

KOUGA MUNICIPALITY EC108

TENDER NOTICE NO.76/2023

TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR A PERIOD OF THREE (3) YEARS

PROCUREMENT DOCUMENT

May 2023

Issued by:

Kouga Municipality
Registry Department
Municipal Offices
33 Da Gama Road
JEFFREY'S BAY
6330
Tel No. 042-2002200

Prepared by:

Kouga Municipality
Electrical Department
Municipal Offices
16 Woltemade Street
JEFFREY'S BAY
6330
Tel No. 042-2002200

Contact:

Name: Mr. Ghourdro Booysen
Telephone: 042-2002200
E-mail: gbooyesen@kouga.gov.za

Mr. T Madatt
042-2002200
tmadatt@kouga.gov.za

Name of Tenderer:

Project	Total Price Including VAT
Internal Electrification & INEP Projects	
Energy Generation Projects	
EEDSM Energy Efficiency Projects	
Master Plan	
Electrical Tariffs	

Address:

.....

E-mail: **Phone No:**

CONTENTS

Number	Heading	Page Number
--------	---------	-------------

THE TENDER

PART T1: TENDERING PROCEDURES

T1.1	Tender notice and invitation to tender	4
T1.2	Tender data	5

PART T2: RETURNABLE DOCUMENTS

T2.1	List of returnable documents	9
T2.2	Returnable schedules	
T2.2.1	Record of Addenda to tender documents	10
T2.2.2	Schedule of Amendments and Qualifications by Tenderer	11
T2.2.3	Compulsory Enterprise Questionnaire	12
T2.2.4	Certificate of Authority for Joint Ventures	14
T2.2.5	Preferencing Schedule	15
T2.2.6	Schedule of Tenderer's Experience	16
T2.2.7	Schedule of Sub-Contractors	20
T2.2.8	Authority for Signatory	21
T2.2.9	Municipal Bidding Documents (MBD's)	22

THE CONTRACT

PART C1: AGREEMENTS AND CONTRACT DATA

C1.1	Form of offer and acceptance	41
C1.2	Contract data	45
C1.3	Pro-forma Performance Guarantee	49

PART C2: PRICING DATA

C2.1	Pricing instructions	51
C2.2	Pricing Schedules	52

PART C3: <u>SCOPE OF WORK</u>		58
--------------------------------------	--	----

PART T1: TENDERING PROCEDURES

T1.1 TENDER NOTICE AND INVITATION TO TENDER

KOUGA LOCAL MUNICIPALITY (EC108) DIRECTORATE: INFRASTRUCTURE & ENGINEERING

NOTICE NO: 76/2023

APPOINTMENT OF PROFESSIONAL SERVICE PROVIDER TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR A PERIOD OF THREE (3) YEARS

Suitably qualified, capable, and experienced professional service providers are hereby invited to tender for electrical engineering services, which will include some mechanical work for various projects in the Kouga Municipality Area. That work would be executed on behalf of Kouga Local Municipality over the next three (3) years by the appointer PSP. Only entities that have in their management and employment suitable registered professional electrical engineers / technologists who are registered as professional electrical engineers / technologists in terms of the Engineering Profession Act 200 (Act 46 of 2000) are eligible to submit a tender.

Tenders

An electronic copy of the tender document will be available on E-Tender portal www.etender.gov.za or the municipal website www.kouga.gov.za as from Monday, 15 May 2023. After downloading the tender document from the website each prospective bidder **MUST** ensure that a complete tender document has been printed.

A non-compulsory virtual clarification session will be arranged for **Monday, 22 May 2023 @12:00pm. Prospective bidders can use the very same link below which is direct from this advert, it will link them directly to the meeting.**

The link will also be available on the municipal website.

Join Zoom Meeting

<https://kouga-gov-za.zoom.us/j/93809501324?pwd=NS9wZUhpVIZCOWdiYmN6c24xZWJOUT09>

Meeting ID: 938 0950 1324

Passcode: 331580

Please note:

- Telegraphic, telephonic, telex, facsimile, email or late tenders will not be accepted.
- This contract will be evaluated on the 80 (price)
- The specific goals would be for a maximum point of 20 points. To claim for specific goals prospective bidders MUST submit proof/required documents.
- **An electronic copy of the completed tender document with returnable documents must be submitted with tender submission saved in a flash drive or CD. Failure to submit AN ORIGINAL HARD COPY AND A COPY ON EITHER USB or CD will deem the bid non-responsive.**
- **A minimum functional assessment score of 70% will be apply to this tender.**
- A Tax compliance Status pin to be submitted.
- Prospective Service Providers must register on Kouga Municipality's Supplier database as per the registration requirements.
- The National Treasury Central Supplier Database Summary report must be submitted.
- The Council reserves the right to accept any tender and, or part thereof, appoint more than one contractor, and does not bind itself to accept the lowest or any tender. The Council reserves the right to appoint any contractor.
- The validity period for submission must be 90 days from the closing date.
- Tenders that are deposited in the incorrect box or delivered to any other venue will not be considered.

Any inquiries relating to this tender must be submitted in writing via e-mail to tenders@kouga.gov.za and copied to tmadatt@kouga.gov.za.

Completed documents in a sealed envelope endorsed "**NOTICE NO: 76/2023: "APPOINTMENT OF PROFESSIONAL SERVICE PROVIDER TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR A PERIOD OF THREE (3) YEARS"**", must be placed in the Tender Box 21 St Croix Street (back entrance) or 16 Woltemade Street (front entrance), Jeffrey's Bay, Room 122 on or before **MONDAY, the 12 JUNE 2023 at 12:00.**

C. DU PLESSIS

P.O. Box 21

MUNICIPAL MANAGER

JEFFREYS BAY
6330

For Placement: Herald – 15 May 2023

Municipal Website/ Municipal Notice Boards in all offices/areas – 12 May 2023

T1.2 TENDER DATA

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement as published in Board Notice 136 of 2015 of July 2015 (see www.cidb.org.za).

The Tender Data given below provides information in amplification of the Standard Conditions of Tender and shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

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

Clause number	Tender Data
F.1.1	The Employer is Kouga Municipality
F.1.2	The Tender Documents issued by the Employer comprise the following documents: THE TENDER Part T1: Tendering procedures Part T2: Returnable documents THE CONTRACT Part C1: Agreements and Contract data Part C2: Pricing data Part C3: Scope of work
F.1.4	The employer's agent is: The Employer has not appointed an agent for this work and all communication will be directly with the Employer.
F.1.6	Option 1 of the proposal procedure using the two stage-system shall be applied where: ▪ Stage 1 – Functionality (as per F.3.11.9) ▪ Stage 2 – Price and Preference (as per F.3.11.3 and F.3.11.8) Qualifying tenders from Stage 1 will be evaluated for Price and Preference and ranked accordingly. In the event that two or more tenderers score the same points, the appointment will be made on the basis of the criteria stipulated in the Preferential Procurement Regulations, 2017. The Municipality, however, reserves the right to appoint more than one (1) Service Provider to be placed on a panel of consultants.
F.2.1	Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders: Engineering: Only those tenderers who have in their full time employ a person registered as a Professional Engineer or Professional Engineering Technologist in terms of the Engineering Professions Act, 2000 (Act No 46 of 2000).
F.2.1.1	Only Tenderers who achieve the minimum functionality score as per Clause F.3.11.9 below are eligible to have their tenders further evaluated.
F.2.7	There are compulsory clarification meetings.
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as an original, plus nil copies.

F.2.12	No alternative tender offers will be considered.																					
F.2.13.5 F.2.15.1	The Employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are: Location of tender box: Municipal Offices, Jeffrey's Bay Physical address: 16 Woltemade Road, Jeffrey's Bay Identification details: Tender reference number, Title of Tender and the closing date and time of the tender.																					
F.2.13.9	Telephonic, facsimile or e-mailed tender offers will not be accepted.																					
F.2.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.																					
F.2.16	The tender offer validity period is 90 days .																					
F.2.22	Return all retained parts of tender documents within 28 days after expiry of the validity period.																					
F.2.23	The Tenderer is required to submit with his tender: 1) An original of a valid Tax Clearance Certificate issued by the South African Revenue Services. 2) Documents as listed in the List of Returnable Documents in Part T2.1.																					
F.3.4	Tenders will be opened within thirty (30) minutes after the closing time for tenders as stated in the Tender Notice and Invitation to Tender.																					
F.3.5	A two-envelope procedure will not be followed.																					
F.3.11.7	The financial offer will be scored using Formula 2 (option 1) where the value of 90 to 80 points.																					
F.3.11.8	Points will be awarded to Tenderers who are eligible for preferences in terms of the Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022, which is included in Part T2.2.11 Municipal bidding Document MDB 6.1. The terms and conditions of the Preference Points Claim Form shall apply in all respects to the tender evaluation process and any subsequent contract.																					
F.3.11.9	The functionality criteria and the score in respect of each criteria is as follows: A minimum of 70% points out of the total points is required for the particular section being tendered to be evaluated further.																					
	<table><tr><th>No</th><th>Technical criteria</th><th>Maximum number of points</th></tr><tr><td>1</td><td>Internal Construction & INEP projects</td><td>70 out of 100</td></tr><tr><td>2</td><td>Energy Efficiency Projects</td><td>70 out of 100</td></tr><tr><td>3</td><td>EEDSM Projects</td><td>70 out of 100</td></tr><tr><td>4</td><td>Master Plan</td><td>70 out of 100</td></tr><tr><td>5</td><td>Electrical Tariffs</td><td>70 out of 100</td></tr><tr><td></td><td>Maximum possible score for functionality</td><td>100%</td></tr></table> Criteria shall be scored by not less three evaluators in accordance with the schedules listed above.	No	Technical criteria	Maximum number of points	1	Internal Construction & INEP projects	70 out of 100	2	Energy Efficiency Projects	70 out of 100	3	EEDSM Projects	70 out of 100	4	Master Plan	70 out of 100	5	Electrical Tariffs	70 out of 100		Maximum possible score for functionality	100%
No	Technical criteria	Maximum number of points																				
1	Internal Construction & INEP projects	70 out of 100																				
2	Energy Efficiency Projects	70 out of 100																				
3	EEDSM Projects	70 out of 100																				
4	Master Plan	70 out of 100																				
5	Electrical Tariffs	70 out of 100																				
	Maximum possible score for functionality	100%																				

F3.13	Further evaluation criteria are provided on the Returnable Schedules. Tender offers will only be permitted if: a) the tenderer submits a valid Tax Clearance Certificate issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations; b) the tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges; c) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; d) the tenderer has not: (i) abused the Employer's Supply Chain Management System; or (ii) Failed to perform on any previous contract and has been given a written notice to this effect; e) the tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the Employer or potentially compromise the tender process and persons in the employ of the state are permitted to submit tenders or participate in the contract; f) the tender offer is signed by a person authorized to sign on behalf of the tenderer; and g) a Tenderer who submitted a tender as a Joint Venture has included an acceptable Joint Venture Agreement with his tender.
F.3.17	The number of paper copies of the signed contract to be provided by the employer is one (1).
F.3.20 (added)	The additional conditions of tender are: a) Tenders will be evaluated in terms of Kouga Municipality's Supply Chain Management Policy of 30 May 2014. A copy of this document is available at the Municipality on request. b) All Municipal Bidding Documents (MBD) Forms included under Part T2.2.11 hereof must be completed in full. Failure to complete any or all of the latter documentation will result in the tender being deemed non-responsive and could be disqualified. c) The lowest, the highest or any tender will not necessarily be accepted and the Council reserves the right to accept any tender wholly or partially or to withdraw the tender. d) All copies of certificates submitted with the tender must be certified by a Commissioner of Oaths. e) Tenders which are late, incomplete, unsigned, completed in pencil, submitted by facsimile or electronically, will not be accepted. f) Tenders must only be submitted on the documentation provided by the Kouga Municipality (original Tender documents). g) An Original Valid Tax Clearance Certificate of a company (or in the case of a Joint Venture, of all the partners in the Joint Venture) must be submitted with the Tender document. h) Certified copies of the identities of all the Company Directors and owners of the tendering entity must be submitted with the Tender. i) All businesses and suppliers wishing to conduct business with the Kouga Municipality must register on the Municipality's Supplier Database before any award is made. Failure to comply with these conditions may result in an immediate disqualification of the Tender.

PART T2: RETURNABLE DOCUMENTS

T2.1 LIST OF RETURNABLE DOCUMENTS

FORM	TICK BOX
The Tenderer must complete the following returnable documents: (Please tick boxes if forms are completed to aid your submission of a complete and responsive tender).	
1. Returnable Schedules required for tender evaluation purposes	
a) Record of Addenda to Tender Documents.....	☐
b) Schedule of Amendments and Qualifications by Tenderer	☐
c) Compulsory Enterprise Questionnaire	☐
d) Certificate of Authority for Joint Ventures	☐
e) Preferencing Schedule	☐
f) Schedule of Tenderer's Experience	☐
g) Schedule of Proposed Sub-Contractors	☐
h) Authority for Signatory	☐
Municipal Bidding Documents:	
i) Invitation to Bid (MBD1)	☐
j) Declaration of Interest (MBD4)	☐
k) Preference Points Claim Form (MBD6.1)...	☐
l) Declaration of Bidder's Past Supply Chain Management Practices (MBDB8) ...	☐
m) Certificate of Independent Bid Determination (MBD9)	☐
n) Certificate for Payment of Municipal Services (MBD15)....	☐
2. Other documents required for tender evaluation purposes	
a) Valid Original Tax Clearance Certificate	☐
b) Certified copy of Company Registration Certificate	☐
c) Certified copies of the identities of the Director(s) and the owners of the tendering entity	☐
d) Original and valid B-BBEE status level verification certificate or a certified copy thereof	☐
e) Proof of registration with Kouga Municipality's supplier database	☐
f) An acceptable Joint Venture Agreement, where tenders have been submitted as a joint venture	☐
3. Returnable Schedules that will be incorporated into the contract	
All schedules as per Item 1 above	
4. Other documents that will be incorporated into the Contract	
C1.1 Form of Offer and Acceptance	
C1.2 Contract Data	
C2.1 Pricing Instructions	
C2.2 Pricing Schedules	
C3 Scope of Work	

T2.2 RETURNABLE SCHEDULES**T2.2.1 RECORD OF ADDENDA TO TENDER DOCUMENTS**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Copies of Addenda received to be attached hereafter.

Signed

Date

Name

Position

Tenderer

T2.2.2 SCHEDULE OF AMENDMENTS AND QUALIFICATIONS BY TENDERER

The Tenderer is required to give full details of any departure from the Specification and shall then sign this page officially. If there are no departures, the Tenderer must state NIL on this page and sign it. The Tender shall then be held to comply in all respect with the Specification. If the Tenderer does not indicate anything on this page, the Tenderer will also be held to comply in all respects with the Specification.

Should there be insufficient space, the Tenderer may include separate sheets arranged in the same manner as above. Mere reference to a covering letter will not be regarded as compliance with this requirement.

The Tenderer's attention is drawn to clause F.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the employer's handling of material deviations and qualifications.

Page	Clause or item	Proposal

Signed

Date

Name

Position

Tenderer

T.2.2.3 COMPULSORY ENTERPRISE QUESTIONNAIRE

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

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any: - Not Applicable

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

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

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

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

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

*insert separate page if necessary

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

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

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

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

*insert separate page if necessary

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

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other Bidding entities submitting Bid offers and have no other relationship with any of the Bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- v) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise, have:
 - i) abused the Employer's Supply Chain Management System; or
 - ii) failed to perform on any previous contract and has been given a written notice to this effect;
- vi) confirms that the enterprise is registered and in good standing with the compensation fund or with a licensed compensation insurer;
- vii) confirms that the enterprise has the necessary competencies and resources to carry out the work safely in terms of the Construction Regulations, 2003, issued in terms of the Occupational Health and Safety Act, 1993;
- viii) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Enterprise name

T2.2.4 CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Ms
 , authorised signatory of the company
 , acting in the capacity of lead partner, to sign all documents
 in connection with the tender offer and any contract resulting from it on our behalf.

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

T2.2.5 PREFERENCING SCHEDULE

Kouga Municipality has recently adopted a revised Supply Chain Management Policy document of 28 August 2020, which can be applied to this tender for the reason of objectivity.

Refer to Municipal Bidding Document MBD 6.1, Preference Points Claim Form, in terms of the Preferential Procurement Regulations 2022 under Part T2.2.11, which must be completed by the Tenderer.

T2.2.6 SCHEDULE OF TENDERER'S EXPERIENCE

The tenderer must insert in the space provided below, a list of work (goods supplied) similar in nature to this Contract, completed by him/her during the past five years, or work presently being performed by his/her firm:-

[illegible]

Tenderer's Quality score for Tenderer's expertise and experience to be completed by tenderer			
Project/component of work description	Points per project		Tenderer's Point Scoring
	Year when project completed	Number of projects	
Internal 66kv Construction, underground, overhead, substation and INEP Projects.	2015 to present		
Energy Generation Projects	2015 to present		
EEDSM Energy Efficiency projects	2015 to present		
Mater Plan	2015 to present		
Electrical Tariffs	2015 to present		
Total points			/ 30

FUNCTIONAL ASSESSMENT

Minimum requirement/score for Functionality 70%

FUNCTIONALITY CRITERIA FOR 66kV CONSTRUCTION, INTERNAL 22 & 11kV UNDERGROUND, OVERHEAD AND SUBSTAIONS & INEP PROJECTS.	Maximum point allocated	Points scored
A. Proven recent experience of similar projects 1 – 3 projects 5 points 4 – 7 projects 15 points 8 -10 projects 30 points	30	
B. Staff and Personnel Director/ Senior Engineer registered 10 years experience 10 points Senior Engineer 10 years 5 points Registered Engineer 5 points Technician 5 points CAD Operator minimum 10 years experience 5 points A CV of the above staff member and alternate of not more than 2 pages each should be attached to this schedule detailing the comparable projects. Each CV should be structure under the following headings: Personal particulars - Name - Date and place of birth - Place(s) of tertiary education and dates associated therewith - Professional awards, if any. Qualifications (degrees, diplomas, certificates) Professional registrations Key Skills (relating to scope of work / services) Name of current employer and position in enterprise List of projects (scope, value, time completed and reference) done in key position in last 10 years	30	
C. Project Team Leader experience with similar projects (appointment and completion documents must be submitted. 1 – 4 years - 5 points 5 –10 years- 10 points > 10 years- 15 points	15	
Locality Proof of the premises where the project will be taking place. A billing certificate/ latest municipal account/ valid lease agreement must be submitted KLM area = 25 points Sarah Baartman district & Nelson Mandela Bay metro area =20 points Within the Eastern Cape province = 15 points Outside the Eastern Cape Province = 10 points	25	

TOTAL POINTS ON FUNCTIONALITY		100	
FUNCTIONALITY CRITERIA FOR ENERGY GENERATION PROJECTS.		Maximum point allocated	Points scored
D. Proven recent experience of similar projects 1 – 3 projects 5 points 4 – 7 projects 15 points 8 -10 projects 30 points		30	
E. Staff and Personnel Director/ Senior Engineer registered 10 years experience 10 points Senior Engineer 10 years 5 points Registered Engineer 5 points Technician 5 points CAD Operator minimum 10 years experience 5 points A CV of the above staff member and alternate of not more than 2 pages each should be attached to this schedule detailing the comparable projects. Each CV should be structure under the following headings: Personal particulars - Name - Date and place of birth - Place(s) of tertiary education and dates associated therewith - Professional awards, if any. Qualifications (degrees, diplomas, certificates) Professional registrations Key Skills (relating to scope of work / services) Name of current employer and position in enterprise List of projects (scope, value, time completed and reference) done in key position in last 10 years		30	
F. Project Team Leader experience with similar projects (appointment and completion documents must be submitted. 1 – 4 years - 5 points 5 –10 years- 10 points > 10 years- 15 points		15	
Locality Proof of the premises where the project will be taking place. A billing certificate/ latest municipal account/ valid lease agreement must be submitted KLM area = 25 points Sarah Baartman district & Nelson Mandela Bay metro area =20 points Within the Eastern Cape province = 15 points Outside the Eastern Cape Province = 10 points		25	
TOTAL POINTS ON FUNCTIONALITY		100	

FUNCTIONALITY CRITERIA FOR EEDSM ENERGY EFFICIENCY MANAGEMENT	Maximum point allocated	Points scored
Proven recent experience of similar projects 1 – 3 projects 5 points 4 – 7 projects 15 points 8 -10 projects 30 points	30	
G. Staff and Personnel Director/ Senior Engineer registered 10 years experience 10 points Senior Engineer 10 years 5 points Registered Engineer 5 points Technician 5 points CAD Technician 5 points A CV of the above staff member and alternate of not more than 2 pages each should be attached to this schedule detailing the comparable projects. Each CV should be structure under the following headings: Personal particulars - Name - Date and place of birth - Place(s) of tertiary education and dates associated therewith - Professional awards, if any. Qualifications (degrees, diplomas, certificates) Professional registrations Key Skills (relating to scope of work / services) Name of current employer and position in enterprise List of projects (scope, value, time completed and reference) done in key position in last 10 years	30	
Project Team Leader experience with similar projects (appointment and completion documents must be submitted. 1 – 4 years - 5 points 5 –10 years- 10 points > 10 years- 15 points	15	
Locality Proof of the premises where the project will be taking place. A billing certificate/ latest municipal account/ valid lease agreement must be submitted KLM area = 25 points Sarah Baartman district & Nelson Mandela Bay metro area =20 points Within the Eastern Cape province = 15 points Outside the Eastern Cape Province = 10 points	25	
TOTAL POINTS ON FUNCTIONALITY	100	

FUNCTIONALITY CRITERIA FOR ELECTRICITY MASTER PLAN	Maximum point allocated	Points scored
Proven recent experience of similar projects 1 – 3 projects 5 points 4 – 7 projects 15 points 8 -10 projects 30 points	30	
Staff and Personnel Director/ Senior Engineer registered 10 years experience 10 points Senior Engineer 10 years 5 points Registered Engineer 5 points Technician 5 points CAD Technician 5 points A CV of the above staff member and alternate of not more than 2 pages each should be attached to this schedule detailing the comparable projects. Each CV should be structure under the following headings: Personal particulars - Name - Date and place of birth - Place(s) of tertiary education and dates associated therewith - Professional awards, if any. Qualifications (degrees, diplomas, certificates) Professional registrations Key Skills (relating to scope of work / services) Name of current employer and position in enterprise List of projects (scope, value, time completed and reference) done in key position in last 10 years	30	
Project Team Leader experience with similar projects (appointment and completion documents must be submitted. 1 – 4 years- 5 points 5 – 10 years- 10 points > 10 years - 15 points	15	
Locality Proof of the premises where the project will be taking place. A billing certificate/ latest municipal account/ valid lease agreement must be submitted KLM area = 25 points Sarah Baartman district & Nelson Mandela Bay metro area =20 points Within the Eastern Cape province = 15 points Outside the Eastern Cape Province = 10 points	25	
TOTAL POINTS ON FUNCTIONALITY	100	

FUNCTIONALITY CRITERIA FOR ELECTRICAL TARIFFS	Maximum point allocated	Points scored
Proven recent experience of similar projects 1 – 3 projects 5 points 4 – 7 projects 15 points 8 - 10 projects 25 points	25	
Staff and Personnel Director/ Senior Engineer registered 10 years experience 10 points Senior Engineer 5 years 5 points Financial staff with experience 5 points Junior Candidate engineer 5 points A CV of the above staff member and alternate of not more than 2 pages each should be attached to this schedule detailing the comparable projects. Each CV should be structure under the following headings: Personal particulars - Name - Date and place of birth - Place(s) of tertiary education and dates associated therewith - Professional awards, if any. Qualifications (degrees, diplomas, certificates) Professional registrations Key Skills (relating to scope of work / services) Name of current employer and position in enterprise List of projects (scope, value, time completed and reference) done in key position in last 10 years	25	
Project Team Leader experience with similar projects (appointment and completion documents must be submitted. 1– 5 years- 5 points 6–10 years- 10 points > 10 years- 15 points	15	
Quality assurance systems which ensure compliance with stated employer's requirements. Company quality document / application 5 points ISO 9001: 2015 Certification 5 points	10	
Locality Proof of the premises where the project will be taking place. A billing certificate/ latest municipal account/ valid lease agreement must be submitted KLM area = 25 points Sarah Baartman district & Nelson Mandela Bay metro area =20 points Within the Eastern Cape province = 15 points Outside the Eastern Cape Province = 10 points	25	
TOTAL POINTS ON FUNCTIONALITY		100

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

Signed

Date

Name

Position

Tenderer

T2.2.7 SCHEDULE OF SUB-CONTRACTORS

We notify you that it is our intention to employ the following Sub-contractors for work in this contract.

If we are awarded a contract we agree that this notification does not change the requirement for us to submit the names of Sub-contractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

	Name and address of Sub-contractor	Nature and extent of work	Previous experience with Sub-contractor.
1.			
2.			
3.			
4.			

Signed

Date

Name

Position

Tenderer

T2.2.8 AUTHORITY FOR SIGNATORY

Details of person responsible for Tender process:

Name

Contact number ()

Address of office submitting the
Tender:

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

Telephone no ()

Fax no ()

E-mail address

Signatories for close corporations and companies shall confirm their authority by attaching to this form a **duly signed and dated original or certified copy** of the relevant resolution of their members or their board of directors, as the case may be.

An example for a company is shown below:

"By resolution of the board of directors passed on *(date)*

Mr /Ms.

has been duly authorized to sign all documents in connection with the Tender for Contract Numberand any Contract which may arise there from on behalf of:

(BLOCK CAPITALS)
.....
.....

SIGNED ON BEHALF OF THE COMPANY

IN HIS CAPACITY AS

DATE

FULL NAMES OF SIGNATORY

AS WITNESSES 1.

2.

T2.2.9 MUNICIPAL BIDDING DOCUMENTS (MBD)**MBD1: INVITATION TO BID****BID FOR THE REQUIREMENTS OF KOUGA MUNICIPALITY**

TENDER NOTICE NO: 76/2023.	
CLOSING DATE: ... 12 June 2023	CLOSING TIME: 12h00

DESCRIPTION:
**TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES WORKS FOR
 A PERIOD OF THREE (3) YEARS**

Bid documents, placed in a sealed envelope and clearly marked with the bid number on the outside, may be deposited in:

The Tender Box
 Room 122
 Kouga Municipality
 16 Woltemade Road
 JEFFREYS BAY
 6330

Please note:

- **Bidders must ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.**
- All bids must be submitted on the official forms. Forms may not be retyped.
- This bid is subject to the General Conditions of Contract (GCC) and, if applicable, any other special conditions of contract included in this tender document.

THE FOLLOWING PARTICULARS MUST BE FURNISHED. FAILURE TO DO SO MAY RESULT IN YOUR BID BEING NOT BEING ACCEPTED.

NAME OF BIDDER

POSTAL
 ADDRESS.....

STREET
 ADDRESS.....

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

CELLPHONE NUMBER.....

FACSIMILE NUMBER: CODE..... NUMBER.....

E-MAIL
 ADDRESS.....

VAT REGISTRATION NUMBER.....

HAS AN ORIGINAL AND VALID TAX CLEARANCE CERTIFICATE BEEN ATTACHED? YES/NO

HAS A VALID ORIGINAL OR A VALID CERTIFIED COPY OF A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE BEEN SUBMITTED? (MBD 6.1) YES/NO

IF YES, WHO WAS THE CERTIFICATE ISSUED BY?

AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) ☐

A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN NATIONAL ACCREDITATION SYSTEM (SANAS) ☐

A REGISTERED AUDITOR ☐
(Tick applicable box)

(A VALID ORIGINAL OR VALID CERTIFIED COPY B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE 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? (IF YES ENCLOSE PROOF)

YES/NO

SIGNATURE OF BIDDER

DATE.....

CAPACITY UNDER WHICH THIS BID IS SIGNED

TOTAL BID PRICE:

TOTAL BID PRICE:.....

TOTAL BID PRICE:.....

TOTAL BID PRICE:.....

TOTAL BID PRICE:.....

TOTAL NUMBER OF ITEMS OFFERED:

DELIVERY BASIS:

Is the delivery period firm?	YES / NO
Period required for delivery after receipt of order (days)	
Is the price (inclusive of VAT) firm?	YES / NO
Discount offered:	Conditional/Unconditional
If conditional, state condition:	
Is offer strictly to specification/terms of reference	YES / NO
If not to specification/terms of reference. Please state deviation(s) if any:	
.....	

BANK DETAILS (IF APPLICABLE):

BANK NAME:	
BRANCH:	BRANCH CODE:
ACCOUNT HOLDER:	
ACCOUNT NUMBER:	ACCOUNT TYPE:

OFFICIAL STAMP FROM BANK

..... AUTHORISED BANK OFFICIAL

AUTHORISED SIGNATURE:

NAME:

CAPACITY:

DATE:

MBD4: DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state*.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their positioning relation to the evaluating/adjudicating authority and/or take an oath declaring his/her interest.

3. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

3.1 Full Name of bidder:

3.2 Identity Number:.....

3.3 Registration number of company, enterprise, close corporation, partnership agreement or trust:

.....

3.4 Tax Reference Number:

3.5 VAT Registration Number:

3.6 Are you presently in the service of the state* **YES / NO**

3.6.1 If so, furnish particulars.

.....

.....

3.7 Have you been in the service of the state for the past twelve months? **YES / NO**

3.7.1 If so, furnish particulars.

.....

.....

* "in the service of the state" means to be –

(a) a member of –

- (i) any municipal council;
- (ii) any provincial legislature; or
- (iii) the national Assembly or the national Council of provinces;

(b) a member of the board of directors of any municipal entity;

(c) an official of any municipality or municipal entity;

(d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);

(e) a member of the accounting authority of any national or provincial public entity; or

(f) an employee of Parliament or a provincial legislature.

3.8 Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?

YES / NO

3.8.1 If so, furnish the following particulars:

.....

3.9 Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?

YES / NO

1.9.1 If so, furnish particulars

.....

3.10 Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state?

YES / NO

3.10.1 If so, furnish particulars.

.....

3.11 Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state?

YES / NO

3.11.1 If so, furnish particulars.

.....

DECLARATION

I, THE UNDERSIGNED (NAME)

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

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

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

MBD 6.1**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022**

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

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

B-BBEE Status Level of Contributor	Number of Points for Preference (80/20)	Number of Points for Preference (90/10)
1	10	5
2	8	4
3	6	3
4	4	2
5	3	1
6	2	1
7	2	1
8	2	1
Non-compliant contributor	0	0

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

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

	POINTS
PRICE	80
SPECIFIC GOALS	20
TOTAL POINTS FOR PRICE AND SPECIFIC GOALS	100

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as Price and Specific Goals:

- 1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

Below would be the allocation for Specific Goals:

NO	Specific Goals Categories	Max points allocation	Evaluation Indicators
1	B-BBE Status Level Contributor	10	As for BBEE points allocation please see table above.
2	The promotion of enterprises located in a specific province for work to be done or services to be rendered in that province.	10	10 Points- Located within the boundaries of the Kouga Local Municipality
			6 Points- Located within the boundaries of Sarah Baartman District Municipality
			4 Points- Located within the boundaries of the Eastern Cape
			1 Point- Outside of the boundaries of the Eastern Cape

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) **“price”** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) **“tender for income-generating contracts”** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) **“the Act”** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES**3.1. POINTS AWARDED FOR PRICE****3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

3.2.1. POINTS AWARDED FOR PRICE

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

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

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

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

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company registration number:

4.5. TYPE OF COMPANY/ FIRM

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

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that

person's conduct;

- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

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

SURNAME AND NAME:

DATE:

ADDRESS:

.....

.....

.....

MBD8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 5 This Municipal Bidding Document must form part of all bids invited.
- 6 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 7 The bid of any bidder may be rejected if that bidder, or any of its directors have:
- a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or
 - d. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 8 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>audialterampartem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐

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

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME)CERTIFY THAT THE

INFORMATION FURNISHED ON THIS DECLARATION FORM TRUE AND CORRECT.

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *per se* prohibition meaning that it cannot be justified under any grounds.
3. Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
4. This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
5. In order to give effect to the above, the attached Certificate of Bid Determination (MBD9) must be completed and submitted with the bid:

Includes price quotations, advertised competitive bids, limited bids and proposals. 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.

(Bid Number and Description)

(Name of Municipality / Municipal Entity)

I certify, on behalf of:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)

- (c) methods, factors or formulas used to calculate prices;
- (d) the intention or decision to submit or not to submit, a bid;
- (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
- (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No. 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No. 12 of 2004 or any other applicable legislation.

.....

.....

Signature Date

.....

.....

Position Name of Bidder

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.

DECLARATION

1. I hereby declare that I have read, understood, agree and comply with all of the sections below, if included, that it shall be deemed to form and be construed as part of this agreement:

- (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for Broad Based Black Economic Empowerment Status Level of Contribution in terms of the Preferential Procurement Regulations, 2017;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination
 - Special Conditions of Contract;
- (ii) General Conditions of Contract; and
- (iii) Other (specify)

2. I confirm that I am duly authorised to sign this document.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1	
2.	
DATE:	

MBD 15: CERTIFICATE FOR PAYMENT OF MUNICIPAL SERVICES**NAME OF THE BIDDER:** _____**FURTHER DETAILS OF THE BIDDER'S; Director / Shareholder / Partners, etc.:**

Director / Shareholder / partner	Physical address of the Business	Municipal Account number(s)	Physical residential address of the Director / shareholder / partner	Municipal Account number(s)

NB: Please attach a copy of your latest municipal account.

I, _____,
 (full name in block letters) the undersigned, certify that the information furnished on this declaration form is correct and that I / we have no undisputed commitments for municipal services towards a municipality in respect of which payment is overdue for more than 90 days.

If the value of the transaction is expected to exceed R10 million (VAT included) I certify that the bidder has no undisputed commitments for municipal services towards **a Municipality** in respect of which payment is overdue for more than 30 days;

THUS DONE AND SIGNED for and on behalf of the Bidder, at _____, on the _____
 _____ day of _____ 20____.

Number of sheets appended by the tenderer to this schedule (If nil, enter NIL)	
--	--

SIGNATURE:		NAME (PRINT):	
CAPACITY:		NAME OF FIRM:	

For office use (comments):

PART C1: AGREEMENTS AND CONTRACT DATA

C1.1 FORM OF OFFER AND ACCEPTANCE (Agreement)**OFFER**

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

**TENDER NOTICE NO. 76/2023:
TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR A PERIOD OF
THREE (3) YEARS**

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

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Service Provider under the Contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

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

PROJECTS:	OFFER IN RAND:	OFFER IN WORDS
66kV line construction, Internal Overhead, Underground, Substation and INEP projects.	R	
Energy Generation	R	
EEDSM Energy Efficiency Demand Side Management	R	
Master Plan	R	
Electrical Tariffs	R	

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data whereupon the Tenderer becomes the party named as the Service Provider in the Conditions of Contract identified in the Contract Data.

For the Tenderer:

Signature

Name

Capacity

Name and address of organisation:

.....

.....

Signature and name of witness:

Signature

Name

Date:

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Service Provider the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an Agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract, are contained in:

- Part C1 – Agreements and Contract Data, (which includes this Agreement)
- Part C2 – Pricing Data
- Part C3 – Scope of Work

and drawings and documents or parts thereof, which may be incorporated by reference into Parts C1 to C3 above.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorised representative(s) of both parties.

The Tenderer shall within two weeks of receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data at, or just after, the date this Agreement comes into effect. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Service Provider) within five working days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

For the Employer:

Signature

Name

Capacity

Name and address of organisation:

.....

.....

Signature and name of witness:

Signature

Name

Date:

SCHEDULE OF DEVIATIONS**Notes:**

1. The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender.
2. A Tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of Agreements reached during the process of offer and acceptance, the outcome of such Agreement shall be recorded here.
3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here.
4. Any change or addition to the tender documents arising from the above Agreements and recorded here, shall also be incorporated into the final draft of the Contract.

(i)	Subject	_____
	Details	_____

(ii)	Subject	_____
	Details	_____

(iii)	Subject	_____
	Details	_____

(iv)	Subject	_____
	Details	_____

(v)	Subject	_____
	Details	_____

(vi)	Subject	_____
	Details	_____

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or change to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

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

For the Tenderer:

..... Signature
 Name
 Capacity

Name and address of organisation:

.....

..... Witness Signature
 Witness Name
 Date

For the Employer:

.....

Name and address of organisation:

.....

.....

CONFIRMATION OF RECEIPT

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

The(day)
 of(month)
 20 (year)
 at (place)

For the Service Provider:

Signature
 Name
 Capacity

Signature and name of witness:

Signature
 Name

C1.2 CONTRACT DATA

Contract data for:

**TENDER NOTICE NO.76/2023:
TO PERFORM PROFESSIONAL ELECTRICAL ENGINEERING SERVICES FOR A PERIOD OF THREE
(3) YEARS**

The Conditions of Contract are the *Standard Professional Services Contract (July 2009)* published by the Construction Industry Development Board (see www.cidb.org.za)

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

Clause	Data
	The name of the Employer is Kouga Municipality
3.4 and 4.3.2	The authorised and designated representatives of the Employer is: Name: Mr Theodore Madatt
	The address of the Employer is: Address (physical): 16 Woltemade Road, Jeffreys Bay, 6330 Address (postal): PO Box 21, Jeffrey's Bay, 6330 Telephone: 042 200 2200 E-mail: tmadatt@kouga.gov.za
1	The Project is to Perform Professional Electrical Engineering Services for a Period of Three (3) Years.
1	The Period of Performance is approximately 36 months or until the project is completed.
1	The Start Date is expected to be 1 August 2023 or earlier .
3.5	The location for the performance of the Project is the Kouga Municipal Area .
3.6	The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.
3.9.2	The time-based fees used to determine changes to the Contract Price are as stated in the Pricing Data.
3.12	The penalty payable is R1 000 per Day for each Stage of the project or agreed milestone.
3.15.1	The programme shall be submitted with 10 Working Days of the conclusion of the project briefing meeting with the Employer.
3.16.1	The indices are those contained in Table A of P0141 Consumer Price index for the CPI for all services published by Statistics South Africa.
5.4.1	The Service Provider is required to provide professional indemnity cover of twice the fee amount in respect of a claim without limit to the number of claims.

Clause	Data
5.5	The Service Provider is required to obtain the employer's prior approval in writing before taking any of the following actions: 1 Appointment of a subcontractor that did not form part of the tender. 2 Execution of additional services. 3 Incurring of recoverable expenses not included in the Pricing Schedule. 4 Nominating the Engineer's Representative and site staff for construction monitoring. 5 Delegation of Engineer's authority. 6 The issuing of Variation Orders. 7 Suspend the progress of the works. 8 The giving of a ruling on a contractor's claim.
7.2	The Service Provider is required to provide personnel in accordance with the provisions of clause 7.2 and to complete the Personnel Schedule.
8.1	The Service Provider is to commence the performance of the Services within 5 Working Days of the project briefing meeting with the Employer.
8.4.3 (c)	The period of suspension under clause 8.5 is not to exceed 12 months .
9.1	Copyright of any documents, drawings, schedules, report prepared for the successful consultants shall be vested with the Kouga Municipality .
12.1	Interim settlement of disputes is to be by adjudication .
12.2 / 12.3	Final settlement is by arbitration .
12.3.3	The adjudicator is the person appointed by the Employer .
12.4.1	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by the Association of Arbitrators (Southern Africa) .
13.1.3	All persons in a joint venture or consortium shall carry a minimum professional indemnity insurance of twice the amount of their professional fees .
13.4	Neither the Employer nor the Service Provider is liable for any loss or damage resulting from any occurrence unless a claim is formally made within 36 months from the date of termination or completion of the Contract.
15	The interest rate will be the prime interest rate of the Employer's Bank at the time that the amount is due.
	The additional condition of contract is: The successful award of the contract does not imply that the Service Provider will be guaranteed to be appointed on projects over the multi-year period. The appointment, implementation and phasing of projects is subject to the availability of funding.

C.1.2 CONTRACT DATA**PART 2: DATA PROVIDED BY THE SERVICE PROVIDER**

The Service Provider is advised to read the *Standard Professional Services Contract (July 2009)* published by the Construction Industry Development Board (see www.cidb.org.za) in order to understand the implications of this Data which is required to be completed.

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

Clause	Data
1	The Service Provider is: Name: Address: Telephone: Facsimile: E-mail:
5.3	The authorised and designated representative of the Service Provider is (nearest local office if different from above): Name: The address for receipt of communications is: Address: Telephone: Facsimile: E-mail:

5.5 7.1.2 1	The Key Persons and their jobs / functions in relation to the services are:	
	Name	Specific duties
	Electrical:	<u>Project Leader</u>
	Electrical:	<u>Alternate</u>
	Electrical:	<u>Design Engineer</u>
	Electrical:	<u>Alternate</u>
	Electrical:	<u>Contracts Engineer</u>
	Electrical:	<u>Alternate</u>
	Electrical:	<u>Resident Engineer</u>

C1.3 PRO-FORMA PERFORMANCE GUARANTEE

Not applicable.

PART C2: PRICING DATA

C2.1 PRICING INSTRUCTIONS

C2.1.1 GENERAL

- 1) The Service Provider is to price all items or one discipline only in the Pricing Schedule of which they want to consider as their field of expertise. Where no price is included next to an item, it will be considered to be included in other items of the Pricing Schedule.
- 2) The Pricing Schedules reflects non-specific and indicative (for tendering purposes only) Time Based Fees that would include Feasibility Studies, Reports, Construction Monitoring and other Additional Services that may be warranted throughout the duration of the multi-year period for projects that are not clearly defined or straightforward.

The Pricing Schedules also reflect indicative Percentage Fees and Recoverable Expenses schedules based on technical project/s as defined in the Scope of Works (Part C hereof).

- 3) All activities must be invoiced on a monthly basis, based on the actual hours spent on the activity or the progress milestones achieved in the case of percentage fee based projects.
- 4) Payments will be based on the actual hours spent on such activities provided that reasonable progress towards the completion of the activity within the estimated budget is demonstrated.
- 5) The budget allocated to each activity and the total of prices for the activities shall not be exceeded without the written approval of the Employer.
- 6) Provisional Sums have been allowed for other professional service that may be required.

C2.1.2 ENGINEERING

- 1) The fee for services rendered in accordance with the Scope of Work shall be calculated in accordance with the *Guideline for Services and Processes for Estimating Fees for Persons Registered in terms of the Engineering Profession Act, 2000 (Act 46 of 2000), government Gazette No 39480, 4 December 2015, Board Notice 138 of 2015 (Tariff of Fees)*, based on Civil, Structural, Electrical and Mechanical Engineering Services pertaining to Engineering and Building Projects.
- 2) The fee payable in terms of 1) above shall include all expenses referred to in the Tariff of Fees relating to work remunerated on such a basis, that the tendered price must be all inclusive price including sundries and traveling.
- 3) In the case of the Percentage Fee the discount is restricted to a maximum of 10% be offered by all bidders.
- 4) Fees for additional services, which cannot be calculated as a fee in accordance with the Tariff of Fees, shall be either paid for on a lump sum basis if scheduled as such in the Pricing Schedule, or on a time and expenses basis based on the rates priced in the Pricing Schedule.
- 5) Work of a routine nature undertaken on a time basis shall be paid for under the Category C, irrespective of whether or not such work is undertaken by persons falling into Category B or not.

C2.2 PRICING SCHEDULES

66kV Construction, internal 22 & 11kV underground, Overhead line, Substation & INEP Projects up to R 10 000 000.00		
1. ECSA fees offer (0% discount)	R	& %
2. Recoverable Expenses (Disbursements): Must also include all supervision and travel.		
3. Recoverable offered	R	
4. Total offer (VAT Exclusive): = 1+3	R	

Energy Generation Projects up to R 1 000 000 000.00		
a) ECSA fees offer (0% discount)	R	& %
b) Recoverable Expenses (Disbursements): Must also include all supervision and travel.		
c) Recoverable offered	R	
d) Total offer (VAT Exclusive): = 1+3	R	

EEDSM Energy Efficiency Projects up to R 5 000 000.00		
1. ECSA fees offer (0% discount)	R	& %
2. Recoverable Expenses (Disbursements): Must also include all supervision and travel.		
3. Recoverable offered	R	
4. Total offer (VAT Exclusive): = 1+3	R	

Master Plan up to R 1 000 000.00:		
1. ECSA fees offer (0% discount)	R	& %
2. Recoverable Expenses (Disbursements): Must also include all supervision and travel.		
3. Total offer (VAT Exclusive): 1+3 - 10% discount	R	

Electrical Tariffs up to R 500 000.00:		
1. ECSA fees offer (0% discount)	R	& %
2. Recoverable Expenses (Disbursements): Must also include all supervision and travel.		
3. Total offer (VAT Exclusive):1+3 - 10% discount	R	

This part of the pricing schedule is compulsory but valuation will not be based on the rates.

The rates will come into effect if the any other work is done outside the scope and/or if breakdown of a statement need to submitted, the rates will be checked in accordance with the claims submitted. Rates must be inclusive from the consultant with its mark-up as the consultant will make the appointment subjected to the municipalities approval and is required to perform oversight.

Hourly Rates offered for time base service:	
Staff:	Rate:
Director:	R
Professional Engineer/ Technologist:	R
Engineer/ Technologist:	R
Technician:	R
CAD Operator:	R
Land Surveyor % per R 100 000.00:	%
Environmental assessment and control officer % per R 100 000.00:	%
Geotechnical & Topographical services % per R 50 000.00	%
Health & Safety % per R 50 000.00	%
Specialist contractual Legal services % per R 100 000.00	%
Specialist accounting services % per R 100 000.00	%
Travelling per km to Kouga from PE	R

PART C3: SCOPE OF WORK

C3 SCOPE OF WORK

C3.1 Employers Objectives

The Employer's objective is to improve service delivery and stimulate employment opportunities for the businesses, residents and communities within the Kouga municipal area.

C3.2 Background

In the past, the Employer has appointed consultants on an ad-hoc basis and as the need arises. However, this has proven to be inefficient and delays the implementation of projects, which in turn delays service delivery. The Employer now intends to procure the services of professional engineering consultant(s) for a three-year period to advise, plan, design and implement some of its infrastructure projects more efficiently and effectively in order to speed up service delivery.

The appointment of consultant(s) will be done on the basis of their experience in the relevant field of expertise.

C3.3 Management / Oversight structures for the project

The project is run under the authority of the Electrical Department of Municipal Services and Infrastructure & Engineering. The Service Provider will report directly to the manager Electricity on matters relating to progress and performance on the project. MSID also employs technical managers in various fields of engineering which will be consulted on the implementation of their projects.

C3.4 Description of the services

The professional service required is for electrical, but will also include the related mechanical engineering disciplines.

The professional services may also include the need to employ subcontractors / consultants for planning and feasibility studies, including the following:

- a) Environmental and other specialist studies,
- b) Land Surveying,
- c) Site investigations (topographical and geotechnical),
- d) Health and Safety services.

C3.5 Requirements

C3.5.1 General

The services provided shall satisfy the stated objectives of the Employer. The services to be provided as part of this tender includes, but are not limited to:

- a) Standard or low cost electrification projects
- b) Electrical infrastructure upgrade or extensions to Low Voltage or Medium / High Voltage reticulation networks
- c) Street, area or floodlighting projects
- d) Building electrical and mechanical services projects
- e) SCADA / telemetry projects
- f) Energy efficient and Demand Side Management projects
- g) Renewable / alternative energy projects
- h) Smart / innovative electricity metering solutions
- i) Electrical and mechanical installations at pump stations, waste water treatment works and water purification works
- j) Eskom negotiations related to Bulk Supplies
- k) NERSA reporting and tariff approvals, including compiling tariffs
- l) DoE applications for funding, and reporting
- m) MIG applications and execution of related projects
- n) Prepare electrical master plans and reports

- o) Prepare drawings of existing electrical reticulation networks compatible to GIS and assets management systems
- p) Assist with OSH Act and NERSA compliance in terms of electrical distribution network
- q) Capital Contribution Policy and other electrical levies
- r) Planning and operation and maintenance manuals
- s) Any other tasks related to electrical and mechanical engineering
- t) Specialist services and investigations:
 - Topographical surveys
 - Geotechnical investigations
 - Cadastral land surveying
 - Occupational Health and Safety
 - Environmental Assessment Practitioners

The stages of services required will be as prescribed in the Guidelines. The Service Provider may not proceed from one stage of the project to another, without the prior approval of the Employer or Project Manager.

C3.5.2 Engineering

The engineering services shall satisfy the stated objectives of the Employer in relation to the construction works identified in the description of the services. The consultancy shall, as a minimum, in order to satisfy these objectives provide the normal services set out in the *Guideline for Services and Processes for Estimating Fees for Registered Persons in terms of the Engineering Profession Act, 2000 (Act 46 of 2000), Government Gazette No 39480, 4 December 2015, Board Notice 138 of 2015, and the following additional services:*

- 1) All services related to defining the scope of work.
- 2) Making arrangements for way leaves, servitudes or expropriations.
- 3) Negotiating and arranging for the provision or diversion of services not forming part of the works.
- 4) Additional work in obtaining the formal approval of the appropriate Government Department of Public Authorities, including the making of such revisions as may be required as a result of decision of such Departments or Authorities arising out of changes in policy, undue delay, or other causes beyond the consulting engineer's control.
- 5) Geotechnical investigations, laboratory tests and analysis carried out on behalf of the Employer.
- 6) Detailed inspections, reviewing and checking of designs and drawings not prepared by the consulting engineer and submitted by any contractor or potential contractor as alternative to those embodied in tender or similar documents prepared by the consulting engineer.
- 7) Preparing and setting out particulars and calculations in a form required by any relevant authority.
- 8) Abnormal additional service by or costs to the consulting engineer due to the failure of a contractor or others to perform their required duties adequately and timely.
- 9) Executing or arranging for the periodic monitoring and adjustment of the works, after final handover and completion of construction and commissioning, in order to optimise or maintain proper functioning of any process or system.
- 10) Investigating or reporting on tariffs or charges leviable by or to the Employer.
- 11) Additional services, duties and/or work resulting from project scope changes, alternations and/or instructions by the Employer, or his duly authorised agents, requiring the consulting engineer to advise upon, review, adapt and/or after his completed designs and/or any other documentation and/or change the scope of his services and/or duties. Such additional services are subject to agreement in writing between the consulting engineer and the Employer prior to the execution thereof.

- 12) Work and/or services related to the targeted procurement that could entail, but is not necessarily limited to any or all of the following:
- Incorporation of any targeted participation goals,
 - The measuring of key participation indicators,
 - The selection, appointment and administration of participation goals and;
 - Auditing compliance to the above by any contractors and/or professional consultant.
- 13) Exceptional arrangements, communication, facilitation and agreements with any stakeholder other than the Employer and contractors appointed for the works on which the consulting engineer provides services.
- 14) Any other additional services, of whatever nature, specifically agreed to in writing between the consulting engineer and the Employer.
- 15) Provide additional construction monitoring confirming to Level 1 of the Guidelines to compel the consultant to have an agent on site when required and not on a permanent basis.
- 16) Act as the Occupation Health and Safety agent, or procure the services of a suitable service provider, on behalf of the Employer, as outlined in 3.3.3 of the Guidelines.

C3.6 Reports

In addition to the reports required in the standard services for each discipline, the following reports need to be submitted as minimum, where required by the Employer or Project Manager:

Report	Review
Inception Report	This report should be submitted within 2 weeks after commencing the services. It should set out any major inconsistency in the Scope of Work, difficulties in executing the contract, the methodology that the Service Provider is to apply in the execution of the contract, key assumptions in the development of the deliverables, etc.
Feasibility Report	This report should be submitted within 10 weeks after commencing the services. It should include all site investigations that were conducted, the conceptual layout plans, feasibility study, existing and required engineering services, planning restrictions, cost estimates.
Progress Report	These reports should be submitted at the conclusion of the major stages of the project to keep the Employer informed on progress. They may also provide warnings of anticipated problems and indicate changes in time frames. The Project Manager may require weekly or monthly progress reports should the need arise.
Design / Technical Report	This report should encapsulate the final design concept, design standards and specifications that will be implemented and must be submitted prior to commencing with the procurement of tenders .
Tender Evaluation Report	This report will include the technical and financial evaluation of tenders received on the various disciplines with recommendations on preferred tenders and must be submitted within 10 working days from receipt of tender documents.

Interim Reports	If the project is phased, interim reports are required to inform the employer of preliminary results, alternative solutions, and major decisions that need to be made.
Final Close-out Report	The final report is due within 3 months of the completion of the project and should include all record (as-built) drawings, a summary of the various stages of the project, critical correspondence, problems experience during the implementation of the project, evaluation of contractors' performance, completion certificates, final approval and payment certificates, etc.

C3.7 Co-operation with other services providers

This Service Provider may be required to liaise with other Service Providers to meet the objectives of the Employer.

C3.8 Facilities and equipment to be provided by the Employer

The Employer may provide a boardroom for holding regular progress meetings.

C3.9 Reference data

As applicable to the various planning and design disciplines.

C3.10 Applicable national and international standards

As applicable to the various planning and design disciplines.

C3.11 Particular / Generic specifications

As applicable to the various planning and design disciplines.

C3.12 Approvals

As applicable to the various planning and design disciplines.

C3.13 Procurement

As specified in the Kouga Municipality's Supply Chain Management and Preferential Procurement Policies.

C3.14 Access to land / buildings / sites

Where applicable, access needs to be arranged with the relevant landowners.

C3.15 Planning and programming

Service Providers are to provide a programme indicating their individual activities required to achieve the Employer's objectives. The programme should as a minimum give description, start and end dates and duration of each activity. The programme should indicate milestone dates and critical path activities. The programme must be submitted within the timeframe stipulated in the contract data. The programme should be updated as the need arises or as directed by the Project Manager.

C3.16 Software application for programming

Programmes submitted electronically must be done on MS Project or similar compatible software.

C3.17 Quality management

Engineering consultants will be required to have a valid Quality Management System (QMS) approved by Consulting Engineers South Africa (CESA) or ISO 9001 of 2000. All other service providers need to submit details of their quality management system for review and approval by the Employer, where required by the Engineer.

Kouga Municipality will implement a Performance Monitoring System for all engineering consultants employed on projects. The system will include a Performance Scorecard that will evaluate inter alia the quality of design, adherence to time constraints, recognition of cost (Scope and Budget control), project administration, communication and interfaces, construction management, post construction close-out and general performance. The detailed scorecard will be provided to Service Providers at commencement of services.

C3.18 Format of communications

Communication may be by means of e-mail, post or facsimile in any format compatible with the MS Office suite of software or readable Adobe Acrobat software.

C3.19 Key personnel

The Service Provider needs to submit a schedule of Key Personnel with contact details to be employed on the project within 10 working days from appointment on a project(s). The schedule of key personnel must include the names and particulars of personnel included in the Contract Data. Service Providers may not replace the key personnel so provided without prior approval of the Project Manager and the Employer.

C3.20 Management meetings

Regular project meetings will be held approximately once a month in the Kouga municipal area that would include the Employer, the Project Manager, Service Providers and members of the local community, where applicable. The level of representation at the meetings shall be of such a nature to permit that decisions be taken and agreed to. The Service Provider must be represented by the key person identified as such in the personnel schedule or his pre-approved designate. A minimum of 4 compulsory meetings with Kouga municipality is required in addition to the compulsory monthly progress meetings from project construction phase.

C3.21 Forms for contract administration

None

C3.22 Electronic payments

The Service Provider needs to make appropriate arrangements with the Employer's Finance Department with regards to electronic payments required. All Service Providers on the project must be registered on the Kouga Municipal Supplier database.

C3.23 Daily records

None

C3.24 Professional Indemnity Insurances

Service Providers are to submit one copy of their PI insurance to the Project Manager at the project kick-off meeting.

C3.25 Payments certificates

None

C3.26 Use of documents by the Employer

The Employer may use documents submitted by the Service Provider to achieve its stated objectives, provided that the services rendered have been paid for in full.

C3.27 Property provided for the Consultant's use

None

C3.28 Proof of compliance with the law

The Service Provider shall, upon request from the Employer or Project Manager, provide proof of compliance with the various laws applicable to the implementation of the service so provided.

C3.29 Annexure

Kouga Supply Chain Management Policy (Tenderers to obtain own copy)

1. Description of projects in this portion of the tender:

Contract/ tender	Service	Project Title
	66/22/11kV Construction, Internal underground 22 & 11kV, Overhead, substation & INEP Electrification Projects	Design and construction of all associated functions as defined for this service by ECSA. Site supervision will be required for this project as agreed beforehand, fees as per standards set by the latest government gazette.

This table need to be completed to indicate your staff strength towards these projects:

Staff Members	Relevant experience in design of similar projects

2. Description of projects in this portion of the tender:

Contract/ tender	Service	Project Title
	Energy Generation Projects	Design and construction of all associated functions as defined for this service by ECSA. Site supervision will be required for this project as agreed beforehand, fees as per standards set by the latest government gazette. Rigorous negotiations with partners in the energy generation business in terms of the law and finance.

This table need to be completed to indicate your staff strength towards these projects:

Staff Members	Relevant experience in design of similar projects

3. Description of projects in this portion of the tender:

Contract/ tender	Service	Project Title
	Energy Efficiency Projects	Design and construction of all associated functions as defined for this service by ECSA. Site supervision will be required for this project as agreed beforehand, fees as per standards set by the latest government gazette.

This table need to be completed to indicate your staff strength towards these projects:

Staff Members	Relevant experience in design of similar projects

--	--

4. Description of projects in this portion of the tender:

Contract/ tender	Service	Project Title
	Master Plan	Design and construction of all associated functions as defined for this service by ECSA. Site supervision will be required for this project as agreed beforehand, fees as per standards set by the latest government gazette.

4. This table need to be completed to indicate your staff strength towards these projects:

Staff Members	Relevant experience in design of similar projects

5. Description of projects in this portion of the tender:

Contract/ tender	Service	Project Title
	Electrical Tariffs	Design and construction of all associated functions as defined for this service by ECSA. Site supervision will be required for this project as agreed beforehand, fees as per standards set by the latest government gazette.

This table need to be completed to indicate your staff strength towards these projects:

Staff Members	Relevant experience in design of similar projects

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

Signed

Date

Name

Position

Tenderer
