

INVITATION TO BID



cogta

Department:
Co-operative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL

DESCRIPTION: PANEL OF SERVICE PROVIDERS TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR THE KZN COGTA FUNDED PROJECTS OVER A 3 YEAR PERIOD

Bid No. : ZNT 2021/2016 LG

COMPANY NAME : _____

Type of Bidder (Tick One Box)

One-person Business/Sole Trader	
Close corporation	
PTY (Ltd)	
Private Company	
Partnership	
Consortium/Joint Venture	
Co-operative	

Participation Capacity (Tick One Box)

Prime Contractor	
Supplier/Sub-Contractor	

RETURN OF PROPOSAL

Proposal must be deposited in the **Bid box** situated at **Department of Co-operative Governance and Traditional Affairs, Lift Area, 13th floor, North Tower, Natalia Building. 12 SEPTEMBER 2017**

A compulsory Site Inspection will take place on 21 AUGUST 2017 at 13:00 am at 121 CHIEF ALBERT LUTHULI STREET, CAPITAL (TRISON) TOWERS, BOARDROOM 310, PIETERMARITZBURG.

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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	ZNT 2021/2016 LG	CLOSING DATE:	12 SEPTEMBER 2017	CLOSING TIME:	11:00
DESCRIPTION	PANEL OF SERVICE PROVIDERS TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR THE KZN COGTA FUNDED PROJECTS OVER A 3 YEAR PERIOD				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
DEPARTMENT OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS					
330 LANGALIBALELE STREET					
NATALIA BUILDING					
13TH FLOOR, LIFT AREA, NORTH TOWER					
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
		TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]		<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes
		<input type="checkbox"/> No			<input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		<input type="checkbox"/>			
A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		<input type="checkbox"/>			
A REGISTERED AUDITOR		<input type="checkbox"/>			
NAME:					
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS/SERVICES/WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
	[IF YES ENCLOSE PROOF]			[IF YES ANSWER PART B:3 BELOW]	
SIGNATURE OF BIDDER	DATE			
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY			CONTACT PERSON		
CONTACT PERSON			TELEPHONE NUMBER		
TELEPHONE NUMBER			FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		
E-MAIL ADDRESS					

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:								
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>								
2. TAX COMPLIANCE REQUIREMENTS								
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>								
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS								
<table style="width: 100%; border: none;"> <tr> <td style="width: 70%;">3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</td> <td style="width: 30%; text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> <tr> <td>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?</td> <td style="text-align: right;"><input type="checkbox"/> YES <input type="checkbox"/> NO</td> </tr> </table> <p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO	3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO							

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SECTION C (SBD 3)**SPECIAL INSTRUCTIONS AND NOTICES TO BIDDERS REGARDING THE COMPLETION OF BIDDING FORMS**

PLEASE NOTE THAT THIS BID IS SUBJECT TO TREASURY REGULATIONS 16A ISSUED IN TERMS OF THE PUBLIC FINANCE MANAGEMENT ACT, 1991, THE KWAZULU-NATAL SUPPLY CHAIN MANAGEMENT POLICY FRAMEWORK AND THE GENERAL CONDITIONS OF CONTRACT.

1. Unless inconsistent with or expressly indicated otherwise by the context, the singular shall include the plural and visa versa and with words importing the masculine gender shall include the feminine and the neuter.
2. Under no circumstances whatsoever may the bid forms be retyped or redrafted. Photocopies of the original bid documentation may be used, but an original signature must appear on such photocopies.
3. The bidder is advised to check the number of pages and to satisfy himself that none are missing or duplicated.
4. Bids submitted must be complete in all respects.
5. Bids shall be lodged at the address indicated not later than the closing time specified for their receipt, and in accordance with the directives in the bid documents.
6. Each bid shall be addressed in accordance with the directives in the bid documents and shall be lodged in a separate sealed envelope, with the name and address of the bidder, the bid number and closing date indicated on the envelope. The envelope shall not contain documents relating to any bid other than that shown on the envelope. If this provision is not complied with, such bids may be rejected as being invalid.
7. All bids received in sealed envelopes with the relevant bid numbers on the envelopes are kept unopened in safe custody until the closing time of the bids. Where, however, a bid is received open, it shall be sealed. If it is received without a bid number on the envelope, it shall be opened, the bid number ascertained, the envelope sealed and the bid number written on the envelope.
8. A specific box is provided for the receipt of bids, and no bid found in any other box or elsewhere subsequent to the closing date and time of bid will be considered.
9. No bid sent through the post will be considered if it is received after the closing date and time stipulated in the bid documentation, and proof of posting will not be accepted as proof of delivery.
10. No bid submitted by telefax, telegraphic or other electronic means will be considered.
11. Bidding documents must not be included in packages containing samples. Such bids may be rejected as being invalid.
12. Any alteration made by the bidder must be initialed.
13. Use of correcting fluid is prohibited
14. Bids will be opened in public as soon as practicable after the closing time of bid.
15. Where practical, prices are made public at the time of opening bids.
16. If it is desired to make more than one offer against any individual item, such offers should be given on a photocopy of the page in question. Clear indication thereof must be stated on the schedules attached.

ANY ENQUIRIES REGARDING THE BIDDING PROCEDURE MAY BE DIRECTED TO:

Department: Co-operative Governance and Traditional Affairs

Contact Person: Ms Lindiwe Madlala

Tel: 033 395 2174

Fax: 086 642 8873/ 033 342 8830

Email: lindiwe.madlala@kzncogta.gov.za

ANY ENQUIRIES REGARDING SPECIFICATION INFORMATION MAY BE DIRECTED TO:

Contact Person: Mr Muzi Ngwane

Unit: Municipal Infrastructure

Tel: **033 355 6211**

Fax:

Cel: **083 320 5204**

Email: muzi.ngwane@kzncogta.gov.za

FOR VIEWING PURPOSE ONLY

SECTION E (SBD 4) DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a proposal or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.
2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**
 - 2.1 Full Name of bidder or his or her representative:
 - 2.2 Identity Number:.....
 - 2.3 Position occupied in the Company (director, trustee, shareholder², member):
 - 2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
 - 2.5 Tax Reference Number:
 - 2.6 VAT Registration Number:
 - 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1991 (Act No. 1 of 1991);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

- 2.7 Are you or any person connected with the bidder
presently employed by the state? YES ☐ NO ☐

- 2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

Name of state institution at which you or the person
connected to the bidder is employed :

Position occupied in the state institution:

Any other particulars:

2.7.2	If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.7.2.1	If yes, did you attach proof of such authority to the bid document? <u>(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.)</u>	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.7.2.2	If no, furnish reasons for non-submission of such proof:				
2.8	Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.8.1	If so, furnish particulars:				
2.9	Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.9.1	If so, furnish particulars.				
2.10	Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.10.1	If so, furnish particulars.				
2.11	Do you or any of the directors / trustees / shareholders / members of the company have any interest in any other related companies whether or not they are bidding for this contract?	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
2.11.1	If so, furnish particulars:				

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

Full Name	Identity Number	Personal Income Tax Reference Number	State Employee Number / Persal Number

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS
DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

SECTION F

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

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

1.2

- a) The value of this bid is estimated to **not exceed** R50 000 000 (all applicable taxes included) and therefore the **80/20** preference point system shall be applicable; or

1.3 Points for this bid shall be awarded for:

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

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

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
Total points for Price and B-BBEE must not exceed	100

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- (a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **“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 goods or services, through price quotations, advertised competitive bidding processes or proposals;

- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorized body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where

P_s = Points scored for price of bid under consideration
 P_t = Price of bid under consideration
 P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

- 4.1 In terms of Regulation 6 (2) and 7 (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 (80/20 system)
------------------------------------	---------------------------------

1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

5. BID DECLARATION

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

6. B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1

6.1 B-BBEE Status Level of Contributor: . =(maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(*Tick applicable box*)

YES		NO	
-----	--	----	--

7.1.1 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 or QSE

(*Tick applicable box*)

YES		NO	
-----	--	----	--

- v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME √	QSE √
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
OR		
Any EME		
Any QSE		

8. **DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 **TYPE OF COMPANY/ FIRM**

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

[TICK APPLICABLE BOX]

8.5 **DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

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

8.6 **COMPANY CLASSIFICATION**

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

[TICK APPLICABLE BOX]

8.7 Total number of years the company/firm has been in business:.....

8.8 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 contributor indicated in paragraphs 1.4 and 6.1 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 paragraphs 1.4 and 6.1, 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 contributor 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) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury 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.

WITNESSES

1.

2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....
.....

OWNERS/SHAREHOLDERS/PARTNERS/SOLE PROPRIETORS/TRUSTEES / BENEFICIARIES.

(This information is required for statistical purposes only)

FULL NAME	ID NUMBER	CAPACITY : MEMBER/PART NER/ PROPRIETOR/ SHARE- HOLDER/TRUS TEE/ BENEFICIARY	% OWNERSHIP/ PARTNERSHIP/ TRUST/ CO- OPERATIVE	MALE/ FEMALE	HANDI- CAPPED YES/NO	AFRICAN (A) / COLOURED (C) / INDIAN (I) WHITE (W)	YOUTH YES/NO	% OF TIME DEVOTED TO THE FIRM

SECTION G
CONDITIONS OF BID

1. I/We hereby bid to supply all or any of the supplies and/or to render all or any of the services described in the attached documents to the KwaZulu-Natal Provincial Administration (hereinafter called the "Province") on the terms and conditions and be in accordance with the specifications stipulated in the bid documents (and which shall be taken as part of and be incorporated into this bid) at the prices and on the terms regarding time for delivery and/or execution inserted therein.
2. I/we agree that:
 - (a) the offer herein shall remain binding upon me and open for acceptance by the Province during the validity period indicated and calculated from the closing time of the bid;
 - (b) this bid and its acceptance shall be subject to Treasury Regulations 16A issued in terms of the Public Finance Management Act, 1991, the KwaZulu-Natal Supply Chain Management Policy Framework, the Provincial Treasury issued Practice Notes, and the KwaZulu-Natal General Conditions of Contract, with which I/we am fully acquainted;
 - (c) if I/we withdraw my bid within the period for which I/we have agreed that the bid shall remain open for acceptance, or fail to fulfil the contract when called upon to do so, the Province may, without prejudice to its other rights, agree to the withdrawal of my bid or cancel the contract that may have been entered into between me and the Province. I/we will then pay to the Province any additional expenses incurred by the Province having either to accept any less favourable bid or, if fresh bids have to be invited, the additional expenditure incurred by the invitation of fresh bids and by the subsequent acceptance of any less favourable bid. The Province shall have the right to recover such additional expenditure by set-off against monies which may be due to me under this or any other bid or contract or against any guarantee or deposit that may have been furnished by me or on my behalf for the due fulfilment of this or any other bid or contract and pending the ascertainment of the amount of such additional expenditure to retain such monies, guarantee or deposit as security for any loss the Province may sustain by reason of my default;
 - (d) if my bid is accepted, the acceptance may be communicated to me by registered post, and that the South African Post Office Limited shall be treated as delivery agent to me;
 - (e) the law of the Republic of South Africa shall govern the contract created by the acceptance of my bid and I choose *domicilium citandi et executandi* in the Republic at (full physical address)
.....
.....
3. I/we furthermore confirm that I/we have satisfied myself as to the correctness and validity of my bid: that the price(s), rate(s) and preference bid cover all of the work/item(s) and my obligations under a resulting contract, and I accept that any mistakes regarding the price(s) and calculations will be at my risk.
4. I/we hereby accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement, as the Principal(s) liable for the due fulfilment of this contract.
5. I/we agree that any action arising from this contract may in all respects be instituted against me and I/we hereby undertake to satisfy fully any sentence or judgement which may be pronounced against me as a result of such action.
5. I/we confirm that I/we have declared all and any interest that I or any persons related to my business has with regard to this bid or any related bids by completion of the Declaration of Interest Section.

SECTION H
PRICING PAGE – FIRM PRICES
(SERVICES)

N.B.: This form must be completed in detail, signed by the Bidder and bear the signature of a witness. Failure to comply with these requirements may result in the bid being disregarded.

CLOSING DATE AND TIME: 12/09/2017 @ 11:00 VALIDITY PERIOD: 120 DAYS

BID NO: ZNT 2021/2016 LG	PERIOD : 36 MONTHS
Item description: PANEL OF SERVICE PROVIDERS TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR THE KZN COGTA FUNDED PROJECTS OVER A 3 YEAR PERIOD	NAME AND ADDRESS OF BIDDER(FIRM) TEL:..... FAX:.....
DOES OFFER COMPLY WITH THE SPECIFICATION? <i>If not, furnish details of deviation in space provided for "Remarks"</i>	YES / NO <i>(Delete which is not applicable)</i>
TOTAL BID PRICE ** (ALL APPLICABLE TAXES INCLUDED)	R
BID PRICE IN WORDS ** (ALL APPLICABLE TAXES INCLUDED)	
REMARKS (If any): (Signature of Bidder) DATE: (Signature of Witness) DATE:.....

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

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

SECTION I (SBD 7)
AUTHORITY TO SIGN A BID

A. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorizing the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on 20....., Mr/Mrs whose signature appears below) has been duly authorized to sign all documents in connection with this bid on behalf of (Name of Company).....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: **DATE:**

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

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

SIGNATURE.....

DATE.....

C. PARTNERSHIP

The following particulars in respect of every partner must be furnished and signed by every partner:

Full name of partner	Residential address	Signature
.....
.....

Mr/Ms....., whose signature appears below, has been authorized to sign all documents in connection with this bid on behalf of (Name of cooperative)

SIGNED ON BEHALF OF CO-OPERATIVE:.....
(PRINT NAME)

IN HIS/HER CAPACITY AS: **DATE:**

SIGNATURE OF AUTHORISED REPRESENTATIVE/SIGNATORY:

WITNESSES: 1 **WITNESS:- 2**

F. CONSORTIUM

If a bidder is a consortium, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of concerned enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the consortium must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE CONSORTIUM

By resolution/agreement passed/reached by the consortium on 20

Mr/Mrs.....(whose signature appear below) have been duly authorised to sign all documents in connection with this bid on behalf of:

(Name of Consortium).....

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

IN HIS/HER CAPACITY AS **DATE:**

SIGNATURE OF SIGNATORY:

WITNESSES: 1 **WITNESS: - 2**

G. JOINT VENTURE

If a bidder is a joint venture, a certified copy of the resolution/agreement passed/reached signed by the duly authorized representatives of the enterprises, authorizing the representatives who sign this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid

and/or contract on behalf of the joint venture must be submitted with this bid, before the closing time and date of the bid.

AUTHORITY TO SIGN ON BEHALF OF THE JOINT VENTURE

By resolution/agreement passed/reached by the joint venture partners on.....20.....

Mr/Mrs.....,Mr/Mrs.....

Mr/Mrs.....and Mr/Mrs.....

(whose signatures appear below) have been duly authorized to sign all documents in connection with this bid on behalf of:(Name of Joint Venture).....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE:..... **DATE:**

IN HIS/HER CAPACITY AS:.....

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:.....

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:.....

SIGNED ON BEHALF OF (COMPANY NAME):
(PRINT NAME)

SIGNATURE :..... **DATE:**

IN HIS/HER CAPACITY AS:.....

SECTION J (SBD 8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1 This Standard Bidding Document must form part of all bids invited.

- 2 It serves as a declaration to be used by institutions 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 disregarded if that bidder, or any of its directors have-
- 4 Abused the institution's supply chain management system; committed fraud or any other improper conduct in relation to such system; or failed to perform on any previous contract.
- 5 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

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

CERTIFICATION

I, **THE** **UNDERSIGNED** **(FULL NAME)**.....

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

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

SECTION K (SBD 9) CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.

- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1991, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
- a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD 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 (SBD 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.

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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)

4. I have read and I understand the contents of this Certificate;
5. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
6. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
7. 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;
8. 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

9. 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.
10. 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.
11. 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.
12. 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 1991 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Position

.....
Date

.....
Name of Bidder

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.

SECTION L SPECIAL CONDITIONS OF CONTRACT

SECTION 1: DEFINITION OF TERMS

1.1 SERVICE

The consultancy services to be rendered by professional service providers must be

rendered in terms of this contract.

1.2 CONTRACTOR

The person or persons, partnership, close corporation, firm or company, whose bid for this service was accepted.

1.3 AGREEMENT

This comprises the agreement signed by parties, the conditions of bid, the bid and the specifications.

1.4 AGREEMENT PERIOD

The period during which the service is to be rendered and originally determined in the agreement, or as amended, extended or renewed in accordance with stipulations of the agreement.

1.5 PARTIES

The parties to this contract are The Head of Co-operative Governance and Traditional Affairs in the KwaZulu-Natal Provincial Administration and Contractor.

1.8 DEPARTMENT

KwaZulu-Natal department of Co-operative Governance and Traditional Affairs.

1.9 CURTAILMENT OF SERVICE

The Department reserves the right to withdraw from the service any part/s of the contract as a whole, with one month's written notification to the contractor. In a case such as this, the contract sum will be adjusted *pro rata* from the date of withdrawal.

SECTION 2: IMPORTANT INFORMATION TO NOTE

2.1 This bid is invited and will be awarded and administered in terms of the following:-

- 2.1 KwaZulu-Natal Supply Chain Management Policy Framework,
- 2.2 Section 217 of the Constitution,
- 2.3 The PFMA and its Regulations in general,
- 2.4 The Preferential Procurement Policy Framework Act,
- 2.5 National Treasury guidelines, and
- 2.6 Provincial Treasury's Supply Chain Management Practice Notes and guidelines

2.2 REQUIRED COMPULSORY INFORMATION

2.2.1 The bidder shall ensure that all the required information is furnished; viz:-

- 2.2.1 Declaration of interest (SECTION E)
- 2.2.2 Tax Compliance Status Requirements,
- 2.2.3 Compulsory Briefing Session (SECTION M)
- 2.2.4 Authority to sign a bid (SECTION I),
- 2.2.5 Conditions of Bid (SECTION G)
- 2.2.6 Tax Compliance Status.
- 2.2.7 Each party to a Consortium/Group of sub-contractors must obtain separate Tax Clearance Certificate(s) and also be registered on the Suppliers Database.

- 2.2.8 A valid certified copy of B-BBEE Status Level Verification Certificate/ Letter from Sworn Affidavit must be submitted with the proposal.

NOTE: Failure to submit the required information may invalidate the entire proposal.

SECTION 3: SPECIAL CONDITIONS OF CONTRACT

3.1 ACCEPTANCE OF BID

- 3.1.1 This bid has been invited, and will be adjudicated in terms of the KwaZulu-Natal Supply Chain Management Policy Framework and the KwaZulu-Natal Provincial Treasury's Practice Notes. Co-operative Governance and Traditional Affairs' Bid Adjudication Committee is under no obligation to accept the lowest or any bid.
- 3.1.2 The financial standing of bidders and their ability to manufacture or to supply goods or render services may be examined before their bids are considered for acceptance.

3.2 APPEALS

- 3.2.1 Entities aggrieved by a decision of a departmental Bid Adjudication Committee or a delegate of an accounting officer, may appeal to the Bid Appeals Tribunal in the prescribed manner by the Supply Chain Management Policy Framework

3.3 AMENDMENT OF CONTRACT

- 3.3.1 Any amendment to or renunciation of the provisions of the contract shall at all times be done in writing and shall be signed by both parties subject to the Legal Services screening the amendment before it is signed.

3.4 CHANGE OF ADDRESS

- 3.4.1 Bidders must advise the Department should their address (*domicilium citandi et executandi*) details change from the time of bidding to the expiry of the contract.

3.5 COMMUNICATION

- 3.5.1 All correspondence with regard to this bid must be addressed or hand delivered to the:

The Head SCM Unit,
Department Co-operative Governance and Traditional Affairs,
Private Bag X9078,
Pietermaritzburg
3200

ENQUIRIES: **Ms Lindiwe Madlala TEL.: 033-395 2174**

3.6 COMPLETENESS OF BID

- 3.6.1 Bids will only be considered if correctly completed and accompanied by all relevant certificates and other necessary applicable information.

3.7 COMPLETION OF SPECIFICATION

- 3.7.1 Where specifications are designed in such a way that responses would be required from bidders, these forms must be completed and submitted as part of the bid document.

3.8 CONDITIONS OF BID

- 3.8.1 The successful Contractor must be in a position to assume duty on the date stipulated in the letter of acceptance.
- 3.8.2 No bid received by telegram, telex, or facsimile will be considered.
- 3.8.3 It shall be noted that the Department is under no obligation to accept the lowest or anybid.

3.8.4 The offer shall be made strictly according to the specification. No alternative offers will be considered.

3.8.5 Bidders must provide the following particulars about themselves as part of the bid:

3.8.5.1 Where they have their Headquarters

3.8.5.2 Where they have their Regional Office.

3.8.5.3 Name, address and telephone number of bankers together with their bank account number.

3.8.5.4 The names, identity numbers and street addresses of all partners in cases where persons, a partnership, or a firm consists of a partnership.

3.9 In cases where a person or persons, a partnership, close corporation, firm or company enters business for the very first time, the following particulars shall be provided:

3.9.1 By whom, or with whose assistance, was the business plan drafted?

3.9.2 By whom, or with whose assistance, were the bid prices calculated?

3.9.3 Whose advice is relied on?

3.9.4 Who will provide financial support?

3.10 A list of references must accompany this bid. Particulars shall be submitted regarding similar agreements completed successfully or of projects which the bidder is engaged in.

3.11 CONFIDENTIALITY

The contractor's staff that comes into contact with the Department's confidential information and documents may be required to sign confidentiality agreements so as to protect the Department's information.

3.12 CONTRACT PERIOD

3.12.1 The contract period shall remain in force for a period of 06 months from date of signing of official contracts.

3.12.2 The Department of Co-operative Governance and Traditional Affairs reserves the right to terminate the contract with any contractor should the contractor fail to fulfil his/her contractual obligations in terms of the contract.

3.13 DETAILS OF CURRENT CONTRACTS HELD BY THE BIDDER

3.13.1 The bidder must furnish the following details of all current contracts:

(i) Date of commencement of contract/s;

(ii) Expiry date/s;

(iii) Value per contract; and

(iv) Contract details. That is, with whom held, phone number and address/s of the company.

3.14 EQUAL BIDS

3.14.1 In the event that two or more bids have equal total points, the successful bid will be the one scoring the highest number of preference points for specified goals. Should two or more bids be equal in all respects, the Adjudication shall be decided by the drawing of lots.

3.15 EXECUTION CAPACITY

3.15.1 The bidder will be required to provide an efficient and effective service. Therefore, the bidder is required to submit proof that he/she has the required capacity to execute the contract tendered for successfully. The bidder must supply references or state his/her experience as a company to undertake the contract. References of past experience of owners/employees of new entities must accompany the bid document.

3.16 EXTENSION OF CONTRACT

- 3.16.1 An extension of contract may be considered. It is the normal policy that contracts are not extended. However, circumstances may arise whereby a contract cannot be renewed in time. If this is found to be the case, the right is reserved to approach existing contractor(s) to extend the contract for such period agreed to.

3.17 GENERAL EVALUATION CRITERIA

The Bid Evaluation Committee will assess offers and adhere to the following basic guidelines when evaluating.

- a. Whether all the required information called for in the bid document has been submitted by the bidder.
- b. Has the bidder supplied references or stated his/her experience as a Company to undertake the contract. References of past experience must accompany the bid document.
- c. The financial standing of the bidder and ability to render a service may be examined before an award of bid take place.
- d. Preferences will be taken into consideration by the Department in terms of the B-BBEE Scorecard.
- e. Documented reports received from an institution/s pertaining to past bad performance by a company who is tendering, may be taken into consideration.
- f. Did the bidder attend the site inspection?
- g. Will the bidder be in a position to successfully execute the contract?
- h. The 80/20 Point System will apply in the evaluation of this bid.

3.18 IRREGULARITIES

- 2.18.1 Companies are encouraged to advise the Department timeously of any possible irregularities which might come to their notice in connection with this or other contracts.

3.19 JOINT VENTURES

- 3.19.1 In terms of the Supply Chain Management Policy Framework, a consortium or joint venture may, based on the percentage of the contract value managed or executed by respective members.
- 3.19.2 Should this bid be submitted by a joint venture, a certified copy of the joint venture agreement **must** accompany the bid document before the closing date and time of bid. The joint venture agreement must clearly specify the percentage of the contract to be undertaken by each company participating therein.
- 3.19.3 A trust, consortium or joint-venture must obtain and submit **a consolidated B-BBEE Status Level Verification Certificate**. The non-submission of a consolidated B-BBEE Certificate by a company will result in preference points not being allocated to such company. Failure to submit the joint venture Agreement will result in preference points not being allocated to all companies participating in the joint venture.

3.20 LATE BIDS

- 3.20.1 Bids are late if they are received at the address indicated in the bid documents after the closing date and time.
- 3.20.2 A late bid shall not be considered and, where practicable, shall be returned unopened to the Bidder, accompanied by an explanation.

3.21 NOTIFICATION OF ADJUDICATION OF BIDDER & ADVERTISING OF RESULTS

- 3.21.1 Notification of the Adjudication of bid shall be in writing by a duly authorized official of Co-operative Governance and Tradition Affairs' Supply Chain Management unit.

3.22 PRO RATA DECREASE OF COMPENSATION

- 3.22.1 Should the services not be rendered to the satisfaction of the Department and unsatisfactory items/ aspects/ events have already, in writing, been brought to the attention of the Contractor, the Department reserves the right in terms of paragraph **3.27** hereunder, to retain payment to the Contractor for as long as the unsatisfactory service continues.

3.23 CENTRAL SUPPLIERS DATABASE

- 2.23.1 A bidder submitting an offer must be registered on the Central Suppliers Database. A bidder who has submitted an offer and is not registered on the Central Suppliers Database will not be considered.
- 3.23.2 Each party to a Joint Venture/Consortium must be registered on the Central Suppliers Database at the time of submitting the bid.

3.24 SUBMISSIONS AND COMPLETION OF SBD 6.1

- 3.24.1 Bidders are to complete SBD 6.1 document where applicable. Failure by the bidder to submit a valid B-BBEE status level verification certificate will result in the bidder not being considered for preference points allocation. If the information required is not applicable to the business, clearly insert the symbols "N/A" in the appropriate space. If the space provided is left blank, it will be regarded as information that is still outstanding and the SBD 6.1 will not be processed further.

3.25 TERMINATION OF SERVICES

- 3.25.1 Should the Contractor fail to meet the conditions of this contract, or continue rendering unsatisfactory service, the Employer reserves the right to terminate the contract, after written notification has been served on the Contractor, with retention of the right to recover from the Contractor any losses which the Employer may suffer/ incur as a result of the failure, without prejudicing any other rights it may have.

3.26 TAX CLEARANCE CERTIFICATE

- 3.26.1 The original Tax Clearance Certificate must be submitted with the bid before the closing date and time of the bid. Failure to submit a valid Tax Clearance Certificate will invalidate your bid unless a valid, as at the closing date of this bid, original Tax Clearance Certificate is already in the possession of the Departments Supply Chain Management Unit. In this regard, a clear reference must be provided e.g. bid number.
- 3.26.2 Each party to a Joint Venture/Consortium must submit an original valid Tax Clearance Certificate together with the bid before the closing date and time of bid.

3.27 UNSATISFACTORY PERFORMANCE

- 3.27.1 Unsatisfactory performance occurs when performance is not in accordance with the contract conditions.
- (i) Before any action is taken, the Department shall warn the contractor by registered/certified mail that action will be taken in accordance with the contract conditions unless the contractor complies with the contract conditions and delivers satisfactory supplies or services within a specified reasonable time (7 days minimum). If the contractor does not perform satisfactorily despite the warning the Department will:
- (a) take action in terms of its delegated powers
- (b) make a recommendation for cancellation of the contract concerned.

3.28 VALIDITY PERIOD AND EXTENSION THEREOF

- 3.28.1 The validity (binding) period for the bid must be **120** days from close of bid. However, circumstances may arise whereby this Department may request the bidders to extend the validity (binding) period. Should this occur, the Department will request bidders to extend the validity (binding) period under the same terms and conditions as originally tendered for by bidders. This request will be done before the expiry of the original validity (binding) period.

3.29 VAT

2.29.1 Bid prices must be inclusive of VAT.

2.29.2 A tax invoice shall be in the currency of the Republic of South Africa and shall contain the following particulars:

- (a) The name, address and registration number of the supplier;
- (b) the name and address of the recipient;
- (c) an individual serialized number and the date upon which the tax invoice is issued;
- (d) a description of the goods or services supplied;
- (e) the quantity or volume of the goods or services supplied;
- (f) either :—
 - (i) the value of the supply, the amount of tax charged and the consideration for the supply; **or**
 - (ii) where the amount of tax charged is calculated by applying the tax fraction to the consideration, the consideration for the supply and either the amount of the tax charged, or a statement that it includes a charge in respect of the tax and the rate at which the tax was charged.

3.30 REGISTERED ADDRESS

The Department provides the following:

Street address as it's *domicillium citandi et executandi* in respect of any lawsuit which might result from or bears relevance to this contract, as well as for purposes of notice to :

The Head SCM Unit, KwaZulu-Natal Co-operative Governance and Traditional Affairs

14 th floor, South Tower, Natalia Building. 330 Langalibalele Street PIETERMARITZBURG 3200	Private Bag X9078, PIETERMARITZBURG 3200
--	--

SECTION M

OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE

Site/building/institution involved: **121 CHIEF ALBERT LUTHULI STREET, 3RD FLOOR, BOARDROOM 310, CAPITAL (TRISON) TOWERS, PIETERMARITZBURG**

Bid No: **ZNT 2021/2016 LG**

Service: **PANEL OF SERVICE PROVIDERS TO RENDER PROFESSIONAL ENGINEERING SERVICES FOR THE KZN COGTA FUNDED PROJECTS OVER A 3 YEAR PERIOD**



THIS IS TO CERTIFY THAT (NAME):

ON BEHALF OF Department:
Cooperative Governance and Traditional Affairs
PROVINCE OF KWAZULU-NATAL

ATTENDED THE BRIEFING SESSION ON: **21 August 2017 at 13:00am at 121 CHIEF ALBERT LUTHULI STREET, 3RD FLOOR, BOARDROOM 310, CAPITAL (TRISON) TOWERS, PIETERMARITZBURG**

AND IS THEREFORE FAMILIAR WITH THE CIRCUMSTANCES AND THE SCOPE OF THE SERVICE TO BE RENDERED.

.....
SIGNATURE OF BIDDER OR AUTHORISED REPRESENTATIVE
(PRINT NAME)

DATE:

.....
SIGNATURE OF DEPARTMENTAL REPRESENTATIVE
(PRINT NAME)

.....
DEPARTMENTAL STAMP:
(COMPULSORY)

DATE:

EXPRESSION OF INTEREST

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO RENDER
PROFESSIONAL ENGINEERING SERVICES FOR THE KZN COGTA

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PROJECT BRIEF: PROVISION OF PROFESSIONAL ENGINEERING SERVICES TO KZN COGTA FUNDED INFRASTRUCTURE PROJECTS.

1. BACKGROUND TO THE PROGRAMME

Infrastructure delivery for socio-economic needs remains a challenge in most of the rural communities even after 22 years of the new democratic order in South Africa. There are still huge backlogs in so far as the critical basic infrastructure including water, electricity, roads and others in the country. The KZN Province also suffers a lot from the similar syndrome, despite government efforts through Municipal Infrastructure Grant (MIG) Programme, many communities still do not have access to basic infrastructure and the government is determined to close the gap.

The Department of Co-operative Governance and Traditional Affairs is initiating hands on support programme to backstop municipalities with financial and technical measures to fast track service delivery of bulk infrastructure through a Massification Programme in order to close the identified gap. To this end, the Department shall require to engage suitable qualified and experienced Service Providers in the Built Environment to assist in the implementation of the Programme.

1.1 APPROACH

- 1.1.1 The establishment of a panel of suitable qualified and experienced service providers in the project management services, especially in the built environment, for the KZN COGTA funded massive public infrastructure programme linked to fast tracking of service delivery and creation of employment during implementation of projects.
- 1.1.2 Once the panel of Service Providers has been appointed, they shall be requested to quote on specific projects to be undertaken as shall be identified and determined by the Programme Manager from COGTA (Development and Planning Branch). This is meant to short circuit long procurement processes that, more often than not, tend to delay implementation of critical projects on the ground. The Department of Co-operative Governance and Traditional Affairs shall engage the service providers in various district offices where a need would have been identified and scope of work clearly determined for specific projects implementation.

1.2 NEED FOR SERVICE

- 1.2.1 Over the past few years, the department has supported municipalities to implement infrastructure projects, but using their own procurement processes. A number of municipalities have been unable to conclude procurement processes on time and / or at all, resulting in the allocated funds being unspent.
- 1.2.2 The fact remains however, that there are huge backlogs in infrastructure service delivery and something needs to be done to close the gap identified. It has also become evident that there is limited capacity in municipalities to deliver huge infrastructure projects as per the needs identified during various assessments including the Municipal Turnaround Strategies (MTAS).
- 1.2.3 By and large, with this Programme COGTA aims to do something practical to supporting municipalities with technical expertise to identify, plan and implement the infrastructure projects within communities.

1.3 OBJECTIVES

The main objective of this process is to appoint a panel of service providers that would render programme / project management services in supporting the staff at COGTA, Municipalities and other stakeholders involved in the implementation and operation of the infrastructure projects

funded by COGTA. The support envisaged will be in relation, but not limited to, investigations, project planning, implementation, disbursement, accounting and financial management. This includes programme / project related matters such as engineering and environmental management, programme implementation support and capacity building strategies within COGTA and municipalities benefiting from the projects to be implemented.

1.4 OUTCOME

Project Management Services rendered in backstopping municipalities to fast track the delivery of mass infrastructure to the public in order to reduce huge backlogs currently being experienced in the Province.

2. DETAILED SCOPE OF WORK

The service provider appointed will be required to render the following services:

2.1 Description of the Project.

The professional services required of the Bidder will be those associated with the Design, Costing, Bid Process and Construction/Project Management for the construction of Water, Sanitation, Electricity, Roads/Transport and Solid Waste Infrastructure within the Province of KwaZulu-Natal.

The works will include but not limiting the following:

➤ Water services

Feasibility study, design of Water Treatment facilities where required, reservoirs, pump stations, pumping mains. Gravity mains together with communal standpipes.

➤ Sanitation Services

Feasibility study, design of Water Treatment facilities where required, outfall sewers, pump stations, internal reticulation systems and any other sanitation needs as required by the Department.

➤ Electrical Services

Feasibility Study, design of electricity infrastructure where required, bulk networks, sub-stations, internal reticulation systems and any other electricity and lighting infrastructure needs as required by the Department.

Additional to the above water, sanitation and electricity services, the Service Provider will be expected to carry out the following:

- a) Quantified scope of works for construction
- b) Bid process
- c) Construction and project management

- d) Close out report
- e) Electronic and hard copy of As Built Drawings

Regular design liaison meetings between the Bidder and the Employer will be held, at least on a monthly basis.

The applicable design standards for Construction Works shall be adhered to. The Bidder is also expected to adopt a design philosophy which will maximize the use of local resources and labour during the construction phase, in accordance with the principles of Expanded Public Works Programme. The successful Bidder shall ensure that during construction all Occupational Health and Safety issues are adhered to.

2.1.1 Geotechnical and Materials Aspects

No geotechnical information is available from the Client (KZN COGTA). Sources of suitable materials for construction purposed are likely to be scarce, and commercial sources must be investigated. Accordingly, a specific geotechnical investigation and assessment report for all construction sites will form part of the professional services.

2.1.2 Existing Services

The Bidder shall identify any existing services, such as electricity, telephone, water supply, etc, which may be affected by the project. It is imperative that the Department and other relevant stakeholders be advised timeously about the need to relocate services. It is the Bidder's responsibility to notify the authorities and put in place a programme for any relocation.

Relocation costs are generally paid via the construction contract and provision should be made in the Bid document. However, critical relocations may have to be done in advance and paid for via this professional services contract.

2.2 Execution of Professional Services

2.2.1 General

The Bidder shall execute the required services in a professional manner, complying with the appropriate design codes and specifications. The Bidder shall also comply with all relevant legislation pertaining to the built environment in general.

The Bidder should demonstrate that he/she is aware of the relevant legislation and the various approvals required at certain stages of the project. Failure to demonstrate this knowledge will result in the Bid being considered non-responsive in terms of functionality.

Although the contract should be objective orientated rather than time orientated, the Bidder will be expected to apply himself/ herself efficiently and professionally. A suitable completion period for the documentation and contract drawings will be negotiated with the Bidder once the scope of the project and the nature and time for specialist investigations is fully apparent. The duration of the construction stage will be determined after the Contract Documents are

drawn up.

All documentation is expected to be signed off by the respective professional leading that specific discipline in conjunction with the lead consultant.

2.2.2 Scope of Professional Services

The Scope of Services is as set out in the current respective professionals Councils and any subsequent updates.

2.2.3 Scope of Professional Services

Particular emphasis is placed on the qualifications of the key personnel to be provided when calculating the points score for functionality. No changes to the proposed personnel will be accepted without clear motivation and only then in exceptional circumstances. Replacement personnel must have similar or better qualifications to those originally proposed.

Failure to provide suitable personnel and resources may result in the Bids being re-evaluated and the Contract being cancelled.

2.2.4 Programme of Activities

The Bidder shall submit a final programme indicating the key milestones to the Employer within 14 (fourteen) days of the date of the letter of acceptance of Bid. The key milestones shall include, but are not limited to:

- Submission of conceptual design to the Employer.
- Submission of preliminary design for engineering works.
- Submission of final design for engineering works.
- Submission of draft Bid drawings.
- Submission of draft Bid documentation.
- Completion of final Bid drawings and documentation.
- Date for advertising Bids.
- Date for closing of Bids.

The programme shall also demonstrate that the Bidder recognises the various inputs required in order to meet these milestones. Failure to submit an acceptable programme will lead to delays which could in turn result in penalties.

The preparation of the programme, and of any required updates, is considered to be included in the Bid percentage fee for the preliminary design.

2.2.5 Progress Meetings

The Bidder shall meet formally with the Employer on a monthly basis to discuss progress on the project. The Employer may ask for additional meetings in the event of progress being behind the accepted programme. Meeting venues will be agreed between the client and the Services Provider depending on the location of a specific project.

The meetings shall continue during the construction stage, with the specific purpose of presenting cost forecasts to the Employer and highlighting any technical or contractual issues.

These meetings shall be addition to the normal monthly site meetings with the successful Bidder for construction.

All the cost of attending the first two progress meetings per month is deemed to be included in the Bid percentage fee for the various stages of the project.

2.2.6 Reporting

Monthly progress reports shall be prepared and tabled at the above meetings together with a marked up programme illustrating progress. In addition, the Bidder shall ensure that the project details are captured in the Employers database and that the relevant data is updated on a monthly basis.

The Bidder will have to comply with the reporting format of KZN CoGTA. Every report shall be accompanied by progress photos.

2.2.7 Targeted Procurement

The inclusion of targeted procurement procedures in Bid documentation, and reporting thereon during construction, are deemed to be included in the various stages and will not be paid for separately.

2.3 Preliminary Conceptual/Design Stage

The Preliminary Conceptual/Design Stage shall be carried out in accordance with relevant Clauses as per the current relevant board notices and any subsequent updates.

A preliminary conceptual/design report is required which shall include, but shall not be limited to, the following:

- An assessment of different design standards and cost benefit analysis for each option.
- Geotechnical issues and implications for the design.
- Progress with survey, materials investigation etc, and confirmation of dates for the Bid process.
- A comprehensive preliminary construction cost estimate.

It is essential that the additional services such as geotechnical assessment, detailed survey and materials investigations be commenced during the preliminary design stage. The full geotechnical assessment shall be included in the prelim design report.

2.4 Detailed Design and Bid Documentation

The Design and Bid Stage shall be carried out in accordance with the relevant Clause of the current respective council Board Notice and any subsequent updates.

During the design process cognizance must be taken of the requirements of the Expanded Public Works Programme and allowance made for the inclusion of operations that can be carried out under this programme.

A final Detailed Design Report is required, confirming the recommended option and design standards. The design report shall accompany the draft Bid document and the detailed cost estimate for the project. The cost estimates shall be based on the schedule of quantities in the draft document and may need to be updated following feedback from the Employer.

The format of the Bid documentation shall be discussed in advance with the Employer and must be fully compliant with the CIDB standard Bid document. The Employer shall provide information in terms of the KZN COGTA's Supply Chain Management Policy and Special Conditions of Contract, as well as the Bid evaluation procedure to be followed. Materials information is considered to be an integral part of the Bid documentation.

Prior to Bids being advertised, it is essential that certain services and documents be completed:

- Final geotechnical report, which shall include details of investigation proving availability of construction materials.
- All survey work, including site survey.
- Design Drawing Sections

It must be noted that the Bid documents must include details on how traffic shall be accommodated during construction.

The Bid documents received shall be evaluated according to the requirements of the Employer. This includes a detailed check of the Bidder's credentials, compliance with KZN COGTA's Supply Chain Management Policy and evaluation according to a points scoring system.

2.5 Working Drawings

The Working Drawings shall be prepared in accordance with the relevant Clause as per the respective council Board Notice and any subsequent updates.

The full set of construction drawings must be submitted for approval of the Employer. Signed construction drawings are required prior to the official contract commencement date of the Contractor.

2.6 Construction Stage

The Construction Stage shall be carried out in accordance with the relevant Clause of the current respective council Board Notice any subsequent updates.

During the course of construction, the Bidder shall update the Employer's database on a monthly basis. In addition, the Bidder shall ensure that all information required for reporting in terms of employment statistics and targeted procurement are provided and submitted.

2.7 Completion of Services

The completion of services refers to the preparation of “As-Built” drawings, As-Built information, a comprehensive Construction/Contract Report, and their submission to the Employer as specified in GIS Specification.

2.8 Construction Monitoring / Site Supervision

Construction monitoring/site supervision is specifically excluded from this professional services contract.

However, on completion of the design and during the Bid process, the Employer and Bidder shall liaise and agree the level of construction monitoring/site supervision required. Once the staff complement and costs have been agreed, a separate agreement shall be prepared.

2.9 Additional Services

All additional services shall be carried out in accordance with relevant Clause of the current respective council Board Notice and any subsequent updates. The following additional services are envisaged, although further services may be added by the Employer.

2.9.1 Survey

A detailed site survey of the municipal precinct is required which will provide sufficient detail for design and construction stages.

2.9.2 Geotechnical Investigation

A comprehensive geotechnical investigation of the site is required in order to minimise the potential for unforeseen conditions on site. The services of a recognized specialist engineering geologist shall be engaged to carry out the investigation.

The appointed specialist or firm will be responsible for:

- Assessing the geology and materials likely to be encountered.
- Point out any potential problems which may impact on the design, such as slope stability and specific counter measures.
- Identifying potential borrow pit locations for backfilling.
- Provide comments on the materials test results.
- Prepare a geotechnical report incorporating details of the investigations conducted and the results thereof.

2.9.3 Time Based Services

With reference to relevant Clause of the current respective council Board Notice, the Employer may order that certain services be carried out on a time and cost basis.

The Bidder will be requested to provide Bid hourly rates for various categories of personnel. These rates only shall be used to calculate the value of time based services.

3. MEASUREMENT AND PAYMENT

3.1 General

3.1.1 Travel

This Contract will be awarded on the basis that the Bidder's personnel are considered to be located within KwaZulu-Natal. No additional payment will be made for travel from other offices or centres unless agreed to in advance by the Employer.

Travel to site for inputs associated with normal and additional services will be recovered at the ruling rates, plus the Bid mark up.

3.1.2 Expenses

Miscellaneous expenses as described shall be recovered at the actual cost plus the Bid mark up.

3.1.3 Reporting and Meetings

All costs associated with monthly reports, progress meetings and updating the Employer's database are deemed to be included in the Bid rates for normal services.

3.1.4 Normal Services

The Bidder will utilise the definitions for the sub sections under normal services as per the respective council. Bidders must propose the measurement of payment specifically indicating the milestones at which the payment should be made. This proposal will be final and adopted upon discussions with the Employer and following an agreement. The Bidder may be required to revise the milestones.

Design and Bid Stage is deemed to include all costs associated with incorporating targeted procurement into the Bid documentation.

The inclusion of targeted procurement procedures, OHS Act regulations, a Bid evaluation system, and any other specific requirements, in the Bid documents are deemed to be covered by the Bidder's percentage rate for normal services.

The fees (up to 100% of the Bided rate) for this stage shall be claimable once the Consulting Engineer has submitted a complete set of construction drawings to the Employer and the Contractor; and has submitted his progress report.

The Bid rate for the Construction Stage shall include for carrying out the duties of the Bidder in accordance with the General Conditions of Contract pertinent to the construction contract.

Should any dispute require resolution via mediation, arbitration or litigation, then additional services as described in the relevant Clause of the current respective Council Board Notice shall apply and any subsequent updates.

The Consulting Engineer shall be entitled up to the Bided rate of the total approved percentage fee at the completion of this stage. Progress payments shall be made on a pro-rata basis, based upon the actual construction cost according to the progress made with the project and provided that the Consulting Engineer's fee does not exceed the Bided rate of the total approved percentage fee for the project, and provided that the Consulting Engineer submits monthly progress reports as required by the KZN COGTA.

The Consulting Engineer shall be entitled up to of the total approved percentage fee for the project when this stage is complete.

Payment under this item will only be made once all reports and as-built information have been accepted by the Employer, and all necessary approvals and closures obtained from the relevant

departments and authorities.

The Consulting Engineer shall be entitled to the remaining Bided rate of the fee budget, based on the actual construction cost.

4. REQUIREMENTS

The Department requires a team with:

- 4.1 Engineering expertise, quantity surveying expertise and project management expertise. (With recognised qualification/s and professional registration)
- 4.2 Experience in implementation of similar programmes at either local, provincial or national level
- 4.3 Good understanding of public legislation, in particular local government and related public finance provisions (e.g. MFMA; PFMA and DORA)
- 4.4 Deep knowledge of relationships between various spheres of government and related political linkages
- 4.5 Good track record in terms of success in similar programmes
- 4.6 Skills in project and programme management.
- 4.7 Sound knowledge of the KwaZulu-Natal Province in terms of geographical orientation and population dynamics.

5. RESOURCE REQUIREMENTS AND PROVISIONS

5.1 Requirements

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

- Office base with secretarial services
- Fax and photocopier machine
- Computer and e-mail facilities
- GPS equipment
- MS Projects software
- Digital Camera
- All equipment pertaining to site assessment and measurements
- Cell phones for resources allocated to the project
- Appropriate vehicles

5.2 Provisions

The Department will provide services pertaining to the photocopying of bid documents, venue for the PSC meetings as and when required by the Service Provider appointed for the specific project implementation.

6. INSTITUTIONAL ARRANGEMENTS

- 6.1 The successful bidder for specific project(s) would be required to **attend monthly Project Steering Committee meetings** with the Department. This PSC will be chaired by the Senior General Manager: Development and Planning Branch or Designated Senior Manager to manage specific projects.
- 6.2 The successful bidder will **report to the Senior General Manager** or designated Senior Manager within the Development and Planning Branch.
- 6.3 The bidder will also be required to work with the **Senior Managers and Development Facilitation Officers (DFOs)** who are well versed with project locations and district municipalities, stakeholders, protocols of where projects will be implemented.

7. MONITORING, REPORTING REQUIREMENTS AND PERFORMANCE MANAGEMENT

The successful bidder for specific projects that will be implemented will have to:

- 7.1 Provide a monthly work plan every first day of the month for a specific project being implemented.
- 7.2 Provide monthly progress reports on the last day of every month
- 7.3 Facilitate contractor progress payments monthly
- 7.4 Ensure close out reports, within 10 days after final delivery of each project.

8. TRANSFER OF SKILLS

- 8.1 It will be a requirement for this bid that the successful Service Provider must provide mentoring of municipalities and where necessary, their contractors and skills transfer to Departmental officials within the Development and Planning Branch.
- 8.2 Assessment will be done on the basis of a questionnaire to be completed by municipalities and contractors as well as Development and Planning Branch programme management officials.

9. CONTRACT PERIOD

This is a 3 year contract.

10. BRIEFING SESSION

- 10.1 There will be a compulsory formal briefing session on **21 August 2017 at 13:00 at 121 Chief Albert Luthuli Street, 3rd Floor, Boardroom 310, Capital (Trison) Towers, Pietermaritzburg**
- 10.2 Bidders who are not aware of how to get to the venue for the briefing session must contact Ms Lindiwe Madlala on 033 395 2174 for directions.
- 10.3 Bidders must ensure that the briefing session certificate contained in the tender document is signed at the meeting, as the failure to do so will invalidate the bid.

CONTACT PERSON

The contact person for technical enquiries on the Terms of Reference is:

Name : Mr Muzi Ngwane
Unit : Municipal Infrastructure
Tel : 033 355 6211
Mobile : 083 320 5204
Email : muzi.ngwane@kzncogta.gov.za

11. EVALUATION CRITERIA

- 11.1 COGTA reserves the right not to accept any bid or part of bids, as the information outlined in the evaluation matrix below will play a major role in the evaluation of bids.
- 11.2 In terms of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulation, 2017 a tenderer subcontracting a minimum of 30% to:
- An EME or QSE which is at least 51% owned by black people;
 - An EME or QSE which is at least 51% owned by black people who are Youth;
 - An EME or QSE which is at least owned by black people who are Women;
 - An EME or QSE which is at least owned by black people living in rural or underdeveloped areas or townships;
 - A cooperative which is at least 51% owned by black people;
 - An EME or QSE which is at least 51% owned by black people who are military veterans;
 - An EME or QSE.
- 11.3 With regards to attached document this is an Expression of Interest – no award process using 80/20 or 90/10. If the supplier is appointed to the panel upon submission of their price “the price will then be evaluated using price preference point method”
- 11.4 All bidders who do not meet the following eligibility will not be considered for further evaluation for functionality:

ELIGIBILITY CRITERIA	COMPLY/ NON COMPLY	SUBMIT PROOF (Qualification & Registration Certificates)
Project Director must have a B Degree Qualification in Engineering and be registered with ECSA (Engineering Council of South Africa) as Pr Eng or Pr Tech Eng		
Project Manager must have a B Degree Qualification in Engineering and be registered with ECSA (Engineering Council of South Africa) as Pr Eng or Pr Tech Eng		
Water Engineer must have a B Degree Qualification in Engineering and be registered with ECSA (Engineering Council of South Africa) as Pr Eng or Pr Tech Eng		
Electrical Engineer must have a B Degree Qualification in Engineering and be registered with ECSA (Engineering Council of South Africa) as Pr Eng or Pr Tech Eng		

- 11.5 Prospective bidders will be rated on functionality based on/in accordance with the following matrix:

EVALUATION CRITERIAS	Maximum Points	Actual Points
TOTAL EVALUATION SCORE FOR FUNCTIONALITY		
Criteria 1: Company Relevant Experience		
1 point can be scored for each confirmed similar project in progress or carried out in the past 10 years.		
Water Projects		
• If 5 or more similar successful projects in the last 10 years	5	
• If 4 or more similar successful projects in the last 10 years	4	
• If 3 or more similar successful projects in the last 10 years	3	
• If 2 or more similar successful projects in the last 10 years	2	
• If 1 or more similar successful projects in the last 10 years	1	
• If 0 or more similar successful projects in the last 10 years	0	
Subtotal	5	
Sanitation Projects		
• If 5 or more similar successful projects in the last 10 years	5	
• If 4 or more similar successful projects in the last 10 years	4	
• If 3 or more similar successful projects in the last 10 years	3	
• If 2 or more similar successful projects in the last 10 years	2	
• If 1 or more similar successful projects in the last 10 years	1	
• If 0 or more similar successful projects in the last 10 years	0	
Subtotal	5	
Electrical Projects		
• If 5 or more similar successful projects in the last 10 years	5	
• If 4 or more similar successful projects in the last 10 years	4	
• If 3 or more similar successful projects in the last 10 years	3	
• If 2 or more similar successful projects in the last 10 years	2	
• If 1 or more similar successful projects in the last 10 years	1	
• If 0 or more similar successful projects in the last 10 years	0	
Subtotal	5	
Criteria 2: Reputation in the Industry		
References from previous Employers or Employers' Agents of performance on previous similar projects		
Five (5) points per positive reference		
• 1 or more water successful projects in the last 10 years	5	
• 1 or more sanitation successful projects in the last 10 years	5	
• 1 or more electrical successful projects in the last 10 years	5	
• 1 or more road/transport successful projects in the last 10 years	5	
• 1 or more solid waste management successful projects in the last 10 years	5	
Total Points Reputation in the Industry	25	
Criteria 3: Key Personnel		
Project Director		
• If PD has 15 years engineering experience and has completed infrastructure projects in the capacity of Project Director	10	
• If PD has 10 years engineering experience and has completed infrastructure projects in the capacity of Project Director	6	
• If PD has 10 years engineering experience and has completed infrastructure projects in the capacity of Project Director or lower level.	4	
• If PD has not completed infrastructure projects in the last 10 years, regardless of other experience.	0	

Project Manager		
• If PM has 10 years engineering experience and has completed infrastructure projects in the capacity of Project Manager.	9	
• If PM has 5 years engineering experience and has completed infrastructure projects in the capacity of Project Manager.	5	
• If PM has 5 years engineering experience and has completed infrastructure projects in the capacity of Project Manager or lower level.	3	
• If PM has not completed infrastructure projects in the last 5 years, regardless of other experience.	0	
Water Engineer (Water & Sanitation)		
• If WE has 10 years engineering experience and has completed 5 or more water and sanitation projects in the capacity of Professional Engineer or Professional Technologist.	8	
• If WE has 5 years engineering experience and has completed 3 or more water and sanitation projects in the capacity of Professional Engineer or Professional Technologist.	5	
• If WE has 5 years engineering experience and has completed water and sanitation projects in the capacity of Candidate Engineer/Technologist or lower level.	3	
• If WE has not completed water and sanitation projects in the last 5 years, regardless of other experience.	0	
Electrical Engineer		
• If EE has 10 years engineering experience and has completed 5 or more electricity projects in the capacity of Professional Engineer or Professional Technologist.	8	
• If EE has 5 years engineering experience and has completed 3 or more electricity projects in the capacity of Professional Engineer or Professional Technologist.	5	
• If EE has 5 years engineering experience and has completed electricity projects in the capacity of Candidate Engineer/Technologist or lower level.	3	
• If EE has not completed electricity projects in the last 5 years, regardless of other experience.	0	
Total Points Key Personnel – Experience, Qualifications and Professional Registration	35	
Criteria 4: Project Team Organogram		
Simple, clear, innovative, logical and depicts thoughtfulness beyond good thinker	15	
Organogram depicts clear understanding of necessary expertise and their roles	10	
Organogram is incomplete and lacking of necessary expertise and their roles	5	
Organogram depicts lack of knowledge of the scope of work or project implementation	3	
Total Points Project Team Organogram	15	
TOTAL EVALUATION SCORE FOR FUNCTIONALITY	100	

A service provider that scores less than 60% for functionality or proposes any of the

human resources that does not meet the minimum requirements in terms of qualifications or professional registration will be regarded as submitting a non-responsive bid and will be disqualified. All service providers that score 60% or more for functionality and have proposed a full team that meet all competency requirements will be considered for further evaluation.

APPENDIX 1: RETURNABLE DOCUMENTS: EVALUATION CRITERIA

EVALUATION SCHEDULE: COMPANY RELEVANT EXPERIENCE

The Bidder shall enter in the spaces provided below a list of relevant recent water, sanitation and electricity design projects. It is essential that full details of the projects and of the Employer / Engineer references be provided in order for the projects to be evaluated and points awarded.

Employer (Name, Tel. No. or Fax No.)	Details of Project	Value of Work	Year Completed

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

Name:..... **Position:**.....

Bidder:.....

EVALUATION SCHEDULE: REPUTATION IN THE INDUSTRY

The bidders should attach a list of public sector clients with names and contact details confirming satisfactory past performance in categories applied for.

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

Employer, contact person and telephone number	Description of work (service)	Assessment of Completed work (Poor, Satisfactory, Good, Very Good, Excellent)	Date completed

The scoring of the bidder's public sector references will be as follows:

Poor (score 1)	One reference satisfactory or above past performance.
Satisfactory (score 2)	Two references satisfactory or above past performance.
Good (score 3)	Three references satisfactory or above past performance.
Very good (score 4)	Four references satisfactory or above past performance.
Excellent (score 5)	Five references satisfactory or above past performance.

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 the best of my belief both true and correct.

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

Name:..... **Position:**.....

Bidder:.....

EVALUATION SCHEDULE: KEY PERSONNEL

The experience of assigned staff member in relation to the scope of work will be evaluated from three different points of view:

- General experience (total duration of professional activity), level of education and training and positions held of each discipline specific team leader.
- The education, training, skills and experience of the Assigned Staff in the specific sector, field, subject, etc which is directly linked to the scope of work.
- The key staff members' / experts' knowledge of issues which the respondent considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.
- Professional Registration with the Engineering Council of South Africa.

CVs of the Project Director, Project Manager, Water Engineer and Electrical Engineer of not more than 4 pages must be attached to this schedule.

Complete the table below and attach CVs, certified copies of qualifications and certified copies of professional registration certificates as portfolio of evidence:

Key Personnel Discipline	Proposed Name	Qualifications	Relevant Experience (years)	Professional Registration Details
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Project Director				
Project Manager				
Water Engineer				
Electrical Engineer				

Note: An individual may be nominated to serve as the team leader in more than one discipline and as the team leader and discipline specific leader. 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 the best of my belief both true and correct.

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

Name:..... **Position:**.....

Bidder:.....

EVALUATION SCHEDULE: PROJECT TEAM ORGANOGRAM

The bidder 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 and site 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 duties and responsibilities are to be shared.

The bidder must attach his / her organisation and staffing proposals to this page. The list should be put in tabular form with the following headings:

Key staff member/expert, support staff and site staff	Role and responsibility of key staff member	Level of education, skills, training and experience	Key competencies

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

Poor (score 3)	Organogram depicts lack of knowledge of the scope of work or project implementation
Satisfactory	Organogram is incomplete and lacking of necessary expertise and their roles

(score 5)	
Good (score 10)	Organogram depicts clear understanding of necessary expertise and their roles
Very good (score 15)	Simple, clear, innovative, logical and depicts thoughtfulness beyond good thinker

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 the best of my belief both true and correct.

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

Name:..... **Position:**.....

Bidder:.....

APPENDIX 1

DETAILS FOR COMPLETION OF AN ENVELOPE FOR A BID/QUOTATION

Section 1 paragraph 6 of this bid/quotation document indicates the requirements for addressing of an envelope when a bid/quotation is submitted to the Department. Kindly ensure the envelope is addressed correctly because if it is not properly addressed the bid/quotation may be rejected as being invalid and returned to the respective bidder. The correct manner in which it is to be addressed is detailed below:

EXAMPLE FORMAT

FRONT SIDE OF ENVELOPE	
Name and address of bidder:	XYZ Consultants, PO Box 1234, Durban 4000
Bid/Quotation Number:	ZNT 2021/2016 LG

Description:

**PANEL OF SERVICE PROVIDERS TO RENDER PROFESSIONAL ENGINEERING SERVICES
FOR THE KZN COGTA FUNDED PROJECTS OVER A 3 YEAR PERIOD**

Closing date: 12 SEPTEMBER 2017

Closing time: 11:00

REVERSE SIDE OF ENVELOPE

Department's details and address:

The Head: Supply Chain Management
Department of Co-operative Governance and Traditional Affairs
13th Floor, North Tower
Natalia Building
330 Langalibalele Street
Pietermaritzburg
3201

RETURABLE DOCUMENTS

BIDDERS ARE REQUIRED TO ATTACH THE FOLLOWING DOCUMENT TOGETHER WITH THEIR PROPOSAL ON THE CLOSING DATE OF THE BID:

CERTIFIED COPY OF B-BBEE STATUS VERIFICATION CERTIFICATE
VALID ORIGINAL TAX CLEARANCE CERTIFICATE / STATUS PIN VALID FOR 12 MONTHS
COMPANY PROFILE
PROOF OF REGISTRATION WITH CENTRAL SUPPLIER DATABASE (CSD)
CERTIFIED COPIES OF DIRECTORS OF THE COMPANY
CERTIFIED COPY OF CIPRO REGISTRATION

GENERAL CONDITIONS OF CONTRACT¹

THE NATIONAL TREASURY
Republic of South Africa



GOVERNMENT PROCUREMENT:
GENERAL CONDITIONS OF CONTRACT
July 2010

NOTES

The purpose of this document is to:

- (i) Draw special attention to certain general conditions applicable to government bids, contracts and orders; and
- (ii) To ensure that clients be familiar with regard to the rights and obligations of all parties involved in doing business with government.

In this document words in the singular also mean in the plural and vice versa and words in the masculine also mean in the feminine and neuter.

1. The General Conditions of Contract will form part of all bid documents and may not be amended.
2. Special Conditions of Contract (SCC) relevant to a specific bid, should be compiled separately for every bid (if applicable) and will supplement the General Conditions of Contract. Whenever there is a conflict, the provisions in the SCC shall prevail.

¹ A copy of the complete document set containing the General Conditions of Contract is available on www.kzncogta.gov.za/bids

GENERAL CONDITIONS OF CONTRACT TABLE OF CLAUSES

1. Definitions
2. Application
3. General
4. Standards
5. Use of contract documents and information; inspection
6. Patent rights
7. Performance security
8. Inspections, tests and analysis
9. Packing
10. Delivery and documents
11. Insurance
12. Transportation
13. Incidental services
14. Spare parts
15. Warranty
16. Payment
17. Prices
18. Contract amendments
19. Assignment
20. Subcontracts
21. Delays in the supplier's performance
22. Penalties
23. Termination for default
24. Dumping and countervailing duties
25. Force Majeure
26. Termination for insolvency
27. Settlement of disputes
28. Limitation of liability
29. Governing language
30. Applicable law
31. Notices
32. Taxes and duties
33. National Industrial Participation Programme (NIPP)
34. Prohibition of restrictive practices