



Request for Proposals:

**PROFESSIONAL CONSULTANCY SERVICES
FOR SCHOOLS IN VARIOUS DISTRICTS OF
KWAZULU NATAL
CDC/3/23 et al**

Document N^o
CDC-CD-RFP-001-23

CLASSIFICATION: PUBLIC

22 February 2023

BIDDING CONSORTIUM/JV/MULTI-DICIPLINARY ENTITY:

CLUSTERS BIDDING FOR:

CONTRACT NO.	TICK	CONTRACT NO.	TICK
CDC/3/23		CDC/8/23	
CDC/4/23		CDC/9/23	
CDC/5/23		CDC/10/23	
CDC/6/23		CDC/23/23	
CDC/7/23			

DOCUMENT INFORMATION SHEET

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Business Unit : *KZN Programme*

Prepared for : *Prospective Bidders*

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PROJECT NAME : PROFESSIONAL CONSULTANCY SERVICES FOR SCHOOLS IN VARIOUS DISTRICTS OF KWAZULU NATAL

DOCUMENT TITLE : *Request for Proposals: Professional Consultancy Services for Schools in Various Districts of KwaZulu Natal*

DOCUMENT No. : CDC-CD-RFP-001-23

SIGNING OF THE ORIGINAL DOCUMENT

We, the undersigned, accept this document as a stable work product to be placed under formal change control as described by the Change Control Procedure document.

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Distribution:	<i>Potential Bidders</i>
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REQUEST FOR PROPOSALS

PROFESSIONAL CONSULTANCY SERVICES FOR SCHOOLS IN VARIOUS DISTRICTS OF KWAZULU NATAL

Contract No. CDC/3/23

The Coega Development Corporation (CDC) is headquartered in the City of Gqeberha, Nelson Mandela Bay Municipality, South Africa, with a strategic operational footprint in South Africa and beyond the borders in the African continent. The CDC's vision is to be the leading catalyst for the championing of socio-economic development. This it seeks to achieve through the development and operation of the 9 003 hectare Coega Special Economic Zone (SEZ), a transshipment hub and a leading investment destination in Africa, providing highly skilled competence and capacity for the execution of quality complex infrastructure and related projects throughout South Africa and selected markets on the African continent, and advisory on the development of industrialization and logistics zones. The CDC's advanced capabilities are successful enablers in economic zone development and management, real assets management, infrastructure planning and development for National, Provincial, Local Government Departments and State-owned Entities, technology integration while realising related socio-economic impact areas such as skills and SMME development. The foundational culture of the CDC's approach, backed by core values, is innovation and continuous improvement.

The CDC has been appointed by the Department of Education, KwaZulu Natal Province (DoE) to assist with rolling out Infrastructure projects for the KwaZulu Natal School Building Programme.

INVITATION TO TENDER

The CDC is inviting capable and competent Service Providers to submit Proposals **as Consortia/JVs or Multidisciplinary entities** for the provision of professional consulting services for various schools in various Districts of KwaZulu Natal.

The consortium/JV or Multi-disciplinary entity must consist of the following professional disciplines services:

- Lead Consultants & Principal Agents
- Land Surveying Services
- Architectural Services
- Quantity Surveying Services
- Civil Engineering Services
- Structural Engineering Services
- Electrical Engineering Services

- Mechanical Engineering Services
- Geotechnical Engineering Services
- Construction Health and Safety Agent (CHSA)
- Environmental Specialist

JVs shall include **ALL** the disciplines listed above. Any bid from a JV that does not meet this requirement will be considered as non-responsive.

Respondents are required to have relevant experience and knowledge in the planning, design, construction management and commissioning of infrastructure projects, where applicable.

CONDITIONS

- (a) Preference will be given to bidders closest to the point of delivery within the Province. Proof of office operational office establishment within KwaZulu Natal Province, i.e. lease agreement, municipal billing clearance certificate, must be submitted
- (b) The following legislation shall apply:
- (i) Public Finance Management Act (PFMA).
 - (ii) Preferential Procurement Policy Framework Act, 2000
 - (iii) The Preferential Procurement Regulations 2022
 - (iv) The CIDB Act 38 of 2000
 - (v) National Treasury Regulations.
 - (vi) Occupational Health and Safety Act and Regulations, Act (85 of 1993);
 - (vii) Compensation for Occupational injuries and disease Act (130 of 1993);
 - (viii) BBBEE Act Number 53 of 2003 (as amended by Act number 46 of 2013);
 - (ix) NEMA National Environmental Management Act (107 of 1998) and
 - (x) Any other applicable legislation.
- (c) The 90/10 or 80/20 preference point system, as per the Preferential Procurement Policy Framework Act 2000. The allocation of points - will apply as follows:
- (i) Price - 80/90
 - (ii) Specific goals -20/10
- The highest responsive tender will be used to determine the preference point system applicable.
- (d) Bidders and all its Consortium/Joint Venture (JV) members, if any, must confirm their company registration with Companies and Intellectual Property Commission (CIPC) (formerly CIPRO) as CDC will not award any bid to any business that appears on the CIPC List of de-registered businesses. The CDC may verify company registration with CIPC through BizPortal.

- (e) All Bidders must be Value Added Tax (VAT) Vendors and the offers will be deemed to include VAT.
- (f) Disbursements will be paid based on proven costs using Department of Public Works rates.
- (g) Bidders (all the members in the Bidding Team in the case of Consortia or Joint Ventures) must provide proof of registration on the National Treasury's Central Supplier Database (CSD) or provide a Treasury CSD registration number e.g., MAAA0.
- (h) The CDC will only award the Bid to a Successful Bidder who is tax compliant. The tax compliant status of the Bidders (and all the members in the Bidding Team in the case of Consortia or Joint Ventures) will be verified through the CSD and South African Revenue Services (SARS) website.
- (i) As per the amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). QSEs' with at least a 51% and EMEs with an annual turnover of above R1.8 Million are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R1.8 Million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover. In the case of a JV or Consortium, a consolidated B-BBEE certificate must be submitted as well as individual B-BBEE Certificates/affidavit of the member entities to confirm the type of enterprise.
- (j) The empowerment and development objective of 33% SMME participation, will be controlled where the bidder in terms of the Amended BBBEE Codes is a Generic Entity (Turnover over R50 million). The appointed service provider must sub-contract/partner with practitioners from previously disadvantaged groups (black, female and/or with people with disabilities) and/or local black-owned companies (with a turnover of less than R50 million), where scope and credentials permit.
- (k) Capacity assessment will be conducted if the recommended bidder is legible to be awarded more than one cluster/project.
- (l) The CDC will not allocate additional projects to any bidder who has Final Accounts/Close Out Reports outstanding for more than 60 days from the date of contractual obligation.
- (m) The performance of the bidders on projects they have been awarded shall be reviewed and evaluated on an on-going basis by the CDC Project Manager. Poor performance on awarded projects may result in a bidder not being awarded future projects by the CDC.
- (n) No price quotation or competitive bids will be awarded to a person or entities who fail to provide proof of tax compliance status within the timeframe given to do so.

- (o) Proof of registration with relevant Professional Statutory Bodies or membership with Voluntary Associations (whichever is specified). Confirmation of professional registration will be conducted at a point in time of the evaluation process through the Professional Bodies' Registries, therefore professionals must ensure that their registrations are valid and appear in the registers throughout the evaluation process.
- (p) Public servants are prohibited from conducting any form of business with any organ of state or be a director of a public private company conducting business with an organ of state, unless such an employee is in an official capacity a director of a company listed in schedule 2 and 3 of the PFMA. Verification will be done and bidders will be disqualified should they be found to be in contravention with the regulations.
- (q) No telephonic or any other form of communication with any other CDC member of staff, other than the named individual below, relating to this request for bid will be permitted. All enquiries regarding this bid must be in writing only, and must be directed to: Ms. Zine Mtanda, Unit Head: Supply Chain Management; e-mail address: kzntenders@coega.co.za
- (r) The tender validity period shall be **twelve (12) weeks**.

Bid documents will be available for download from the CDC Website (www.coega.co.za) from **22 February 2023 10:00 am**, at no cost. Potential bidders will be required to provide their email addresses in the system before downloading the documentation for correspondence purposes. Potential bidders must therefore ensure that the email addresses are correct.

A non-mandatory, virtual Briefing Meeting will be held on **28 February 2023 at 10:00 am** via Microsoft Teams. Briefing notes will only be shared with potential bidders who downloaded the tender documentation and provided their correct email addresses.

One original completed bid document shall be placed in a sealed envelope clearly marked and mentioning contract number, for example: "**Contract No: CDC/3/23 et al: RFP - Professional Consultancy Services for Schools**".

Bidders must submit one document and in cases where the bidder is responding for more than one cluster, the bidder must complete a separate financial proposal for each contract. Bidders who submit one financial proposal and indicate that it is for more than one contract will be disqualified.

The closing date and time for the receipt of completed bids is **20 March 2023 at 12:00 pm** at the CDC KZN Office, **18 Cranbrook Crescent, Umhlanga, Durban, 4051**. Bids must be handed in at the **Document Control Office** on the **Ground Floor**.

Bids will be opened in public, and no late submission will be considered.

Failure to provide mandatory information required in this bid will result in the submissions being deemed null and void and shall be considered non-responsive.

Telegraphic, telexed, tippexed, facsimiled or e-mail submissions will not be accepted.

<i>The CDC reserves the right not to accept the lowest proposal in part or in whole or any proposal.</i>

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1 INTRODUCTION

The Coega Development Corporation (Pty) Ltd (CDC) is assisting the KwaZulu-Natal Department of Education (DoE-KZN) in implementing projects within the Province of KwaZulu-Natal. The Technical High Schools in the DoE-KZN, is aimed at providing quality-teaching facilities and to improve the quality of life of the previously disadvantaged communities. The programme is also aimed at creating jobs, developing and transferring skills, and alleviating poverty.

The Technical High Schools will provide improved teaching and learning facilities for learners and thus increasing the opportunities for better development and skills transfer.

2 SCOPE OF PROFESSIONAL SERVICES DISCIPLINES

Respondents are required to have relevant experience and knowledge in the planning, design, construction management and commissioning of infrastructure projects.

The CDC requests capable and competent PSPs to submit Proposals **as Consortia/JVs** or **Multidisciplinary** entities with all the required professional disciplines for the provision of professional consulting services for following contracts

The consortium or JV must consist of the following professional disciplines services:

- Principal Agents
- Land Surveying Services
- Architectural Services
- Quantity Surveying Services
- Civil Engineering Services
- Structural Engineering Services
- Electrical Engineering Services
- Mechanical Engineering Services
- Geotechnical Engineering Services
- Construction Health and Safety Agent (CHSA)
- Environmental Specialist

JVs shall include **ALL** the disciplines listed above. Any bid from a JV that does not meet this requirement will be considered as non-responsive.

Bidders will be required to submit rates for various categories of contracts according to the monetary value of projects, including VAT, as follows:

ITEM	PROJECT	CONTRACT NUMBER	CLUSTER	DISTRICT	ESTIMATE VAT. EXCL.	TOTALESTIMATE/DISTRICT
1	Mpumelelo High School	CDC/3/23	Cluster 1	uThukela	R20m to R55m	R40m to R110m
2	Sihayo Comprehensive High School			uMzinyathi	R20m to R55m	
3	Mvaba High School	CDC/4/23	Cluster 2	Harry Gwala	R20m to R55m	R60m to R165m
4	Dingeka Technical School			Pinetown	R20m to R55m	
5	Nombika High School			iLembe	R20m to R55m	
6	Colenso Combined School	CDC/5/23	Cluster 3	uThukela	R20m to R55m	R80m to R275m
7	Ujikelele Secondary School				R20m to R55m	
8	Isemukelo Primary School				R20m to R55m	
9	Makhonza Secondary School				R20m to R55m	
10	Njeza Secondary School	CDC/6/23	Cluster 4	uThukela	R20m to R55m	R60m to R165m
11	Sizimele Secondary School			Amajuba	R20m to R55m	
12	Nkosi Thathezekhe PS			uMzinyathi	R20m to R55m	
13	Kwashukela Primary School	CDC/7/23	Cluster 5	uMkhanya kude	R20m to R55m	R40m to R110m
14	Mduku High School			uMkhanya kude	R20m to R55m	
15	Khethamahle Primary School			Pinetown	R20m to R55m	
16	Inanda Primary School			Pinetown	R20m to R55m	

17	Mvini Primary School	CDC/8/23	Cluster 6	Pinetown	R20m to R55m	R120m to R330m
18	Khamangwa High School			Pinetown	R20m to R55m	
19	St Windolins Primary School			Pinetown	R20m to R55m	
20	Nonopha Primary School			Pinetown	R20m to R55m	
21	Zeph Dlomo High School	CDC/9/23	Cluster 7	Pinetown	R20m to R55m	R120m to R330m
22	Myeka High School			Pinetown	R20m to R55m	
23	Khulani Primary School			Pinetown	R20m to R55m	
24	Silindele Primary School			Pinetown	R20m to R55m	
25	Othweba Primary School			Pinetown	R20m to R55m	
26	Ntukuso Primary School			Pinetown	R20m to R55m	
27	Asizenzele Primary School	CDC/10/23	Cluster 8	Pinetown	R20m to R55m	R160m to R440m
28	Intongela Primary School			Pinetown	R20m to R55m	
29	Insimangwe Primary School			Pinetown	R20m to R55m	
30	Mbheki Secondary School			Pinetown	R20m to R55m	
31	Zamokuhle Primary School			Pinetown	R20m to R55m	
32	Mnamatha Primary School			Pinetown	R20m to R55m	
33	Fredville Primary School			Pinetown	R20m to R55m	
34	Ndoloko Primary School			Pinetown	R20m to R55m	

35	Vulamehlo Primary School	CDC/23/23	Cluster 9	Uthukela	R20m to R55m	R120m to R330m
36	Bellaire PS			Umlazi	R20m to R55m	
37	Gadokuwayo PS			uMkhanya kude	R20m to R55m	
38	Ncakubana PS			Harry Gwala	R20m to R55m	
39	Thembokuhle PS			Zululand	R20m to R55m	
40	Mfakathini PS			uMgungundlovu	R20m to R55m	

Disclaimer:

Estimates are subject to change once the designs are finalised and approved, however the offered rate by the consortium/JV or multi-disciplinary at the bidding stage will not change after the estimate has been finalised.

3 SCOPE OF SERVICES AND FEE SPLIT FOR PSPs

The scope of services and fee split for PSPs is attached as **Annexure A**

4 BIDS EVALUATION PROCESS

4.1 Stage 1: Responsiveness Assessment

(a) Mandatory Requirements

The following criteria will be used in assessing the responsiveness of bids.

Table 2: *Mandatory Requirements to be submitted.*

No.	DESCRIPTION
1	Completed and Signed SBD 1 Form (Annexure D): Invitations to Bid. In case of a Joint Venture/Consortium, a separate SBD 1 Form in respect of each party of the JV/Consortium must be completed and submitted.

No.	DESCRIPTION
2	Completed and Signed SBD 4 Form (Annexure E): Bidders' Disclosures (In case of a JV/Consortium, a separate Form in respect of each party to the JV must be completed and submitted).
3	Signed letter of intent to enter into JV/Consortium to be signed by all parties (Where applicable).
4	Authority of Lead Partner to sign JV/Consortium documents to be signed by all parties in the JV (Where applicable).
5	Completed and signed Percentage Fee Proposal form.
6	Completed and signed Nominated Lead Professionals form.
7	Proof of office operating office establishment within KwaZulu Natal, i.e. lease agreement, municipal billing clearance certificate, etc.
8	Confirm availability of key personnel with relevant experience to execute infrastructure projects with proof of professional registration for the respective discipline tendering for. The nominated lead professionals for each discipline to provide his/her CV and professional registration/membership certificate. Engineering lead professionals will have to demonstrate sound working experience in the discipline under consideration. (a) Lead Consultants & Principal Agents – Professional Construction Project Manager registered with the South African Council for the Project and Construction Management Professions (SACPCMP) OR Professional registered with Project Management Institute (PMI) as a Project Management Professional (PMP) who has a qualification in the construction-built environment or registered with ECSA, SACQSP, SACAP (b) Land Surveyor Services – Professional Land Surveyor (PLS) / Surveyor registered with the South African Geomatics Council (SAGC). (c) Architectural Services – Professional Architect / Professional Senior Architectural Technologist / Professional Architectural Technologists

No.	DESCRIPTION
	registered with the South African Council for the Architectural Profession (SACAP). (d) Quantity Surveying Services – Professional Quantity Surveyor registered with the South African Council for the Quantity Surveying Profession (SACQSP). (e) Civil Engineering Services – Professional Engineer / Professional Engineering Technologist registered with the Engineering Council of South Africa (ECSA). (f) Structural Engineering Services - Professional Engineer / Professional Engineering Technologist registered with the Engineering Council of South Africa (ECSA). (g) Electrical Engineering Services - Professional Engineer / Professional Engineering Technologist registered with the Engineering Council of South Africa (ECSA). (h) Mechanical Engineering Services - Professional Engineer / Professional Engineering Technologist registered with the Engineering Council of South Africa (ECSA). (i) Geotechnical Engineering Services - Professional Engineer / Professional Engineering Technologist registered with the Engineering Council of South Africa (ECSA). (j) Construction Health and Safety Agent (CHSA) – Professional Construction Health & Safety Agent registered with the South African Council for the Project and Construction Management Professions (SACPCMP). (k) Environmental Specialist – Professional Specialist registered with South African Council for Natural Scientific Professions (SACNASP) Only full professional registration will be considered; candidate registration will not be considered. The CDC will not consider more than one Lead Professional per discipline, except in the case of the Lead Consultant and Principal Agent, or where these specific disciplines are proposed in conjunction with another discipline (e.g., Principal Agent & Architect), or in the case of the Other Engineer.

No.	DESCRIPTION
	A Lead Professional may not be nominated for two (2) or more competing bidders as this constitutes a Conflict of Interest in terms of the Companies Act. However, a Lead Professional may be nominated for a bid from an individual entity and as part of a Consortium/JV. The Lead Professional will be required to sign consent to the nomination for one individual entity and/or one Consortium/JV. A Lead Professional may only be replaced with an individual of equal or higher qualifications and/or experience and only with written approval of the employer.

Failure to complete all mandatory information will result in submissions being deemed null and void and shall be considered *“non-responsive”*.

Table 3: Additional requirements

No.	DESCRIPTION
1	Bidders with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements). Bidders with more than 51% black shareholding (EMEs & QSEs) are to submit a sworn affidavit stamped and signed by the Commissioner of Oaths as per the DTI B-BBEE template.
2	Company Registration documents (Biz Portal).
3	Company Profile.
4	Completed PSP Performance Evaluation Forms from at least three (3) previous clients.

4.2 Stage 2: Functionality Assessment

Bids will not be subjected to a Functionality assessment.

4.3 Stage 3: Quantitative Assessment

Price and BBBEE scoring will be applicable at the time of allocating work according to the Preferential Procurement Policy Framework Act No. 5 of 2000 and the Preferential Procurement Regulations of 2022.

4.4 Stage 4: Qualitative Assessment

The Qualitative Assessment will be conducted on all the responsive bids that pass through the mandatory requirements as reflected under Stage 1. The main thrust of this assessment would not be to second-guess the bidder but to address the question around potential capacity and commercial risks. The performance reports of bidders who have previous exposure with CDC will also be considered during this stage and those bidders with negative performance reports will not be recommended.

5 TERMS & CONDITIONS

- (a) All submissions must be received by the CDC no later than **Monday, 20 March 2023 at 12:00 pm**. Respondents must submit their RFP documents before the closing date and time and no late submissions will be considered.
- (b) All submissions and subsequent information received will become the property of the CDC and will not be returned.
- (c) Failure to complete all mandatory information will result in submissions being deemed null and void and shall be considered *"non-responsive"*;
- (d) Telegraphic, telexed, tippexed, faxed or e-mailed submissions will not be accepted.
- (e) One original document shall be placed in sealed envelopes clearly marked and mentioning contract number, for example:

"Contract No: CDC/3/23: RFP - Professional Consultancy Services for Various Infrastructure Projects"

- (f) All enquiries regarding this Expression of Interest must be directed in writing only to: Zine Mtanda: Unit Head, Supply Chain Management: kzntenders@coega.co.za.
- (g) The contact person reflected above shall be the only point of contact for this RFP. Failure to observe this requirement will lead to immediate disqualification of the Respondent.
- (h) The CDC reserves the right not to accept any submission. If the CDC does not accept any submission, it will declare this Request for Proposals process to be closed and may then elect to negotiate with any party, or to proceed on a completely different basis, or not to proceed with the services;
- (i) Submission of a bid and its subsequent receipt by the CDC does not represent a commitment on the part of the CDC to proceed further with any Respondent or any contract;
- (j) The Respondent shall treat as confidential all documentation, drawings, reports, etc. which are provided pursuant to this RFP;

- (k) All documents, drawings, reports, etc. prepared by the Respondent pursuant to this RFP shall become the copyright property of the CDC;
- (l) The CDC will consider the proposed key personnel in the tenderer's bid as the assigned resources for any project/s to be awarded. Any changes to these proposed personnel are subject to CDC's approval prior to being changed by the bidder.
- (m) No costs incurred by the Respondents in the preparation of their submission will be reimbursed.
- (n) All Respondents will be advised as soon as the successful Bidders have been approved pertaining to this tender.
- (o) The tender validity period for all bids shall be **twelve (12) weeks**.

6 DISQUALIFICATION

Bidders will be disqualified immediately during the tendering stage or during the tender evaluation and adjudication stage or after the contract has been awarded if they are found to have conducted or committed any of the following:

- (a) Bidders, bidder's representatives, associates, or shareholders that sought to influence adjudication process of this tender, or outcomes of the adjudication process, directly or indirectly.
- (b) Bidder that failed to follow or observe the lines of communication that are prescribed in the Advert.
- (c) Collusion among bidders.
- (d) Misrepresentation of information.
- (e) Any Bidder or its principals or both who have engaged in corrupt and fraudulent practices, not only with the CDC but anywhere else.
- (f) Bidders who have pending liquidation, in receivership, bankrupt/insolvent (actually and commercially).
- (g) Bidder or discipline partner appearing on National Treasury blacklist, and
- (h) Bidders who have poor or negative performance reports on previous projects.

ANNEXURES

ANNEXURE A : SCOPE OF SERVICES & FEE SPLIT FOR PSPs

ANNEXURE B : INVITATION TO BID (SBD 1)

ANNEXURE C : BIDDER'S DISCLOSURE (SBD 4)

ANNEXURE D : PERCENTAGE FEE PROPOSAL

ANNEXURE E : NOMINATED LEAD PROFESSIONALS

ANNEXURE F : POPIA CONSENT FORM

ANNEXURE A: SCOPE OF SERVICES

The scope of work below is to be read over and above that prescribed by the Accredited Professional Body to which the Consultant Belongs. This includes, but is not limited to the following:

ANNEXURE A1: GENERIC SCOPE OF WORK PER STAGE AND DELIVERABLE FOR PROJECT TEAM

STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 1	Inception	a) Attend Project Briefing Meeting by Client; b) Prepare and submit the Project Implementation Plan which will include the scope of work, milestones, schedule of activities, fee split per deliverable/milestone and method of measuring progress; c) Finalise any outstanding contractual issues leading up to signing of Contract; d) Source and/or collect any available necessary project documentation (drawings, reports, plan, etc.); e) Confirm site location; f) Assess site accessibility; g) Confirm land-ownership and facilitate transfer of land-ownership where necessary; h) Assess current and future/planned rezoning and land usage; i) Conduct a needs assessment; j) Confirm surrounding support facilities including referral systems/networks and proximity of these services; k) Conduct topographical surveys; l) Conduct geotechnical investigations; m) Conduct a detailed conditional assessment of the existing buildings and assess availability and capacity of all bulk services (water, sewer, electricity	a) Project Implementation Plan; b) Assessment Report; c) Record of Technical Meetings; d) Sequencing Plan of Phases e) Consultation Report; f) Progress Reports; g) Preliminary Cost Estimates; h) Schedule of required surveys, tests, analyses, site and other investigations i) Detailed Programme; j) Heritage assessment report; k) SHE risk profile; l) EIA Assessment Screening; m) EIA Assessment Report and n) End stage report covering all disciplines.

		and telecoms) for reuse of any facilities where possible (consult with relevant authorities); n) Assess all existing and planned services traversing the site; o) Conduct assessments and obtain approvals for Safety, Health and Environmental; p) Conduct and secure Heritage Council approval; q) Establish if any scope may require environmental approval such as heritage approval permits, etc and action on behalf of DTIC; r) Manage the preparation of the Environmental Management Plan by Environmental Consultants (if required); s) Conduct traffic studies (where necessary); t) Identify any site constraints (e.g. Proximity to other structures and activities taking place near the site); u) Arrange, conduct and record all Technical Team co-ordination meetings; v) Develop a detailed Assessment Report covering all areas of investigation as highlighted above; w) Identify and confirm Key Stakeholders and obtain user requirements; x) Consult with Regional and Provincial Department of Public Works to confirm their requirements; y) Consult Local Authority to confirm applicable local by-laws and any required Statutory Approvals; z) Consult Local Community via Local Council and/or Traditional Leadership; - aa) Consult with relevant Trade Unions; - bb) Compile a Consultation Report – covering outcomes of consultations highlighted above; - cc) Develop a detailed master plan for the hospital incorporating the reuse of existing buildings, facilities and services where possible and/or feasible;	
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		dd) Prepare decanting plans indicating the phasing of works in a manner that will not adversely affect any health care services at the hospital; and ee) Prepare decommissioning and commissioning plans for the health care facilities.	
STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 2	Concept and Viability	a) Attend all Client Progress Meetings and other ad-hoc meetings; b) Attend all Planning and Design meetings; c) Assess and advise on user requirements; d) Ensure compliance with latest norms and standards applicable to SEZ and Automotive Sector projects; e) Develop WBS, WBS Dictionary and Baseline Plan; f) Development concept designs that reflect contemporary layout of this health care facility to ensure operational efficiencies, improved work flows and logistics between various sections of hospital; g) Prepare commissioning plans (sequencing) for the new factories; h) Identify SMME packages in consultation with the CLIENT SMME Unit; i) Agree with the CLIENT and the DTIC on the format and procedures for cost control and reporting; j) Manage and monitor the preparation of project costing with specific reference to site matters that may affect the project costs; k) Prepare preliminary layout/sketch plans; l) Prepare preliminary cost estimates and project programme; m) Prepare and submit the Site Development Plans to local authorities where necessary; n) Conduct Value Engineering workshops, including all key stakeholders, and produce a Value Engineering Report.	a) Draft Project Brief; b) Draft Sketch/Layout Plans; c) Level 2 WBS, WBS-D and Baseline Plans; d) Concept Designs; e) Preliminary Cost Estimates; f) Preliminary Schedule of Major Deliverables; g) Site Development Plans; h) Value Engineering Report; i) Draft baseline risk assessment; j) Draft SHE Specifications and SHE BoQ; k) Revised Project Brief; l) Revised Sketch/Layout Plans; m) Revised Preliminary Cost Estimates; n) IPAC/Sketch plan Documents; o) Revised Preliminary Schedule of Major Deliverables; p) Environmental Investigation and specialist reports; q) Plans submissions to authorities i.e Municipality and Heritage; r) End stage report covering all disciplines.

STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 3	Design Development	a) Conduct weekly or as required, project progress and/or design review meetings with the consultants, CDC and DoE IPAC. It is stressed that time is of the essence on this project,; b) Manage the performance of the consultant team, with specific reference to deliverables, and fee payable; c) Manage the performance of the contractor with specific reference to deliverables, payment, interest and penalties; d) Actively pursue the optimisation of the designs and implementation strategies; e) Establish and co-ordinate the formal and informal communication structure, processes and procedures for the design development of the project; f) Prepare, co-ordinate and agree on a detailed Design and Documentation for the project; g) Produce design development drawings, technical details and outline specifications; h) Prepare gap analysis of all existing useable medical and non-medical equipment; i) Manage, co-ordinate and integrate the design in a sequence to suit the project design and documentation with consultants; j) Prepare detailed cost estimates; k) Prepare detailed Design Reports; l) Facilitate and manage the end-user participation, by establishing working group committees to participate in meetings during the design of the project; m) Manage and monitor the timeous submission by the design team of all plans and documentation to obtain the necessary statutory approvals;	a) Design development drawings. b) Working Drawings. c) Outline Specifications. d) Fully Priced BoQ (All Inclusive). e) Value Engineering reports. f) Design Report. g) Meeting minutes. h) IPAC/Sketch plan documents. i) Finalise SHE Specifications and SHE BoQ. j) Finalise SHE Baseline risk assessment. k) Finalise Environmental permits, Licenses and Environmental Management Programme/Plan. l) Finalise Authorities permits and approvals i.e Municipality and Heritage. m) End stage report covering all disciplines.

		n) Conduct Value Engineering exercise with CLIENT on detail designs for approval; o) Identify and set aside SMME work packages in the BOQ; p) Facilitate any input from the design consultants required by Health and Safety consultant; q) Establish responsibilities and monitor the information flow (to and from) to all stakeholders r) Manage the preparation of cost estimates by the Quantity Surveyor, budgets and cost reports; s) Cost control to achieve cost effective designs; t) Facilitate and monitor the timeous technical co-ordination of the design by the design team; u) Manage and monitor the planning and documentation of commissioning of the facility, including change management planning; and v) Facilitate End User/Client approvals.	
STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 4	Documentation and Procurement	a) Provide advice on all appropriate insurances; b) Compilation and approval of Tender Documentation including Working Drawings and Elemental Bill of Quantities; c) Assess samples and products for compliance and design intent; d) Production of copies of the required number of Tender Documents for distribution to prospective tenderers; e) Attend Briefing Meeting; f) Assist with responses to technical and design related questions during tender stage; g) Attend tender closure meeting; and	a) Working Drawings. b) Full tender Bills of Quantities (Final, all inclusive). c) Tender Documents and Specifications. d) Construction Work Permit. e) Tender Evaluation Report. f) SHE file Evaluation and Report. g) Construction Regs. 5.1.k Contractor/s Appointment. h) Section 37.2 Agreement with contractor. i) IPAC/Sketch plan Documents.

		h) Assist with tender evaluation, arithmetical error checking of submitted bids and compilation of detailed Tender Evaluation Report to Project Manager;	j) Appointment of Environmental Control Officer where required. k) End stage report covering all disciplines.
STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 5	Contract Administration and Inspection	a) Assist with appointment of contractor including signing of contract; i. Ensure that all contractual obligations from the contractor are met e.g. guarantees, insurances, programmes, etc are in place; ii. Manage the performance of the contractor with specific reference to deliverables, cost structures, interest and penalties; iii. Actively pursue the optimisation of the designs and implementation strategies; iv. Facilitate the hand-over of site to the contractor; v. Establish and co-ordinate the formal and informal communication structure and procedures during the construction period; vi. Monitor, review and approve the preparation of the contract programme; vii. Monitor the compliance by the contractors of the requirements of the Health and Safety Consultant; viii. Monitor the auditing of the contractors Health and Safety Plan and on site auditing by the Health and Safety Agent; ix. Monitor the compliance by the contractors of the requirements of the Socio -Economic Deliverables; x. Report on EPWP and SMME achievements; xi. Agree and manage the document schedule to ensure timeous delivery of required information to the contractor;	a) Work Plans. b) Site Hand-over Certificate. c) Summary of Test Results with interpretations. d) Uploaded Information on Reporting Systems e) Contractors Payment Certificates and Monitoring Tool/Progress report. f) Consultants Fees and Progress Report. g) Contract Management. h) Practical Completion Certificate. i) Works Completion Certificate. j) Monthly technical meetings. k) Monthly progress meetings. l) Record of Meetings. m) Environmental Control Officer reports to Authorities. n) Monthly SHE Audits reports. o) Monthly SHE Inspections. p) End stage report covering all disciplines.

		xii. Establish procedure for monitoring, controlling and agreeing all scope and cost variations. Formal approvals to be obtained from CLIENT prior to instruction to proceed with any scope changes; xiii. Agree and monitor all quality assurance procedures and implementation thereof by the consultant and the contractor; xiv. Monitor, review, approve and certify monthly progress payments of all Service Providers; xv. Receive, review and adjudicate any contractual claims; xvi. Monitor the preparation of monthly cost reports by the Quantity Surveyor; b) Submit all necessary cash flows to the CLIENT; c) Prepare monthly project reports (reporting on project progress and financial management) including any other submission to the CLIENT; d) Co-ordinate and monitor the defects/snag lists to enable the issue of the Certificate of Practical Completion; e) Monitor the execution of the defects items to achieve works completion and the issue of a Works Completion Certificate; f) Monitor the execution of the defects items during the defect period to achieve final completion and the issue of a Final Completion Certificate; g) Monitor and report on critical path of contractors programme and recommend changes where necessary; h) Monitor and report on labor resources of contractor to achieve targets; and i) Full time presence on site of Clerk of Works to monitor workmanship and quality of construction works performed by the contractor.	
STAGE	DESCRIPTION	SCOPE OF SERVICES	SPECIFIC DELIVERABLES
Stage 6	Close-Out	a) Manage, co-ordinate and expedite the preparation of As-Built drawings, all operating and maintenance manuals as well as warranties and guarantees; b) Submit As-Built drawings in electronic format, PDF and AutoCad or similar;	a) Operations and Maintenance Manuals, Guarantees and Warranties. b) As-built Drawings.

		c) Manage, co-ordinate and expedite the preparation and agreement of the final account by the consultants with the relevant contractors; d) Process final accounts; e) Receive and review Close-out Reports from the Consultants/Contractors; and f) Submit a project Close-out Report (as per CLIENT format) with project and financial data to the CLIENT.	c) Certificate of Final Completion. d) Final Accounts. e) Project Close-out Report. f) Record of necessary meetings. g) IPAC/Sketch Documents.
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ANNEXURE C: FEES AND DISBURSEMENTS (As Reflected in the Bid Documentation)

Notes:

1. Disbursements will be paid in accordance with National Department of Public Works & Infrastructure Rates for Reimbursable Expenses.
2. The KZN programme disbursement memo is applicable to this project please see Annexure A2
3. Disbursements for the project are subject to approval by the Project Manager.
4. The disbursements will be paid upon proof of satisfactory fulfilment of all deliverables as per scope of services for each stage.
5. **Proven costs of specific item are required, based on a valid invoice and approval of expense before the expense is incurred. I.e. printing by an outsider, etc?**

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER: CDC/3/23		CLOSING DATE: 20 MARCH 2023		CLOSING TIME: 12h00	
DESCRIPTION REQUEST FOR PROPOSALS PROFESSIONAL CONSULTANCY SERVICES FOR SCHOOLS IN VARIOUS DISTRICTS OF KWAZULU NATAL					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Coega Umhlanga Office					
18 Cranbrook Crescent					
Umhlanga Ridge 4051					
Durban					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	ZINE MTANDA		CONTACT PERSON	ZINE MTANDA	
TELEPHONE NUMBER	N/A		TELEPHONE NUMBER	N/A	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	kztenders@coega.co.za		E-MAIL ADDRESS	kztenders@coega.co.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] ☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] ☐ Yes ☐ No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		☐ Yes ☐ No [IF YES, ANSWER PART B:3]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES	☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES	☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES	☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES	☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				☐ YES	☐ NO
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:.....

..... (Proof of authority must be submitted e.g. company resolution)

DATE:.....

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

I, _____ the _____ undersigned,
 (name)..... in
 submitting the accompanying bid, do hereby make the following
 statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 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 consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 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.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

² 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.

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON ENHANCING COMPLIANCE, TRANSPARENCY AND ACCOUNTABILITY IN SUPPLY CHAIN MANAGEMENT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....	
Signature	Date
.....	
Position	Name of bidder

ANNEXURE D: FINANCIAL PROPOSAL

CONTRACT NO: _____

CLUSTER NUMBER: _____

NAME OF CONSORTIUM/JV: _____

No	Cluster	Fee Percentage Offer (Stage 1 to Stage 6) including VAT
		Percentage (%)
1		

1. Estimates Disclaimer

Estimates are subject to change once the designs are finalised and approved, however the offered rate by the consortium/JV or multi-disciplinary at the bidding stage will not change after the estimate has been finalised.

2. Disbursements

- Disbursements will be paid based on proven costs using Department of Public Works rates. The KZN office will be used as a base for the payment of disbursements.
- After awards the Consortium/JV will be required to submit disbursements schedules.

We/I _____ in my/our capacity as duly authorized representative for the company of _____ hereby submit the fee percentages for the cluster being tendered for.

Name of Authorized Person: _____

Authorized Signature: _____

Date: _____

ANNEXURE E: PROPOSED NOMINATED LEAD PROFESSIONALS

The Tenderer shall list below the key personnel, whom he proposes to employ on the contract should his offer be accepted, for the execution of the works, together with their qualifications, experience, positions held and their nationalities. **Curriculum Vitae of Key Personnel to be attached to this Bid Document.**

DESIGNATION	(i) NOMINEE	SUMMARY OF QUALIFICATIONS, EXPERIENCE AND PRESENT OCCUPATION
QS		
Principal Agents		
Land Surveying Services		
Architectural Services		
Quantity Surveying Services		
Civil Engineering Services		
Structural Engineering Services		
Electrical Engineering Services		
Mechanical Engineering Services		
Geotechnical Engineering Services		
Occupational Health & Safety Agents		
Environmental Specialist		

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

FORM K:**PROTECTION OF PERSONAL INFORMATION: CONSENT**

The introduction of The Protection of Personal Information Act (POPIA) ensures the regulation of personal information through its entire life cycle of collection, transfer, storing and deletion.

As part of its business activities, the Coega Development Corporation (CDC) obtains and requires access to personal data from a wide range of internal and external parties, including without limitation bidders who respond to requests for proposals that are published by the CDC from time to time. The CDC confirms that it shall process the information disclosed by Bidders for the purpose of evaluating and subsequently awarding/appointing a successful Bidder.

In order to comply with procurement principles, set out in Section 217 of the Constitution and national procurement legislative prescripts, the names of all entities that submitted a bid, the tendered price thereof and the subsequent award will be made public.

The CDC hereby states that it does not and will never modify, amend, or alter any personal information submitted to it by a Bidder. Unless directed to do so by an order of court, the CDC does not disclose or permit the disclosure of any personal information to any Third Party without the prior written consent of the owner of the information.

Similarly, Bidders will from time-to-time access and will be seized with information of a personal nature pertaining to the CDC. Some of the information may, because of legislative compliances be available in the public domain, whilst some is uniquely provided to bidders in pursuit of procurement or other business-related activities. In this regard, the CDC requires that Bidders which receive or have access to its personal information, process any such information in a manner compliant with the requirements of the POPIA.

AGREEMENT

1. The CDC and the Bidder (the Parties) agree and undertake that upon obtaining and having access to personal information relating to either of them, they shall always ensure that:
 - a) They process the information only for the express purpose for which it was obtained.
 - b) Information is provided only to designated and authorized personnel who require the personal information to carry out the Parties' respective obligations in terms of the Procurement processes.
 - c) They will introduce, and implement all reasonable measures ensure the protection of all personal information from unauthorized access and/or use.
 - d) They have taken appropriate measures to safeguard the security, integrity, and authenticity of all personal information in its possession or under its control.
 - e) The Parties agree that if personal information will be processed for any other purpose other than the one for which the accessing of the information was intended, explicit written consent will be obtained prior to the execution of such reason.
 - f) The Parties shall carry out regular assessments to identify all reasonably foreseeable internal and external risks to the interception of personal information in its possession or

under its control and shall implement and maintain appropriate controls in mitigation of such risks.

2. The Parties agree that they will promptly return or destroy any personal data in their possession or control which belongs to the other Party once it no longer serves the purpose for which it was collected, subject to any legal retention requirements. The information will be destroyed in such a manner that it cannot be reconstructed to its original form, linking it to any individual or organisation.
3. Bidder's Obligations:
 - a) The Bidder is required to notify the Information Officer of CDC, in writing as soon as possible after it becomes aware of or suspects any loss, unauthorised access or unlawful use of any of the CDC's personal information.
 - b) The Bidder shall, at its own cost, promptly and without delay take all necessary steps to mitigate the extent of the loss or compromise of personal data.
 - c) The Bidder shall be required to provide the CDC with details of the persons affected by the compromise and the nature and extent of the compromise, including details of the identity (if known) of the unauthorized person who may have accessed or acquired the personal data.
 - d) The Bidder undertakes to co-operate with any investigation relating to security breach which is carried out by or on behalf of CDC.

On behalf of the Bidder:

.....
Signature

.....
Date

.....
Position

.....
Name of the Bidder

On behalf of the Client:

.....
Signature

.....
Date

.....
Position

.....
Name of Client Representative

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

1. GENERAL CONDITIONS

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

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

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.
- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“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;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“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 disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right) \text{ or } Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$		

Where

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

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

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.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I 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 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

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