



KAI !GARIB MUNICIPALITY

Tender No: T008/2019

REQUEST FOR PROPOSAL

PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS FOR VARIOUS PROJECTS

ISSUED BY:
KAI !GARIB MUNICIPALITY
Private Bag X6
KAKAMAS
8870

TEL: 054 461 6700

.....
NAME OF TENDERER

**KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER:**

FLY SHEET

NAME OF TENDERER :

STREET ADDRESS :
.....
.....

P O BOX NUMBER :

TELEPHONE NUMBER :

TELEFAX NUMBER :

CONTACT PERSON :

CELL PHONE NUMBER :

E-MAIL :

INDICATE WITH AN “X” THE CATEGORY/CATEGORIES OF SERVICES FOR WHICH ARE TENDERED (MORE THAN ONE CATEGORY MAY BE SELECTED):

<u>CATEGORY</u>		MARK WITH AN “X”
1	Engineering Services Support	
2	Water & Waste Water Treatment	
3	Bulk Water Supply & Sewer Systems	
4	Electrical Engineering Services	
5	Urban Engineering	

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER: T008/2019

GENERAL TENDER INFORMATION

TENDER ADVERTISED	:	11 April 2019
CLARIFICATION MEETING	:	No Clarification meeting will take place.
CLOSING DATE	:	15 May 2019
CLOSING TIME	:	12h00
CLOSING VENUE	:	Tender Box at the Municipal Office, Keimoes
VALIDITY PERIOD OF TENDER	:	90 days
TENDER BOX	:	The Tender Documents (which includes the Form of Offer and Acceptance) completed in all respects, plus any additional supporting documentation required, must be submitted in a sealed envelope with the name and address of the tenderer, the tender No. and title and the closing date indicated on the envelope. The sealed envelope must be inserted into the appropriate official tender box before closing time. The onus remains with the tenderer to ensure that the tender is placed in the correct tender box.

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

Tenders are invited from suitably experienced firms with appropriately qualified personnel to provide professional Civil and Electrical Engineering Services in the KAI !GARIB Municipal area for a period of three (3) years. Only tenderers who satisfy the eligibility criteria stated in the Tender Conditions and Tender Data are eligible to submit tenders.

Tenders will be evaluated in two stages - firstly eligibility and functionality will be assessed, where-after all responsive tenders will be evaluated in accordance with the approved Preferential Procurement Policy of Kai !Garib Municipality. The contract is classified as a large contract and the 80/20 point system will be used for evaluation of the contract. Ineligible tenders and tenders that do not meet the minimum functionality criteria set out in the Tender Data will be deemed non-responsive and will not be evaluated further.

Kai !Garib Municipality **reserves the right not to accept any tender or tenders in part or in full** or to omit any part of the project. Late tenders will not be accepted and Kai !Garib Municipality will not be compelled to **accept the lowest or any tender**. Tenders by telegraph, telephone, telex, facsimile and e-mail will not be accepted. Tenders will be evaluated according to Council's Supply Chain Management Policy. It is thus compulsory to complete for MBD 6.1 of the Preferential Procurement Regulations in order to qualify for preference points. Prices must include VAT. Prospective tenderers must take note of the conditions of tender, the policy, they must thoroughly complete the preferential procurement schedule. There will be no benefits if the schedule is not thoroughly completed.

No tenders will be considered without a valid and original Tax Clearance Certificate attached to the tender document, as issued by the Receiver of Revenue. Tenders may only be submitted on the standard tender documentation. Completed Tender Documents must be sealed in an envelope marked **"Tender Bid 008/2019: Provision of Professional Engineering Services for various projects"**.

The documents can be obtained from 12 April 2019 during office hours, weekdays at the Supply Chain Management Department, Municipal Offices, Keimoes. Technical enquires regarding the tender may be directed to Mr G Matthews on 054 461 6700.

A non-refundable tender fee of R500 (Five hundred rand), payable in favour of the KAI !GARIB Municipality, is required on collection of the documents. Duly completed tender documents in a sealed envelope marked **"TENDER : PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS"**, must be placed in the tender box at the Municipal Offices, Keimoes before **12:00 on Wednesday 15 May 2019**, upon which the tenders will be made public.

MUNICIPAL OFFICES
Private Bag X 6
Kakamas
8870

Mr IGA DE WAAL
MUNICIPAL MANAGER

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

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Part T1: Tendering procedures

T.1.1. Tender notice and invitation to tender
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KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

PART T1:TENDERING PROCEDURES

T1.1: TENDER NOTICE AND INVITATION TO TENDER

Tenders are invited from suitably experienced firms with appropriately qualified personnel to provide professional Civil and Electrical Engineering Services in the KAI !GARIB Municipal area for a period of three (3) years. Only tenderers who satisfy the eligibility criteria stated in the Tender Conditions and Tender Data are eligible to submit tenders.

Tender evaluation method:

Tenders will be evaluated in two stages - firstly eligibility and functionality will be assessed, where-after all responsive tenders will be evaluated in accordance with the approved Preferential Procurement Policy of Kai !Garib Municipality. The contract is classified as a large contract and the 80/20 point system will be used for evaluation of the contract. Ineligible tenders and tenders that do not meet the minimum functionality criteria set out in the Tender Data will be deemed non-responsive and will not be evaluated further. Kai !Garib Municipality reserves the right not to accept any tender or tenders in part or in full or to omit any part of the project. Late tenders will not be accepted and Kai !Garib Municipality will not be compelled to accept the lowest or any tender. Tenders by telegraph, telephone, telex, facsimile and e-mail will not be accepted.

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Tenders may only be submitted on the standard tender documentation.

MUNICIPAL OFFICES
PRIVATE BAG X6
KAKAMAS
8870

Mr. IGA DE WAAL
MUNICIPAL MANAGER

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

PART T2

T1.2: TENDER DATA	
Clause number	
	The conditions of tender are the Standard Conditions of Tender as contained in Annex F of CIDB notice 86 of May 2010. The Standard Conditions of Tender for Procurements make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.
F.1.1	The employer is <i>KAI !GARIB Municipality</i>
F.1.2	Tender Documents The tender documents issued by the employer comprise: TENDER Part T1: Tendering procedures T1.1 Tender notice and invitation to tender T1.2 Tender data Part T2: Returnable Schedules T2.1 List of returnable schedules T2.2 Returnable schedules THE CONTRACT Part C.1: Agreements and contract data C1.1 Form of offer and acceptance Part C.2: Pricing data C2.1 Pricing instructions Part C.3: Scope of works C3 Scope of works
F.1.4	The employer has no agent acting on it's behalf for purpose of the tender. The employer's representative for the purpose of communication between the employer and tenderers is: Name: Mrs. A.S. Beukes Address: KAI !GARIB Municipality Private Bag x 6 Kakamas 8870 Tel: 0544616700 e-mail: anthanique.koetzee@gmail.com Only information issued formally in writing to bidders by the employer's representative will be regarded as amendments to the tender document
F.1.5.1	Add the following to clause F.1.5.1: KAI !GARIB Municipality reserves the right to accept any tender or tenders in part or in full and is not compelled to accept the lowest or any tender.

F.2.1	Eligibility <i>F.2.1.Add the following:</i> Only those bidders who also satisfy the following criteria are eligible to submit tenders: F.2.1.3 Participation fee: Payment of a non-refundable tender participation fee. F.2.1.4 Local office: The physical address of the local office must be indicated in Part T2.2: Returnable Documents, Schedule: 2.2.C, as well as the domicilium citandi et executandi for the purposes of any contract arising from this tender submission. A municipal account not older than three months must be submitted as proof. The bidder shall score a maximum of 15 points if the local office is situated within the ZF Mgcawu District and no points shall be allocated if the local office is situated outside the border of the ZF Mgcawu District. F.2.1.5 Key personnel: The following personnel must be in the full-time permanent employment of the bidder and available for the envisaged appointments: • A Project Leader who is an ECSA registered Professional Engineer or Professional Technologist, with at least ten (10) years verifiable post graduate experience in the provision of consulting engineering services and project management of Municipal Infrastructure. The person must verify competence through experience and post graduate qualification and/or completion of relevant courses. • A Project Engineer who is an ECSA registered Professional Engineer or Professional Technologist with at least five (5) years verifiable post graduate experience in municipal infrastructure projects. • A Resident Engineer who is a qualified Engineer/Technologist with at least three (3) years verifiable post graduate experience in contract supervision in municipal infrastructure projects. • Applicable registrations together with comprehensive curriculum vitae of the key personnel must be submitted with the tender, appended in Returnable Schedule 2.2.F. Resident Engineers will be appointed per project when applicable upon approval of the employer. The Curriculum Vitae of all key personnel must be submitted with the bid. Key personnel will be expected to operate from the “local office”, as and when the demands of the anticipated projects require. F.2.1.6 Professional indemnity insurance: The employer will not award a contract to any bidder that does not hold valid professional indemnity (PI) insurance providing cover for an amount of at least R10 000 000 in respect of each and every claim during the period of insurance, which stated minimum cover shall remain in place for the full contract period. Proof of insurance must be submitted with the tender, appended in Part T2.2: Returnable Documents, Schedule 2.2.D. F.2.1.7 Pre-qualification for Functionality: Bids will be subjected to a pre-qualification evaluation process for functionality, based on specific quality criteria. Only bidders who attain a minimum score of 80% or more for quality will be considered for further evaluation. Bids that score less than 80% will be rejected as non-responsive.
F.2.7	There is no compulsory clarification meeting.
F.2.12	No alternative offers will be considered.
F.2.13.2	The tenderer shall submit with the tender all documents and schedules listed T2.: List of Returnable Schedules, failing which the tender shall be considered non-responsive. Each Returnable Document/ Schedule shall be duly completed in non-erasable ink in all respects.
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as an original, plus 0 (nil) copies.
F.2.13.5	The employer's address for delivery of tender offers and identification details to be shown on each tender offer package are: Location of tender box: Municipal Offices Keimoes Physical address: Keimoes Identification details: “TENDER T008/2019: PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS FOR VARIOUS PROJECTS FOR A THREE YEAR PERIOD IN THE KAI !GARIB MUNICIPAL AREA”
F.2.13.6	A two-envelope procedure will not be followed.

F.2.15	The closing time for submission of tender offers is 12h00 on Wednesday, 15 May 2019.																						
F.2.15	Late, telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.																						
F.2.16	The tender offer validity period is 90 days from closing date.																						
F.2.17	A tender may be rejected as non-responsive if the bidder fails to provide any clarification requested by the employer within the time for submission stated in the employer's written request.																						
F.2.19	Access shall be provided for the following: Inspections, tests and analysis:																						
F.2.23	The tenderer is required to submit with his tender: 1) Certified copy of valid ECSA registration Certificate of Professional Engineer/Technologist assigned for the project. 2) Evaluation Schedule: Approach paper 3) Evaluation Schedule: Proposed Organization and staffing 4) Evaluation Schedule: Experience of Key Staff 5) Evaluation Schedule: Tenderer's Experience 6) An original valid Tax Clearance Certificate issued by the South African Revenue Services; 7) Completed Preferential Procurement schedule together with the declaration of ownership affidavit signed by a commissioner of oaths. 8) Completed declaration of interest																						
F.3.8	Bids will be considered non-responsive if, inter alia: (1) The bid does not comply with the eligibility criteria listed in F2.1 above. (2) The bidder has failed to clarify issues, or to submit any supporting documentation, within the time for submission stated in the employer's written request. (3) The bid failed to score the minimum of 80% in the pre-qualification evaluation for functionality/ quality.																						
F.3.11.1	The procedure for the evaluation of responsive tenders is Method 2: Financial Offer and Preference. Note: Tenders will be subjected to a pre-evaluation process for each category/categories of engineering services for which are tendered for based on quality criteria to determine responsiveness prior to applying Method 2. The score for pre-evaluation is to be calculated using the following formula: $WQ = 100 \times S_o / M_s$ Where: S_o is the score for quality allocated to the submission under consideration M_s is the maximum possible score for quality The financial offer will be evaluated as follows: $P_s = 80 \times (1 - (P_t - P_{min}) / P_{min})$ Where : P_s is the points scored for price of the tender under consideration P_{min} the comparative offer of the most favorite tender offer P_t the comparative offer of the tender under consideration. The points for preference will be calculated in terms of the Preferential Procurement Regulations, 2017. Up to a maximum of 10 points will be awarded for referencing. The schedules included in Annexure A shall be completed to qualify for preference points in terms of the Preferential Procurement Policy																						
F.3.11.3	The pre-evaluation quality criteria and maximum score in respect of each of the criteria are as follows: <table><tr><th>Quality kriteria</th><th>Sub criteria</th><th>Maximum number of points</th></tr><tr><td>Approach paper which responds to the proposed scope of work/project design and outlines proposed approach / methodology and work plan complete with time frames</td><td>Technical approach and methodology</td><td>10</td></tr><tr><td>Organization and staffing</td><td></td><td>10</td></tr><tr><td rowspan="3">Experience of the key staff (assigned personnel) in relation to the scope of work</td><td>Applicable qualifications</td><td>15</td></tr><tr><td>Adequacy of staff for the assignment</td><td>10</td></tr><tr><td>Experience in the region</td><td>20</td></tr><tr><td>Locality of PSP</td><td>Local Office (not satellite office)</td><td>15</td></tr><tr><td>PSPs experience with respect to specific aspects of the project /comparable projects</td><td></td><td>20</td></tr></table>	Quality kriteria	Sub criteria	Maximum number of points	Approach paper which responds to the proposed scope of work/project design and outlines proposed approach / methodology and work plan complete with time frames	Technical approach and methodology	10	Organization and staffing		10	Experience of the key staff (assigned personnel) in relation to the scope of work	Applicable qualifications	15	Adequacy of staff for the assignment	10	Experience in the region	20	Locality of PSP	Local Office (not satellite office)	15	PSPs experience with respect to specific aspects of the project /comparable projects		20
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	Maximum possible score for quality (Ms)		100
	The pre-qualification shall be scored independently by not less than three evaluators for the category/categories of engineering services for which are tendered in accordance with the following schedules: • Approach Paper Evaluation • Proposed Organization and Staffing • Experience of the Key Staff • Locality of PSP • Tenderer's Experience Scores of 40, 70, 90 or 100 will be allocated to each of the criteria and sub criteria based on the indicators contained in these schedules. The scores of each of the evaluators will then be averaged to obtain the final score for quality. Quality shall be scored independently by not less than three evaluators in accordance with the following schedules: • Evaluation Schedule: Approach Paper & Work Plan • Evaluation Schedule: Organization and Staffing • Evaluation Schedule: Experience of the Key Staff • Evaluation Schedule: Locality of PSP • Evaluation Schedule: Tenderer's Experience Scores of 40, 70, 90 or 100 will be allocated to each of the criteria and sub criteria based on the indicators contained in these schedules. The scores of each of the evaluators will then be averaged, weighted and then totaled to obtain the final score for quality. The minimum number of evaluation points for quality is 80. The persons named in the Schedule of Key Persons of tenderers who satisfy the minimum quality criteria may be invited to an interview. Tenderers who attain a score of less than 80 points allocated to the interview will be declared ineligible to tender.		
F.3.13.1	Tender offers will only be accepted if: (1)The tenderer has submitted with his tender an original valid Tax Clearance Certificate issued by the South African Revenue Services (2)The tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges; (3)The tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; and (4)The tenderer has not: i) abused the Employer's Supply Chain Management System; - or ii) failed to perform on any previous contract and has been given a written notice to this effect. (5)It is considered that the performance of the services will not be compromised through any conflict of interest. (6)The tenderer has submitted with his tenders certified copies of ECSA registration certificates of all principals involved in the project.		
F.3.18	The number of paper copies of the signed contract to be provided by the employer is 1.		
F.3.19	The additional conditions of tender are: Invalid bids: Bids shall be considered invalid and shall be endorsed and recorded as such in the bid opening record, by the responsible official who opened the bid, in the following circumstances: (1) If the tender is not completed in non-erasable ink; (2) If the offer has not been signed; (3) If the offer is signed, but the name of the bidder is not stated or is unrecognizable; (4) If masking fluid has been used to make corrections on the tender document. (5) Participation fee not paid		
F.3.20	Tenderers may not form any joint ventures without the permission of the employer		

Part T2: Returnable Documents

T.2.1 List of Returnable Documents
T.2.2 Returnable Documents

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

PART T2

T2.1 LIST OF RETURNABLE DOCUMENTS

The following documents are to be completed and returned as they constitute the tender. Whilst many of the returnable documents are required for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return **all information requested in the relevant envelope.**

Schedule Nr	Description	Y/N
T2.1	RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES (included hereafter for completion)	
Schedule 2.1.A	Invitation to Bid	
Schedule 2.1.B	MBD 2: Tax Clearance	
Schedule 2.1.C	MBD 4: Declaration of Interest	
Schedule 2.1.D	MBD 8: Declaration of Bidder's Past Supply Chain Management Practices	
Schedule 2.1.E	MBD 9: Certificate of Independent Bid Determination	
Schedule 2.1.F	MBD 6.1: Preference Points claim form in terms of the Referential Procurement Regulations	
Schedule 2.1.G	Authority for signatory	
Schedule 2.1.H	Certificate of Authority for Joint Venture	
Schedule 2.1.I	Form of Indemnity	
Schedule 2.1.J	Compulsory Enterprise Questionnaire	
Schedule 2.1.K	Record of Consultancy Services to Organs of State	
Schedule 2.1.L	Equity Ownership Declaration Affidavit	
T2.2.	OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES	
Schedule : 2.2.A	Proposed Amendments and Qualifications	
Schedule : 2.2.B	Record of Addenda to Tender Documents	
Schedule : 2.2.C	Consultant's Practice	
Schedule : 2.2.D	Evaluation Schedule: Approach paper & Work Plan	
Schedule : 2.2.E	Evaluation Schedule: Proposed Organization and staffing	
Schedule : 2.2.F	Evaluation Schedule: Experience of Key Staff	
Schedule : 2.2.G	Evaluation Schedule: Locality	
Schedule : 2.2.H	Evaluation Schedule: Tenderer's Experience	
Schedule : 2.2.I	Professional Indemnity Insurance	

**KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019**

2.1.A: INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE KAI !GARIB
MUNICIPALITY

BID NUMBER: **T008/2019**

CLOSING DATE: **15 May 2019**

CLOSING TIME: **12H00.**

DESCRIPTION: **PROVISION OF PROFESSIONAL CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR
VARIOUS PROJECTS FOR A THREE (3) YEAR PERIOD IN THE KAI !GARIB MUNICIPAL AREA**

The successful bidder will be required to fill in and sign a written Contract Form (MBD 7).

DEPOSITED IN THE BID BOX SITUATED AT: **MUNICIPAL OFFICE, KEIMOES**

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is generally open from Monday to Friday from 08h00 to 16h00.

ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)

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
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**NB: NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE
(as defined in Regulation 1 of the Local Government: Municipal Supply Chain Management
Regulations)**

THE FOLLOWING PARTICULARS MUST BE FURNISHED

(FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)

NAME OF BIDDER

POSTAL ADDRESS

STREET ADDRESS

TELEPHONE NUMBER CODE.....NUMBER.....

CELLPHONE NUMBER

FACSIMILE NUMBER CODE NUMBER.....

E-MAIL ADDRESS

VAT REGISTRATION NUMBER

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? (MBD 2) YES/NO

HAS A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

- a. AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
- b. A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS)
- c. A REGISTERED AUDITOR

☐
☐
☐

(Tick applicable box)

(A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE)

1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE
GOODS/SERVICES/WORKS OFFERED? YES/NO
(IF YES ENCLOSE PROOF)

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH THIS BID IS SIGNED

THE OFFERED VARIATION TO THE ECSA GUIDELINE TARIFF OF FEES IS: (Refer to page 61)

Minus **x percent** (%) in respect of ECSA % based Tariff scales

Minus **x percent** (%) in respect of ECSA time based Tariff scales

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Municipality / Municipal Entity: KAI !GARIB

Department: FINANCIAL

Contact Person: Mrs. A.S. Beukes

Tel: 054 461 6700

ANY ENQUIRIES REGARDING TECHNICAL INFORMATION MAY BE DIRECTED TO:

Contact Person: Mrs. A.S. Beukes

Department: TECHNICAL

Tel: 054 461 6700

**KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019**

2.1.B: TAX CLEARANCE CERTIFICATE REQUIREMENTS MBD2

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

1. In order to meet these requirements bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
3. The original Tax Certificate and Tax Pin must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
4. In bids where Consortia / Joint Ventures / Sub-contractors / Trust are involved, each party must submit a **separate Tax Clearance Certificate and proof of a consolidated B-BBEE Status Level Verification Certificate for every separate bid.**
5. Copies of the TCC 001" Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za
6. Applications for the Tax Clearance Certificates may also be made via 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

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.C: DECLARATION OF INTEREST

MBD 4

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of KAI !GARIB Municipality.
2. Any person, having a kinship with persons in the service of the Municipality, 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 Municipality, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.
 - 3.1 Full Name:
 - 3.2 Identity Number:
 - 3.3 Company Registration Number:
 - 3.4 Tax Reference Number:
 - 3.5 VAT Registration Number:
 - 3.6 Are you presently in the service of the Municipality **YES / NO**
 - 3.6.1 If so, furnish particulars.
 - 3.7 Have you been in the service of the Municipality for the past twelve months? **YES / NO**
 - 3.7.1 If so, furnish particulars.
 - 3.8 Do you, have any relationship (family, friend, other) with persons in the service of the Municipality and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**
 - 3.8.1 If so, furnish particulars.
 - 3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the Municipality who may be involved with the evaluation and or adjudication of this bid? **YES/NO**
 - 3.9.1 If so, furnish particulars
 - 3.10 Are any of the company's directors, managers, shareholders or stakeholders in KAI !GARIB Municipality service of the Municipality? **YES / NO**
 - 3.10.1 If so, furnish particulars.
 - 3.11 Are any spouse, child or parent of the company's directors, managers, principle shareholders or stakeholders in service of the Municipality? **YES / NO**
 - 3.11.1 If so, furnish particulars.

*MSCM Regulations: "in the service of the Municipality" means to be –

- a) a member of –
- b) any municipal council;
- c) any provincial legislature; or
- d) the national Assembly or the national Council of provinces;
- e) a member of the board of directors of any municipal entity;
- f) an official of any municipality or municipal entity;
- g) 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);
- h) a member of the accounting authority of any national or provincial public entity; or
- i) an employee of Parliament or a provincial legislature.

CERTIFICATION

I, THE UNDERSIGNED (NAME)

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS CORRECT.

I ACCEPT THAT THE MUNICIPALITY MAY ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signed

Date

Name

Position

KAI IGARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.D: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	MBD 8
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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. wilfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
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 as a company or person 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 National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
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)? (To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445).	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:		
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 3 months?	Yes ☐	No ☐

Item	Question	Yes	No
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?	Yes ☐	No ☐
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.

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.E: 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 *per 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.

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.

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

In response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ 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.
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.

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

**2.1.F: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE REFERENTIAL
PROCUREMENT REGULATIONS 2017**

MBD 6.1

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

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
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 **80/20** system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

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

	POINTS
1.3.1.1 PRICE	80
1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION	<u>20</u>
Total points for Price and B-BBEE must not exceed	100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5 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

2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;

2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad -Based Black Economic Empowerment Act;

- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with annual total revenue of R5 million or less.
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 **“trustee”** means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. **ADJUDICATION USING A POINT SYSTEM**

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.

- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

4.1 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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative discount of bid under consideration, discount offered

$P_{\max}$ = Maximum Discount Allowed

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.

- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 B-BBEE Status Level of Contribution: =(maximum of 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? **YES / NO**
- 8.1.1 If yes, indicate:
- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?
- (iii) the B-BBEE status level of the sub-contractor?
- (iv) whether the sub-contractor is an EME? **YES / NO**

9 DECLARATION WITH REGARD TO COMPANY/FIRM

- 9.1 Name of firm
- 9.2 VAT registration number
- 9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

9.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated

Registered Account Number

Stand Number

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

9.9 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 B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, 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 1 of this form.
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution 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 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 contractor, 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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.G: AUTHORITY FOR SIGNATORY

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.

A Company	B Partnership	C Sole Proprietor	D Close Corporation

A. Certificate for Company

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

As witnesses :

1. Chairman :

2. Date :

B. Certificate for Partnership

We, the undersigned, being the key partners in the business trading as hereby authorize Mr/Ms, acting in the capacity of, to sign all documents in connection with this tender any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

C. Certificate for Sole Proprietor

I,, hereby confirm that I am the sole owner of the business trading as

As witnesses :

1. Sole Owner :
2. Date :

D. Certificate for Close Corporation

We, the undersigned, being the key members in the business trading as
..... hereby authorize Mr/Ms, acting in the capacity of, to sign all documents in connection with this tender any contract resulting from it on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.H: CERTIFICATE OF AUTHORITY FOR JOINT VENTURE

This returnable schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in joint venture and hereby authorize Mr/Ms....., authorised signatory of the company, close corporation or partnership....., acting in the capacity of lead partner, to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead partner		Signature..... Name..... Designation.....
		Signature..... Name..... Designation.....
		Signature..... Name..... Designation.....
		Signature..... Name..... Designation.....

Note:

A copy of the Joint Venture Agreement showing clearly the **percentage contribution of each partner** to the Joint Venture shall be appended to this schedule.

**KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019**

2.1.I: FORM OF INDEMNITY

THE MUNICIPAL MANAGER
KAI !GARIB Municipality

INDEMNITY

Given byName of
Company)

.....

(registered address of Company) a company incorporated with limited liability according to the Company Laws of the Republic of South Africa (hereinafter called the Service Provider),

represented herein by(Name of Representative) in his capacity as

.....(Designation) of the Service Provider is

duly authorised hereto by a resolution dated

To sign on behalf of the Service Provider.

WHEREAS the Service Provider has entered into a Contract dated with KAI !GARIB Municipality (hereinafter called the Municipality) who require this indemnity from the Service Provider for the Contract: **TENDER No: T008/2019– PROVISION OF PROFESSIONAL CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR VARIOUS PROJECTS FOR A PERIOD OF THREE (3) YEARS IN THE KAI !GARIB MUNICIPAL AREA** that the Service Provider does hereby indemnify and hold harmless the KAI !GARIB Municipality in respect of all loss or damage that may be incurred or sustained by the KAI !GARIB Municipality by reason of or in any way arising out of or caused by operations that may be carried out by the Service Provider in connection with the aforementioned contract; and also in respect of all claims that may be made against the KAI !GARIB Municipality in consequence of such operations, by reason of or in any way arising out of any accidents or damage to life or property or any other cause whatsoever; and also in respect of all legal or other expenses that may be incurred by the KAI !GARIB Municipality in examining, resisting or settling any such claims; for the due performance of which the Service Provider binds itself according to law.

THUS DONE AND SIGNED for and on behalf on the Service Provider.

At on theday of

Signed

Date

Name

Position

KAI IGARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.J: COMPULSORY ENTERPRISE QUESTIONNAIRE

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.

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

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

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

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

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

If any of the above boxes are marked, disclose the following:

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

*Insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

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

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

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

*insert separate page if necessary

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

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.1.K: RECORD OF CONSULTANCY SERVICES TO ORGANS OF STATE

Tenderers are required to complete this record in terms of the Supply Chain Management Regulations issued in terms of the Municipal Finance Management Act of 2003.

Include only those contracts where the tenderer identified in the signature block below was directly contracted by the Employer. Tenderers must not include consultancy services provided in terms of a sub consultancy agreement.

Where contracts were awarded in the name of a joint venture and the tenderer formed part of that joint venture, indicate in the column entitled "Title of the contract for the consultancy service" that it was in joint venture and provide the name of the joint venture that contracted with the employer. In the column for the value of the contract for the service, record the value of the portion of the contract performed (or to be performed) by the tender.

Complete the record or attach the required information in the prescribed tabulation.

Part A: All consultancy services commenced or completed to an organ of state in the last five years

	Organ of state, i.e. national or provincial department, public entity, municipality or municipal entity.	Title of contract for the consultancy service	Value of contract for service incl VAT (Rand)	Date completed (State current if not yet completed)
1.				
2.				
3.				

Part B: Similar consultancy services provided to an organ of state

The following contracts recorded in Part A, provided similar consultancy services to those required in terms of the scope of work to this tender:

.....

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

Signed

Date

Name

Position

**KAI IGARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019**

2.1.L: EQUITY OWNERSHIP DECLARATION AFFIDAVIT
--

IMPORTANT INFORMATION:

- This Schedule must be completed by each Tenderer and, in the case of a Consortium, by every member of the Consortium. Any subcontractor(s) nominated for participation in the contract must also complete the form.
- Where the space provided is insufficient, annexures with the relevant information must be submitted.
- False documents and/or information will invalidate the tender.
- The information provided hereunder is essential for the evaluation of the tender and failure to complete and sign this document may therefore invalidate the tender.

1. ORGANISATIONAL PROFILE

1.1 Details of Tenderer

(a) Name of Business Enterprise submitting the Tender:

.....

(b) Postal Address:

.....

(c) Street Address (Where applicable, full details of Branches / Agents / Distributors must be submitted separately):

.....

.....

.....

(d) Telephone No: ; Fax No:

(e) Contact Person:

(f) E-mail address (if applicable):

(g) VAT registration number:

1.2 Legal status of Tenderer

<u>Type of Enterprise</u>	Tick as applicable	Nature of Business	Income Tax Number
Company (Pty) Ltd			
Close Corporation			
Joint Venture			
Partnership			
Trust			
One-man Concern			
Other:.....			

NB Copies of registration Forms for Companies, Close Corporations and Trusts, and agreements for Joint Ventures and Partnerships, and ID documents for One-man Concerns must be included. Tenders will be prejudiced if these documents are not submitted with the tender.

1.3 List the Enterprise's track record of similar / related completed and current contracts.

Work performed	For whom	Contact Person and Telephone Number	Contract Amount	Date of Completion

1.4 Detail all the Trade Associations/ Professional Bodies in which the Enterprise has membership, and dates joined:

.....

.....

.....

1.5 Did the Enterprise previously exist under another name? (Yes or No):

If "yes": what was its previous name?

Who were the Owners/Partners/Directors?

.....

.....

Why was the name changed?

.....

.....

1.6 Total number of years that the Enterprise has been in business:

Indicate the experience, which the individuals in your business have, that would justify the award of this project:

.....

.....

.....

.....

.....

.....

1.7 What is the Enterprise's annual average turnover (excluding VAT) during the previous three financial years – or such lesser period during which the business has been operating?

In year :R

In year :R

In year :R

2. SOCIAL RESPONSIBILITY

2.1. Ownership structure of Enterprise (for evaluation of Equity Ownership)

Names of Owners	Identity Number	Citizenship	Status (YES/NO)		Date of Ownership	Owned%	Voting %
			*HDI	Women			

Note: Where owners are themselves a company or partnership, identify.

* HDI = Historically Disadvantaged Individuals

2.2 Executive Management Structure of Enterprise (for notification)

Positions held	Names of persons	Status (YES/NO)		Time Devoted to Firm %	Business address
		*HDI	Women		

*HDI = Historically Disadvantaged Individuals

2.3 Subcontractors (if any) to be used for the execution of this project.

Name of company	Tel. No and contact person	Status (Y / N)		Type of service	Value
		HDI	Women		

Note A letter of acceptance of each identified subcontractor must be submitted.

3. PERSONNEL

3.1 Number of personnel employed by the Enterprise who will be utilised for this project.

CATEGORY	NUMBER IN EACH CATEGORY				Totals
	Non-HDI	HDI	Women	Disabled	
Directors					
Managers					
Supervisors					
Administrative					
Production / Operational					

4. FACILITIES AND EXPERIENCE

4.1 Street address of all facilities used by the Enterprise (e.g. warehouses, storage spaces, offices, etc.)

4.1.1

4.1.2

4.1.3

5. FINANCIAL STANDING

By submitting a tender, the Tenderer agrees that the Employer may make enquiries to obtain a bank rating from the Tenderer's bank. For that purpose the following banking details must be provided:

Name of account holder:

Name of Bank: Branch

Account number: Type of account:

Telephone number Name of contact person:

6. LIST THE FOLLOWING PERSONNEL OR FIRMS WHO PROVIDE THE FOLLOWING SERVICES:

SERVICE	NAME	CONTACT PERSON	TELEPHONE
ACCOUNTING			
LEGAL			
AUDITING			
INSURANCE			

7. DECLARATION BY TENDERER:

I, the undersigned, warrant that I am duly authorized to make and sign this Affidavit on behalf of the company submitting the tender. I understand that failure to complete and sign this Affidavit may invalidate the tender.

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

NAME OF SIGNATORY (BLOCK LETTERS).....

NAME OF TENDERER:

ADDRESS OF TENDERER:

.....

TELEPHONE No:.....

FAX No:

PLACE:

DATE:

AFFIRMATION BY COMMISSIONER OF OATHS

The person signing the Affidavit knows and understands the contents of the oath or affirmation, has no objection to making the oath/affirmation and swears that the information furnished is true and correct.

COMMISSIONER OF OATHS:

PLACE: DATE:

[NOTE: Failure to complete this form and sign it under oath in the presence of a Commissioner of Oaths may invalidate the tender at the discretion of the Employer]

KAI I GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.A: PROPOSED AMENDMENTS AND QUALIFICATIONS

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

Tenderers must not include deviations or qualifications relating to the scope of work in this schedule where they are required to submit an Approach Paper.

Page	Clause or item	Proposal

Signed

Date

Name

Position

KAI I GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.B: RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed

Date

Name

Position

KAI I GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.C: Consultant's Practice

1. Bidders must attach to this page sufficient information in order to qualify for pre-qualification points in respect of Functionality/Quality, regarding the Consultant's Practice as it pertains to the Local Office as stated in F.2.1.4, addressing the following:
 - (a) Physical address / Background / Organization / Management
 - (b) Fields of activity / expertise
 - (c) Staffing / Human Resources

2. Bidders shall also provide the following information regarding the Consultant's Practice as it pertains to the Local Office as stated in F2.1.4. Where a bidder has more than one local office, information provided shall be the aggregate for all of the local offices.

- 2.1 % of Principals having Professional Status (tick applicable):

>90%	70%-90%	40%-70%	<40%

- 2.2 Staff (state number):

2.2.1 Total no. of Principal(s) _____ No. of Principals with Professional registration _____

2.2.2 Skilled technical staff, e.g. Engineers, Scientists, Technologists, Technicians _____

2.2.3 General Technical e.g. Draughts persons, CAD Operators, etc. _____

2.2.4 Operational Staff e.g. Secretarial, bookkeeping _____

- 2.3. Disciplines/Areas of expertise tendered for: (Tick applicable below)

Sufficient information has to be provided in the returnable documents to confirm expertise in all disciplines/fields of expertise tendered for.

<u>CATEGORY</u>		MARK WITH AN "X"
1	Engineering Services Support	
2	Water & Waste Water Treatment	
3	Bulk Water Supply & Sewer Systems	
4	Electrical Engineering Services	
5	Urban Engineering	

Signed

Date

Name

Position

KAI IGARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.D: EVALUATION SCHEDULE: APPROACH PAPER

The approach paper must respond to the proposed scope of work/project design and outline the proposed approach / methodology and work plan complete with time frames, and where relevant and appropriate, propose the scope of work and / or modifications to the scope of work. The approach paper should articulate what the tenderer is offering to provide for the price tendered in the pricing data.

The tenderer must as such explain his / her understanding of the objectives of the assignment and the Employer's stated and implied requirements, highlight the issues of importance, and explain the technical approach they would adopt to address them. The approach paper should explain the methodologies which is to be adopted, demonstrate the compatibility of those methodologies with the proposed approach (for instance, the methods of interpreting available data carrying out investigations, analyses, and studies; and comparing alternative solutions) and address any modifications to or fully develop the scope of work proposed by the Employer. The approach should also include a quality plan which outlines processes, procedures and associated resources, applied by whom and when, to meet the requirements.

The technical approach and methodology portion of the approach paper, read in conjunction with the work plan, should form the basis of the scope of work incorporated in the contract with the successful tenderer. Accordingly, this portion of the approach paper should clearly articulate the project deliverables.

The tenderer must attach his / her approach paper to this page.

The scoring of the approach paper will be as follows:

	Technical approach and methodology	Work plan
Poor (score 40)	The technical approach and / or methodology is poor / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.	The activity schedule omits important tasks or the timing of the activities and correlation among them are inconsistent with the approach paper. There is lack of clarity and logic in the sequencing.
Satisfactory (score 70)	The approach is generic and not tailored to address the specific project objectives and requirements. The approach does not adequately deal with the critical characteristics of the project. The quality plan is too generic.	All key activities are included in the activity schedule, but are not detailed. There are minor inconsistencies between timing, project deliverables and the proposed approach.
Good (score 90)	The approach is specifically tailored to address the specific project objectives and requirements and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan is specifically tailored to the critical characteristics of the project.	The work plan fits the approach paper well; all important activities are indicated in the activity schedule and their timing and sequencing is appropriate and consistent with project objectives and requirements. There is a fair degree of detail that facilitates understanding of the proposed work plan.
Very good (score 100)	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the-art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs	Besides meeting the "good" rating, decision points and the sequencing and timing of activities are very well defined, indicating that the tenderer has optimized the use of resources. The work plan permits flexibility to accommodate contingencies.

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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.E: EVALUATION SCHEDULE: PROPOSED ORGANIZATION AND STAFFING

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

The tenderer must attach his / her organization and staffing proposals to this page.

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

Poor (score 40)	The organization chart is sketchy, the staffing plan is weak in important areas, or the staffing schedule is inconsistent with the timing of the most important deliverables. There is no clarity in allocation of tasks and responsibilities.
Satisfactory (score 70)	The organizational chart is complete and detailed, the technical level and composition of the staffing arrangements are adequate and staffing is consistent with both timing and deliverables.
Good (score 90)	Besides meeting the "satisfactory" rating, staff are well balanced i.e. they show good coordination, complimentary skills, clear and defined duties and responsibilities, and limited number of short term experts. Some members of the project team have worked together before on limited occasions.
Very good (score 100)	Besides meeting the "good" rating, the proposed team is well integrated and several members have worked together extensively in the past.

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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.F: EVALUATION SCHEDULE: EXPERIENCE OF KEY STAFF

Experience of the key staff (assigned personnel) in relation to the scope of work will be evaluated from three different points of view:

- 1) General experience (total duration of professional activity), level of education and training and positions held of each key staff member / expert member.
- 2) The education, training and experience of the key staff members / experts, in the specific sector, field, subject, etc which is directly linked to the scope of work.
- 3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.

A CV of each key staff member of not more than 2 pages should be attached to this schedule. The CV should be structured under the following headings:

- 1) Personal particulars
 - name
 - date and place of birth
 - place (s) of tertiary education and dates associated therewith
 - professional awards
- 2) Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)
- 3) Name of current employer and position in enterprise
- 4) Overview of post graduate / diploma experience (year, organization and position)
- 5) Outline of recent assignments / experience that has a bearing on the scope of work

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

	General qualifications (Greater weighting will be given to the team leader)	Adequacy for the assignment (Greater weighting will be given to the team leader)	Knowledge of issues pertinent to the project (Greater weighting will be given to the team leader)
Poor (score 40)	Key staff have limited levels of general experience	Key staff have limited levels of project specific education, training and experience	Key staff have limited experience of issues pertinent to the project
Satisfactory (score 70)	Key staff have reasonable levels of general experience	Key staff have reasonable levels of project specific education, training and experience	Key staff have reasonable experience of issues pertinent to the project
Good (score 90)	Key staff have extensive levels of general experience	Key staff have extensive levels of project specific education, training and experience	Key staff have extensive experience of issues pertinent to the project
Very good (score 100)	Key staff have outstanding levels of general experience	Key staff have outstanding levels of project specific education, training and experience	Key staff have outstanding experience of issues pertinent to the project

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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.G: EVALUATION SCHEDULE: TENDERER'S EXPERIENCE

The experience of the tenderer as apposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the scope of work will be evaluated.

Tenderers should very briefly describe his or her experience in this regard and attach this to this schedule.

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

Employer, contact person and telephone number, where available	Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Date completed

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

Poor (score 40)	Tenderer has limited experience
Satisfactory (score 70)	Tenderer has relevant experience but has not dealt with the critical issues specific to the assignment.
Good (score 90)	Tenderer has extensive experience in relation to the project and has worked previously under similar conditions and circumstances.
Very good (score 100)	Tenderer has outstanding experience in projects of a similar nature.

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

Signed

Date

Name

Position

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

2.2.H: Professional Indemnity Insurance

The bidder is referred to clause F.2.1.6 of the Tender Data and shall state below details of the professional indemnity insurance held by the bidder. Where the bidder is a joint venture, each party to the joint venture must submit details of their professional indemnity insurance. Proof of insurance must be appended to this schedule.

PROFESSIONAL INDEMNITY INSURANCE HELD		
NAME OF INSURED	NAME OF INSURER	LIMIT OF INDEMNITY I.R.O. EACH CLAIM

Signed

Date

Name

Position

Part C1: Agreements and Contract Data

**KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019**

PART C1: AGREEMENT

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 the **PROVISION OF PROFESSIONAL CIVIL AND ELECTRICAL ENGINEERING SERVICES FOR VARIOUS PROJECTS FOR A THREE (3) YEAR PERIOD IN THE KAI !GARIB MUNICIPAL AREA.**

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 / consultant under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS

.....**N/A**.....Rand (in words);

THE OFFERED VARIATION TO THE ECSA GUIDELINE TARIFF OF FEES IS:

Minus percent (.....%) in respect of ECSA % based Tariff scales

Minus percent (.....%) in respect of ECSA time-based Tariff scales

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 provider / consultant in the conditions of contract identified in the contract data.

Signature

Name

Capacity
(for the tenderer)

(Name and
address of
organization)
.....
.....
.....

Name and
signature Date
of witness

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 service provider / consultant 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:

Agreements and contract data (which includes this agreement)

Pricing Schedule

Terms of Reference

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

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 the letter of acceptance, any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfill any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now consultant) 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.

Signature

Name

Capacity

for the
Employer

KAI !GARIB Municipality
Kakamas
8870

Name and
Signature
of witness

.....
.....
.....

Date

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

C1.2: CONTRACT DATA

The Standard Professional Services Contract (third edition, July 2009) published by the Construction Industry Development Board (CIDB), is applicable to this contract.

Copies of these conditions of contract can be downloaded from the Construction Industry Development Board's website www.cidb.org.za

Remuneration of service providers will be managed according to the latest ECSA Guidelines for Services and Processes for Estimating Fees for Registered Persons 2013, as per Government Gazette, and as amended from time to time.

The following contract specific data are applicable to this Contract:

Clause	
	The Employer is the KAI !GARIB Municipality
3.4 and 4.3.2	The Authorised and Designated representative of the Employer is: Name: Mr. I.G.A. De Waal The Employer's address for receipt of communications is: <u>Postal address:</u> Private Bag X 6 Kakamas 8870 Telephone: 054 461 6700 E-mail: dewaali@kaigarib.gov.za
	The contract is for the provision of professional consulting services : TENDER T008/2019 : PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS FOR VARIOUS PROJECTS FOR A THREE (3) YEAR PERIOD IN THE KAI !GARIB MUNICIPAL AREA
3.6.	The Service Provider may release public or media statements or publish material related to the Services or Project, subject to the approval of the Employer.
3.12.1	The daily penalty for late completion of Preliminary Design is R 1 000.00 The daily penalty for late completion of Design and Tender Documents is R 1 500.00 The daily penalty for late completion of Tender Evaluation is R 2 000.00 The daily penalty for late completion of the project within the agreed time frame is R 2 500.00
3.15	A Programme shall be submitted within 10 working days of the award of a project.
5.1.1	The Service Provider is required to provide the Service with all reasonable care, diligence and skill in accordance with generally accepted professional techniques and standards. Where services include the powers to certify, decide, or otherwise exercise discretion in regard to a contractor agreement between the Employer and others, then the Service provider shall act as in respect of that contract/agreement as an independent.
5.4.1	Insurance against: Risk in performing professional services (Professional Indemnity cover)
	Cover is: Minimum of ten million Rand (R10 000 000.00). Period of cover: Duration of Contract Deductibles are: None
5.5	The Service Provider is required to obtain the Employer's prior written approval before taking any of the following actions: 1. Commencement of detailed design 2. Commencement of Tender Advertisement for calling of Tenders 3. Appointing Sub Consultants for the performance of any part of the Services
7.2	<i>Add the following:</i> The Employer will not be responsible for any overtime worked by or overtime payments made to Personnel of the Service Provider.

Clause	
9.1	Copyright of documents prepared for the Project shall be vested with KAI !GARIB Municipality in terms of regulation 35.4 of Supply Chain Regulations.
12.1	Interim settlement of disputes is to be by mediation.
12.2.1	In the event that the parties fail to agree on a mediator, the mediator is nominated by the Engineering Council of South Africa.
12.2.4	Final settlement is by arbitration.
12.4.2	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by the Chairperson of the Association of Arbitrators of Southern Africa.

Part C2: Pricing Data

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

C2.1: PRICING DATA

Engineering	1 The fee for services rendered in accordance with the Scope of Work shall be calculated in accordance with the GUIDELINE SCOPE OF SERVICES AND TARIFF OF FEES FOR PERSONS REGISTERED IN TERMS OF THE ENGINEERING PROFESSION ACT, ACT 42 of 2000, published as the latest fees in the Government Gazette to be paid for engineering services. 2 The fee payable shall be calculated in accordance with the following formula: Fee payable = (1 ± FA) × FC where FC is the fee calculated in accordance with the Tariff of Fees and FA is the Fee Adjustment contained in the Pricing Schedule. 3 The fee payable in terms of 2 shall include all expenses referred to in the Tariff of Fees relating to work remunerated on such a basis, save those for the cost of printing drawings and documents. 4 Fees for additional services, which cannot be calculated as a fee in accordance with the Tariff of Fees, shall be either paid for on a lump sum basis if scheduled as such in the Pricing Schedule, or on a time and expenses basis in accordance with the Tariff of Fees. 5 The time based fee shall be calculated in accordance with the following formula: Time based fee payable = (1 ±TFA) × h × R where TFA is the Time Based Fee Adjustment <u>of.....%</u> provided for in the Pricing Schedule, h is the number of hours spent in providing the applicable time related service and R is the applicable time based fee in accordance with the provisions of the Tariff of Fees. 6 Work of a routine nature undertaken on a time basis shall be paid for under the category C, irrespective of whether or not such work is undertaken by persons falling into Category B. 7 Costs that may be recovered in terms of the Tariff of Fees are: 7.1 Recoverable costs, i.e. printing, reproduction, telephone, cell phone, telefax, and advertisements will be reimbursed based on actual cost. Proof of such expenditure shall accompany all claims. 7.2 Specialist services i.e. surveys, investigations, testing, drilling etc. not included in the scope of work but required to be undertaken by specialists will be reimbursed based on actual cost plus 10% administration fee. 7.3 Computer time or use of programs will not be separately reimbursed. 7.4 Travel costs will be limited to a total distance of 400km per trip from office to the site or to the offices of the KAI !GARIB Municipality and will be reimbursed based on AA Tariff scales, subject to a maximum of a 3 liter vehicle. 7.5 Time based Professional Fees will not be reimbursed for travel time. 8.Offer and Acceptance Fee scales will be agreed per project as per the latest ESCA Guidelines for Services and processes for estimating fees for registered persons 2016, as amended from time to time.	1 Fee Adjustment (FA) Minus -% of ECSA based Tariff Scale 2. Time Based Fee Adjustment (TFA) Minus -% of ECSA based Tariff Scale Note: KAI !GARIB will not consider offers with a discount of more than 15%. Bids with a discount of more than 15 % will be rejected.
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Part C3: Scope of Works

KAI !GARIB MUNICIPALITY
PROVISION OF PROFESSIONAL ENGINEERING SERVICES FOR VARIOUS PROJECTS
TENDER T008/2019

PART C3: SCOPE OF WORKS

C3.1: DESCRIPTION OF WORKS

The consultancy shall, as a minimum, in order to satisfy the objectives, provide **time-based services and normal services** as set out in the GUIDELINE SCOPE OF SERVICES AND TARIFF OF FEES FOR PERSONS REGISTERED IN TERMS OF THE ENGINEERING PROFESSION ACT, ACT 46 OF 2000.

1. EMPLOYERS'S OBJECTIVES

It is the objective of KAI !GARIB Municipality to procure the services of Consulting Civil and Electrical Engineers for investigations, option analyses, feasibility studies, planning, design, detailed design, compilation of tender specifications, tender documentation and tender evaluation, execution of construction monitoring and supervision for the execution of various capital and other projects in the service area of KAI !GARIB Municipality. The objective of this tender process is to establish a roster of consulting engineers per field of engineering, for the appointment per project as and when projects and budgets are approved over a 3-year period.

Consulting Engineers are invited to make an application for admission to the roster. Applications received will be subjected to a pre-evaluation based on quality to determine eligibility. It must be noted that the Municipality reserves the right to accept any application in full or any part of any application or applications in order to establish the roster.

2. TERMS OF REFERENCE

2.1 ENGINEERING SERVICES SUPPORT

Support relating to the management aspects of engineering services such as water and electricity services risk abatement planning, water and electricity safety planning, water and electricity services development planning, water and electricity services audit reports, blue drop and green drop matters, waste management services and waste management audit reports, master planning, pavement management, road transportation planning, traffic impact assessments, asset management planning, updating of asset registers, unbundling of asset registers, licensing applications, funding applications and any other related tasks.

2.2 WATER AND WASTE WATER TREATMENT

Investigations, options analysis, feasibility studies, funding applications, planning, design, contract administration and supervision of new water and waste water treatment plants, and extension and upgrading of existing water and waste water treatment plants. Update of record drawings and asset register. Any other related tasks.

2.3 BULK WATER SUPPLY AND SEWER SYSTEMS

Investigations, feasibility studies, option analyses, funding applications, planning, design, contract administration and supervision of new bulk water and sewer systems and extension and upgrading of existing systems. Update of record drawings and asset register. Any other related tasks.

2.4 ELECTRICAL ENGINEERING SERVICES

Investigations, feasibility studies, option analyses, planning, design, contract management, contract financial management, contract supervision, testing and commissioning of new and upgrading of existing electricity distribution systems, street lighting, electrical protection systems, SCADA and radio communication systems. Capabilities with respect to specialist services i.e. protection systems, setting of protection relays, load flow studies, system fault level studies and SCADA systems shall be listed and related experience submitted.

2.5 URBAN ENGINEERING

Investigations, feasibility studies, option analyses, funding applications, planning, design, contract administration and supervision of new and the extension and upgrading of existing roads, storm water systems, water reticulation systems, sewer reticulation systems, sport fields. Update of record drawings and asset register. Any other related tasks.

3. EXTENT OF THE WORKS

The works to be carried out by consulting engineers if awarded comprises mainly of the following: (refer to Guide Scope of Services and Tariff of Fees for Persons Registered in terms of the Engineering Profession Act, 2000) for more details.

Status Quo investigation reports

Planning and investigations

Preliminary and detailed design of projects

Compiling of tender documentation including specification

Liaison with employer for tender advertising

Tender evaluation

Construction supervision and monitoring of projects

Successful completion and finalization of projects

Submission of a completion report, updating of asset register, submission of record drawings

4. BASIS FOR ALLOCATING ENGINEERING ASSIGNMENTS

All applications from Professional Engineering consultancies to be admitted to the roster that meet the pre-qualification requirements will be accepted.

For the purposes of allocating engineering assignments to the pre-qualified Professional Engineers Consultancies the following procedure shall apply:

- All assignments will be allocated at the discretion of the Employer who shall strive to achieve a degree of equity among the listed consultancies.
- The Employer may allocate a particular assignment to a specific consultancy on the roster in order to promote continuity where that particular consultancy has had involvement in previous work associated with the assignment.
- Assignments will not necessarily be awarded to all consultancies included in the roster.

5. APPOINTMENTS OUTSIDE OF THIS TENDER

KAI !GARIB Municipality reserves the right to make appointments of professional Consulting Engineers for projects without making use of the results of this tender, whether such projects could be construed as falling within the ambit of this tender or not.