will be applicable on this contract, including full-time Professionally Registered Resident Engineer on site for the duration of the works.

The consultant will be required to have a minimum of personnel listed on Functionality Criteria of this tender document on all projects implemented and where there is more than one project a similar work team structure will be applicable. Any changes on the personnel submitted must be communicated prior and approved.

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3. MUNICIPALITY REQUIREMENTS

The municipality requires professional teams that have:-

- experience in leading a multi-disciplinary teams of engineering professionals;
- expertise to implement large projects or programmes at District Level;
- proven ability of team members to manage plans associated with municipal infrastructure;
- sound knowledge of the municipality in terms of geographical orientation and population dynamics;
- an understanding and knowledge in operating within the municipal environment;
- Monthly submissions using ZDM prescribed methods.
- Senior Civil Engineer or Design Engineer must attend monthly consultant's project progress review meetings. The company representative should be in a position to address questions and issues related to all projects assigned to the company.
- There will be monthly performance evaluation for consultants based on above deliverables (technical, administrative, compliance including IMPI compliance, etc.).

4. PROFESSIONAL RESOURCE DUTIES

The following key resources have been identified as being an essential requirement of a successful project team: -

Resource #1: Senior Civil Engineer

Over and above required extensive knowledge in design, managing and supervision requirements, duties include but are not limited to:

- Leading the appointed Consulting Civil Engineering teams' specific activities
- Direct engagement with PMU Manager, WSA Manager, and HOD Planning regarding contractual matters and ensures diligent planning, implementation and financial administration of projects.
- Guide the municipality on the development of water master plan including management of water resources and the development of systems and processes.
- Assist the municipality with infrastructure development programme planning in line with the WSDP including feasibility studies, compilation of technical report, Business plan while ensuring compliance with sectoral departments.
- Attending all municipality meetings, and sector departmental meetings upon request by the municipality.
- Project Budget and Expenditure Control
- Project Risk Analysis and develop mitigation strategies.
- Ensuring project implementation aligns with GRANT conditions, terms and framework
- Attend site progress meetings and inspect site monthly

Resource #2: Design Engineer or Structural Engineer

Over and above design requirements, duties include but are not limited to:

- Leading the design team on all structural systems and components to achieve design goals while ensuring safety compliance.
- Guide the municipality on the design concepts for development of water resources, systems and processes.
- Assist the municipality with conceptualising infrastructure development programme from planning to operation and maintenance stage.
- Attending all municipality meetings, and sector departmental meetings upon request by the municipality
- Adhere to project Risk Analysis and develop mitigation strategies.
- Attend site progress meetings and inspect site monthly

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Resource #3: Construction Project Manager

Over and above required Project Management requirements, duties include but are not limited to:

- Project scoping and management of activities to achieve project milestones
- Ensure proper development of credible project milestones
- Establish sound project monitoring and quality control
- Coordinate the activities of contractors and subcontractors.
- Attend site progress meetings and inspect site weekly
- Formulate and manage the construction budget to control costs and prevent overspending
- Show extensive experience in taking remedial action to correct lapses in progress
- Schedule monthly progress meetings with all stakeholders
- Support the municipality in complying with the conditions of the grants including monitoring of progress and reporting (monthly, quarterly and annually)
- Compile all municipal monthly reporting reports including contractors' payment certificate
- Reviews monthly reports compiled by RE and submit using ZDM prescribed methods.

Resource #4: Full time Site Resident Engineer (RE)

Over and above required design requirements, duties include but are not limited to

- Manage contract in terms of GCC 2015 / GCC 2025 and other relevant contractual conditions and relevant legislations
- Attending site progress meetings
- Monitoring of project progress vs program and compilation of relevant reports
- Oversee quality of work performed by contractor
- Engage with Senior Civil Engineer and Design Engineer on project related matters eg design queries and changes
- Measurements and verification of quantities with Contractor
- Monitor and compile skills development and in service training report on projects
- Facilitate submission of monthly Environmental compliance and assessment reports
- Facilitate submission of Health & Safety compliance reports
- Compile monthly reports i.e Progress Report, CPG report and EPWP Report
- Update EPWP data, etc
- Maintain site record keeping
- Quality control including inspections
- Provide Support to Contractor if required

5. RESOURCE REQUIREMENTS AND PROVISIONS

In executing the outputs of the service, the successful bidder must ensure that the professional team are adequately resourced in terms of:

- full time technical employees
- office base with secretarial services
- photocopier machine
- computer and e-mail facilities
- GPS equipment
- MS Projects software
- Design software with licences meeting legal requirements
- CAD software with licences meeting legal requirements
- digital camera/s
- all equipment pertaining to site assessment and measurements including but not limited to dumpy level, 5m, 15m and 50m tape measures, measuring wheel etc
- cell phones for resources allocated to the project
- appropriate site vehicles which can engage difficult terrain – should be 4x4

6. REPORTING STRUCTURES

Once appointed, the Professional Services Provider will:-

- Report to the municipality's appointed representative;
- Receive instructions from the municipality's appointed representative;
- Submit all reports to the municipality's appointed representative;
- Convene the Project Steering Committee meetings on behalf of the municipality's appointed representative;
- Prepare and distribute minutes of all meetings

7. CONTRACT PERIOD

The contract period for the appointment is for three (3) years from date of engagement.

8. REMUNERATION & ESCALATION

Total professional fees (including disbursements, additional services, other specialist services, etc.) paid to the service provider **will not exceed 14% of construction cost**. The fees will be calculated according to ECSA Guideline for Professional Fees (Government Gazette #52691 – May 2025) and any amendments thereof, also taking into account the discount offered by service provider.

It is the duty of the service provider to obtain approval of submitted deliverables before proceeding to the next stage, therefore any work carried out without approval will not be paid for by the Zululand District Municipality.

No work may be carried outside scope or budget of an approved business plan. Any work carried outside scope or budget of an approved business plan without an approved variation order will be regarded as work done at consultant's cost and Zululand District Municipality will not take responsibility to remunerate consultant for that work.

Escalation will not be applicable on this contract.

9. CLOSEOUT STAGE

Applicable upon completion of contract or project. It would be expected that all documents, records, electronic data including data in electronic format such as Word, Excel, PowerPoint, CAD and GIS would be handed over to the relevant municipal officials. A detailed Close-out Report will need to be signed off by the HOD and Municipal Manager.

10. COMPLIANCE WITH ANY LEGISLATION, BYLAWS, ETC.

All works to be undertaken under this contract shall be compliant in accordance and/or governed by the following Legislation and Regulations:

- The Occupational Health and Safety (OHS) Act (Act No. 85 of 1993)
- The Compensation for Occupational Injuries and Diseases (COID) Act (No. 130 of 1993)
- The Labour Relations Act (Act No. 66 of 1995)
- The Basic Conditions of Employment (BCE) Act (Act No. 3 of 1983)
- The Income Tax Act (Act No. 58 of 1962)
- The Value Added Tax (VAT) Act (Act No. 89 of 1991) Section 17 permissible deductions of input tax.
- The Municipal Finance Management (MFMA) Act (Act No. 56 of 2003)
- The Preferential Procurement Regulations, 2022
- The Engineering Council of South Africa (ECSA) Act (Act No. 46 of 2000)

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- Consulting Engineers South Africa (CESA)
 - The Division of Revenue Act (DoRA)
 - Latest ECSA Fees guidelines
 - The Standard for Uniformity in Engineering and Construction Works Contract
 - Public Finance Management Act, 2022
 - Municipal Supply Chain Management Regulations
 - Any other Legislation or Regulation pertaining to this contract.

11. OTHER IMPORTANT INFORMATION

- Project brief meeting will be arranged upon receipt of project allocation letter.
- The contract period for the appointment is for 36 months from date of engagement. The appointment will automatically terminate after 36 months. If there is a strategic running project during the time of the 36 months' termination, an exception may be considered.
- The contract will however be reviewed on an annual basis after an evaluation of the performance of the Service Provider has been undertaken by the Municipality's Supply Chain Management
- Staff of the service provider must be compliant with all relevant local, legal and statutory requirements.

12. GENERAL

It is expected that the Professional Service Provider's staff shall at all times act professionally and with integrity, objectivity and independence as a competent professional acting in the best interests of the municipality. Furthermore, the Professional Service Provider's team shall have the necessary professional knowledge, skill and experience to undertake the assignment.

The Professional Service Provider shall demonstrate experience in implementing infrastructure projects, particularly in the rural community for water supply sector, and shall have sufficient technical resources. The Professional Service Provider shall have knowledge and experience of, inter alia:

- Working in a municipal environment;
- Infrastructure planning, design and implementation;
- Programme and project management skills;
- Report writing skills especially in terms of preparing Feasibility studies and Implementation Plans;
- Contractual administration and supervision of Contractors;
- Word processing, spreadsheets, database programmes and data interpretation

The Service Provider is expected to have proficiency in Engineering planning, design, administration, Programme and Project Management and should preferably have staff registered with the relevant professional body such as ECSA and SACPCMP pertaining to the discipline engaged.

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

DATE: