



PROCUREMENT DOCUMENT

APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS
FOR ENGINEERING RELATED SERVICES
FOR A PERIOD OF THREE (3) YEARS
FOR THE URBAN, PERI-URBAN AND RURAL AREAS
OF THE MOGALAKWENA LOCAL MUNICIPALITY

ELECTRICAL INFRASTRUCTURE

MOGALAKWENA LOCAL MUNICIPALITY
Tender No. 02-2020/2021
Notice No: 115/20220

ADVERT DATE: 20 AUGUST 2020
CLOSING DATE: 21 SEPTEMBER 2020
CLOSING TIME: 12:00

Mogalakwena Local Municipality
54 Retief Street
Mokopane

Contact: Divisional Head Electrical Services
Name: GN Ramango
Telephone: 015-491 9691

NAME OF BIDDING ENTITY:

MOGALAKWENA LOCAL MUNICIPALITY

Tender No. 02-2020/2021
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T1 – TENDER PROCEDURE

For the purpose of this tender process a Quality-Based Selection (QBS) method of selection is to be used.

The tender data is according to Treasury document: Supply Chain Management: A Guide for Accounting Officers of Municipalities and Municipal Entities (2005) as well as CIDB: Construction Procurement, Best Practice Guideline #A7, September 2005. Only the relevant sections of these documents are included below:

Method of selection

Quality-Based Selection as per Treasury document: Supply Chain Management: A Guide for Accounting Officers of Municipalities and Municipal Entities to be used as a method of selection that is, there will only be submission of technical proposals for evaluation purposes. Once the service provider has been appointed a detailed scope of service would need to be submitted and the fees as per ECSA fees structure to be applied.

The tender process will consist of a submission of a **technical proposal only**.

National Treasury:

According to National Treasury:

5.9.1 Quality-Based Selection (QBS)

"If technical proposals alone were invited, after evaluating the technical proposals using the same methodology as in QCBS, the accounting officer should request the consultant with the highest ranked technical proposal to submit a detailed financial proposal.

The accounting officer and the consultant should then negotiate the financial proposal and the contract. All other aspects of the selection process should be identical to those of QCBS. If, however, consultants were requested to provide financial proposals initially together with the technical proposals, safeguards should be built in to ensure that the price envelope of only the selected proposal is opened and the rest returned unopened, after the negotiations are successfully concluded".

CIDB (2005)

CIDB also describes the QBS process as follows:

Approach to Appointment of Consultants:

"Quality based selection (QBS) Tenderers are requested to submit technical proposals only.

The final contract is thereafter negotiated".

Please note the above are quotes from documents:

For the purpose of this bid only a technical proposal must be submitted for evaluation.



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Notice No: 115/2020**

T1.1 Tender Notice and Invitation to Tender

Mogalakwena Local Municipality hereby invites Professional Service Providers (PSP) to submit Technical Proposals for inclusion in a pool of Service Providers for Engineering Related Services for **Planning, Scoping, Design and Contract Supervision of Electrical Infrastructure**. This appointment to the pool of PSPs is intended to be for a period of 3 (Three) years.

The names will be included on a database and PSPs will be contacted on a rotational basis to perform duties. Bids documents containing the Conditions of Bid and other requirements in terms of the Supply Chain Management Policy will be downloaded from e-tender Publication Portal at www.etenders.gov.za and also www.mogalakwena.gov.za at no fee.

Technical enquires relating to the issue of these documents may be addressed to **Mr GN Ramango, Tel No.: 015 491 9691**, e-mail: ramangog@mogalakwena.gov.za. Administrative enquiries to be addressed to **Ms Moyahabo Rasekgala, SCM Unit, Tel No: 015 491 9662**, e-mail scm@mogalakwena.gov.za

No briefing session will be held due to Covid 19 Regulation.

The closing time for receipt of tenders is **21 September 2020 at 12:00**. Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted.

All Tenders will be evaluated in accordance with the Supply Chain Policy of the Mogalakwena Local Municipality, MFMA and other related legislations. All submitted proposals shall remain valid for 90 days. Furthermore, **Quality-Based Selection (QBS) as prescribed and described by Treasury and the CIDB will be the method of selection for this particular Tender.**

Service providers should take note that no bids/service will be awarded to a service provider who is not registered on the web based Central Supplier database (CSD).

Submissions shall be sealed in an envelope marked with the Name and Address of the Tenderer **as well as "Tender No 02-2020/2021 Appointment of a pool of Professional Service Providers for engineering related services for a period of three (3) years for the urban, peri-urban and rural areas of the**

Mogalakwena Local Municipality ELECTRICAL INFRASTRUCTURE and deposited in the tender box located in the entrance foyer at the Mogalakwena Local Municipality offices at 54 Retief Street, Mokopane.

The Mogalakwena Municipality does not bind itself to accept the lowest or any tender and reserves the right to accept any tender or any part thereof, which may result in the acceptance of more than one tender, whichever the case may be.

**MA MAMPA
ACTING MUNICIPAL MANAGER
54 RETIEF STREET
MOKOPANE
0601**

NOTICE NUMBER: 115/2020



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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 (July 2015) as published in Government Gazette No 38960, Board Notice 136 of 2015. (See www.cidb.org.za).

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender.

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

Clause number	Tender Data
F.1.1	The employer is MOGALAKWENA LOCAL MUNICIPALITY
F.1.2	<p>The Documents issued by the Employer for the purpose of the Tender Document are as follows:</p> <p>THE TENDER</p> <p>Part T1: Tendering procedures</p> <p style="padding-left: 20px;">T1.1 - Tender notice and invitation to tender</p> <p style="padding-left: 20px;">T1.2 - Tender data</p> <p>Part T2: Returnable documents</p> <p style="padding-left: 20px;">T2.1 - List of returnable documents</p> <p style="padding-left: 20px;">T2.2 - Returnable schedules</p> <p>THE CONTRACT</p> <p>Part C1: Agreements and Contract data</p> <p style="padding-left: 20px;">C1.1 - Form of offer and acceptance</p> <p style="padding-left: 20px;">C1.2 - Contract data</p> <p>Part C2: Scope of Service</p> <p style="padding-left: 20px;">C2 - Scope of Service</p>
F.1.3.1	<p>The returnable documents, schedules and other certificates or statements are all listed under Section T2.1 "List of Returnable Documents".</p> <p>It is incumbent upon the tenderer to complete all of the returnable schedules bound in this document under Section T2.2 "Returnable Schedules" and to also attach those additional certificates or documents of statement as indicated in Section T2.2.</p>

F.1.3.2	Replace the wording with: “These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender, except for those tender conditions, claims, statements and undertakings presented by the tenderer that will have influence on the competitive procedure as contemplated under Clauses F.1.5, F.1.6. and as listed in the Tender Data under Clause F.3.11.1.”
F.1.3.3	The following additional definitions shall apply: g) “Tender” and “Bid” shall have the same meaning. The company offering a tender or bid is referred to as the “Tenderer” or “Bidder”.
F.1.4	The employer’s agent is : Name: GN Ramango Address: 54 Retief Street, Mokopane, 0601 Tel: 015 491 9691 E-mail: ramangog@mogalakwena.gov.za
F.1.5	The employer does not bind itself to accept the lowest or any other Tender.
F.2.1	Only those tenderers who have in their full time employment suitably qualified and registered Professional Engineers or Professional Technologist registered in terms of the Engineering Profession Act (Act No.: 46 of 2000) with Experience in the relevant engineering related service may tender. No Freelancers will be recognised.
F.2.2	Cost of Tendering The employer will not compensate the tenderer for any costs incurred in attending interviews or making any submissions in the office of the employer. Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.
F.2.5	The Tenderer is deemed to be in possession and have knowledge of the documents referred to in these documents but not attached.
F.2.7	The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list.
F.2.8	The tenderer shall request clarification of the tender documents, if necessary, by notifying the employer at least 5 (Five) working days before the closing time stated in the tender data.
F.2.12	No alternative tender offers will be considered
F.2.13.3	Parts of each tender offer communicated on paper shall be submitted as an original. The document is to be intact in its original format and no pages shall be removed or re-arranged.

F2.13.4	<p>Only authorised signatories may sign the original and all copies of the tender offer where required.</p> <p>In the case of a COMPANY submitting a tender, include a copy of a resolution by its board of directors authorising a director or other official of the company to sign the documents on behalf of the company.</p> <p>In the case of a CLOSE CORPORATION submitting a tender, include a copy of a resolution by its members authorising a member or other official of the corporation to sign the documents on each member's behalf.</p> <p>In the case of a PARTNERSHIP submitting a tender, all the partners shall sign the documents, unless one partner or a group of partners has been authorised to sign on behalf of each partner, in which case proof of such authorisation shall be included in the Tender.</p> <p>In the case of a JOINT VENTURE submitting a tender, include a resolution of each company of the joint venture together with a resolution by its members authorising a member of the joint venture/consortium to sign the documents on behalf of the joint venture.</p> <p>Accept that failure to submit proof of authorisation to sign the tender shall result in the tender offer being regarded as non-responsive.</p>
F.2.13.5 F.2.15.1	<p>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:</p> <p>Location of tender box: In the main entrance to the Mogalakwena Local Municipal offices Physical address: 54 Retief Street, Mokopane Identification details on the Sealed Tender envelope are: Tender No.: 02-2020/2021 "BID FOR APPOINTMENT OF A POOL OF PROFESSIONAL SERVICE PROVIDERS FOR ENGINEERING RELATED SERVICES FOR A PERIOD OF THREE (3) YEARS FOR THE URBAN, PERI-URBAN AND RURAL AREAS OF THE MOGALAKWENA LOCAL MUNICIPALITY: ELECTRICAL INFRASTRUCTURE" and the closing date and time of the tender as stated on the Tender Notice.</p> <p>Documents to be deposited in the Tender Box in the Entrance Foyer. Access to the tender box is only during office hours.</p> <p>Only tenders that were received in a sealed envelope clearly indicating the Name and Address of the Tenderer, description of the service and the tender number for which the tender is submitted will be eligible for acceptance.</p>
F.2.13.6 F.3.5	A two-envelope procedure is not required.
F.2.13.9	Telephonic, telegraphic, telex, 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.2.19	By submitting this tender, the tenderer/bidder authorizes the municipality or its delegate(s) to carry out any investigation deemed necessary to verify the correctness of the statements and documents submitted and that such documents reasonably reflect the ability of the tenderer to provide the goods and services required by the municipality.

	<p>The tenderer acknowledges that access to his/her premises during normal working hours will be granted to the employer or his/her agents during tender and evaluation period to verify any of the claims made by the tenderer.</p>
F.2.23	<p>The documentation that must be submitted with the tender is listed under section T.2.1 List of Returnable Documents.</p> <p>The tenderer shall also refer to Clause F.3.13 hereinafter for the conditions in respect of rejection of tender.</p>
F.3.2	<p>The employer shall at any time prior to five (5) working days from the closing of tenders, be entitled to make any variation, amendment or addition to, or omission from the Tender Documents, including to the time and date set for the closing of tenders, by the issuing of an addendum (or addenda).</p> <p>Any Addendum so issued shall be deemed to form part of the tender documents and shall be communicated in writing to all parties who have acquired the tender documents from the employer. Acknowledgment of receipt is required by the tenderers of any such an addendum during the tender period. Failure to acknowledge the receipt of, or failure to comply in all respects with the content of any such addenda, will render any Tender subsequently submitted, as invalid.</p> <p>No variation by the employer of the tender documents will be of any force or effect unless set out in an addendum as described above, despite the fact that a variation of, or amendment to, the tender documents may have been implied in, or may reasonably be inferred from, any other document issued or statement made by the employer or the engineer.</p>
F.3.4	<p>This tender is based on a one envelope system.</p> <p>The names of tenderers will not be read due to Covid 19 Regulation but will be published on Municipal Website</p>
F.3.11.1	<p>Evaluation of tenders will be in accordance with the Supply Chain Management Policy of the Mogalakwena Municipality provisions, together with those Tender Conditions as listed herewith.</p>
F.3.11.3	<p>For the purpose of this bid process, the selection process will be guided by the Quality-Based Selection (QBS) method of selection.</p>
F.3.13	<p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> • Authority for signatory is provided • The tenderer has attended the compulsory clarification (briefing) meeting • Has completed the Compulsory Enterprise Questionnaire and there is no conflict 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; • The tenderer has not: <ul style="list-style-type: none"> ○ abused the employer's Supply Chain Management System; or ○ failed to perform on any previous contract and has been given a written notice to this effect;

	<ul style="list-style-type: none"> • 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; • The employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations 2003, issued in terms of the Occupational Health and Safety Act 1993, the necessary competencies and resources to carry out the work safely. • The tenderer has registered and in good standing with the compensation fund or with a licensed compensation insurer; • Submitted a Valid Certified Copy of company registration certificate • Original Valid Tax Clearance Certificate (Tax Compliance status pin issued should also be attached for new tax clearance certificate issued) • The Mogalakwena Local Municipality may cancel a contract awarded of any company if: <ul style="list-style-type: none"> ○ The company or any of its directors has committed a corrupt or fraudulent act during the procurement process or in the execution of the contract, or ○ An official or other role player committed any corrupt or fraudulent act during the procurement process or in the execution of the contract that benefited that tender.
F.3.14.2	Complete the schedule of deviations attached to the form of offer and acceptance, if any
F.3.16	Notice of non-acceptance of tender will not be sent to individual unsuccessful tenderers. Particulars of the accepted tender can be obtained from the Municipal Manager.
F.3.17	The number of paper copies of the signed contract to be provided by the employer is one (1) .
Additional	<p>Furthermore:</p> <ul style="list-style-type: none"> • Bid documents must be completed in black ink. • All details must be legible and readable to ensure the Bid will be considered for adjudication • Bidders are required to sign each page of the Bid documents • Corrections may not be made by means of correction fluids such as Tipp-Ex or a similar product. In the event of a mistake having been made it shall be crossed out in ink and be accompanied by a full signature at each and every alteration. The municipality reserves the right to reject the Bid if corrections are not made in accordance with the above • The Bidder must submit comprehensive information to prove the relevant skills required for the position. • Tenders may only be submitted on the original tender documentation that is issued. The re-typing of the Tender document is not permitted. • The names will be included on a database and PSPs will be contacted on a rotational basis to perform duties as and when required. This does not guarantee any PSP an appointment in the 3 years as the need for PSPs is dependent on grant funding being received by the municipality. • Bidders are required, in terms of section 21 of the Local Government: Municipal Finance Management Act, 2003 – Municipal Supply Chain Management Regulations as appeared in Government Gazette no. 27636 dated 30 May 2005, to provide the municipality with the following documents once the appointment has been made namely: <p>“1. If the bidder is required by law to prepare annual financial statements for auditing, their audited annual financial statement -</p> <p>a) for the past three years; or</p>

	<p>b) since their establishment if established during the past three years;</p> <p>2. A certificate signed by the bidder certifying that the bidder has no undisputed commitments for municipal services towards a municipality or other services provider in respect of which payment is overdue for more than 30 days;</p> <p>3. Particulars of any contracts awarded to the bidder by an organ of state during the past five years, including particulars of any material non – compliance or dispute concerning the execution of such contract.</p>
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Signed

Date

.....

Name

Position

.....

Tenderer

.....



EVALUATION CRITERIA
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EVALUATION CRITERIA

A two phase evaluation criteria will be considered in evaluating the tender namely:

- Phase 1: Technical Compliance
- Phase 2: Administrative Compliance

Phase 1: Technical Evaluation

Evaluation of technical proposals will be done according to the Guidelines in **Supply Chain Management: A Guide for Accounting Officers of Municipalities and Municipal Entities** (National Treasury) using the Quality-Based Selection method with criteria as listed in tables below.

Scoring for technical criteria

Criteria Description	Criteria Scoring	TOTAL points to be scored
<p>Previous experience in applied field of expertise for related projects R5 million to R51+ million construction value (VAT incl). Valid Certified Copies of appointment letters and Completion Certificates to be attached as evidence in 6.1</p> <p>1. <u>Relevant experience in similar projects for company</u></p> <p>Experience in projects R 5 – R10 million construction value (VAT Included) 5</p> <p>Experience in projects R 11 – R20 million construction value (VAT Included) 10</p> <p>Experience in projects R21 - 50 million construction value (VAT Included) 15</p> <p>Experience in projects R51 + million construction value (VAT Included) 20</p>		

Criteria Description	Criteria Scoring	TOTAL points to be scored
2. Relevant experience in similar projects for team members (CVs to be attached in relevant section of returnable documents) Experience in projects R 5 – R10 million construction value (VAT Included) 5 Experience in projects R 11 – R20 million construction value (VAT Included) 10 Experience in projects R21 - 50 million construction value (VAT Included) 15 Experience in projects R51 + million construction value (VAT Included) 20		
TOTAL		Maximum of 40
Service provider's relevant past experience in applied field of expertise for related projects. Valid certified Copies of appointment letters and completion certificates to be attached as evidence in 6.1 Company: 1 - 2 relevant projects 2 3 - 5 relevant projects 5 6 - 8 relevant projects 10 Key Team Member: 1 - 2 relevant projects 2 3 - 5 relevant projects 5 6 - 8 relevant projects 10		
TOTAL		Maximum of 20
Relevant qualifications of the Project Leader (Valid, certified copies of qualifications to be attached in relevant section of returnable documents)		
Relevant Degree (B Tech; B Eng; BSc) University or University of Technology and Registration with a Professional Body. 0-2 years Post registration experience 2 2 – 5 years Post registration experience 5 5 - 15 years Post registration experience 7 15years + Post registration experience 10 Key Team member qualifications in field of expertise Technical Certificate (N6 Engineering) FET College 2 Technical Diploma (N dip) University of Technology 5 Degree (B Tech; B Eng; BSc Civil) University or University of Technology 7 Registered Professional 10		
TOTAL		Maximum of 20
Registrations with Corporate Membership with Industry Body (CESA, SABTACO etc.). Valid Certified Certificate attached 5 NO Valid Certified Certificate attached 0 Valid Certified Copies of Corporate membership to be included in T2.2M		

Criteria Description	Criteria Scoring	TOTAL points to be scored
Please note: 1) Valid Certified copies of qualifications and professional registration 2) Registration to be included in 6.3 and CVs in 6.2 3) Valid Certified Copy of registration with Industry body		
TOTAL		Maximum of 5
Locality: Fully operational office (attach proof of office address and municipal account) <div style="text-align: right;"> Within Mogalakwena LM 10 Within Waterberg DM 5 Within Limpopo Province 3 Outside Limpopo Province 1 </div>		
TOTAL		Maximum of 10
Proof of employment of team members		
An affidavit as proof of employment of staff	5	
No affidavit as proof of employment of staff	0	
TOTAL		Maximum of 5
GRAND TOTAL		100

A minimum of 70 to be scored to qualify.

Phase 2: Administrative compliance:

Successful bids lodged will be examined to determine administrative compliance. Bids with obvious deviations from the requirements/conditions stated below will be eliminated.

Critical Criteria:

Critical Criteria	Compliance Yes/No (<u>office use only</u>)
• Original Valid Tax Clearance Certificate (Tax Compliance status pin issued should also be attached for new tax clearance certificate issued) (T2.2M)	
• Original signed standard tender documents including initialling of all pages	
• Valid Certified Copy of Company Registration Certificate to be submitted (T2.2N)	
• Valid Professional Indemnity Insurance Cover (T2.2O)	
• Proof of registration with Central Supplier Database (T2.2P)	
• Completed and signed Declaration of Past SCM Practices form (MBD8)	
• Completed and signed Declaration of Interest (MBD4)	
• Completed and signed Declaration of Independent Bid Determination (MBD9)	
• Completed and signed Declaration for Procurement above R10 mil (MBD5)	

PROPOSAL SUBMISSION REQUIREMENTS

TENDER SPECIFICATIONS

- Only relevant professional service providers may submit bid documents
- A relevant professional service provider means a company or person specializing in ELECTRICAL INFRASTRUCTURE who will be required to study all the available information and identify the gaps in the electricity system as a whole in the focus area, do status quo investigations and condition assessments, design and supervise construction etc.
- The fields of expertise required are as follows:

Planning, Scoping, Design and Contract Supervision of:

- Electrical Infrastructure in the municipal area

EXPERIENCE AND EXPERTISE REQUIRED

- The experience and expertise required will be as per the discipline ELECTRICAL INFRASTRUCTURE
- All companies to prove experience and expertise by submitting relevant documentation such as:
 - A company profile and abbreviated staff CV's (4 pages) will be required.
 - Valid, certified copies of proof of registration of personnel with relevant bodies
 - Valid, certified copies of appointment letters and completion certificates for projects from clients
 - Valid certified Copies of qualifications
 - Affidavit
- All documentation to be attached in the relevant sections of the returnable documents

Each successful bidding company is requested to submit an affidavit including the information on their team for **data basing** purposes: refer to T2.2L



CONDITIONS OF CONTRACT (T1.2)

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T1.2 CONDITIONS OF CONTRACT

As this bid is for data basing purposes only there is no commitment for the Mogalakwena Local Municipality to use the services of any bidder during the 3 year period.

When a need is identified the relevant service providers with the relevant expertise will be contracted on a rotational basis to provide services. A Service Level Agreement will be signed for each task/assignment to be awarded. The use of services of service providers is dependent on the needs of the municipality. The municipality cannot be held responsible if the services of the service provider is not required during the 3 year period.

Contract fees as per municipal fee structure which is based on ECSA fee structure guidelines.

The municipal fee structure will be based on the fee structure guidelines in the ECSA document: Guideline for Defining the Scope of Services and for determining the Professional Fees for Persons Registered in terms of the Engineering Profession Act, 200 (Act No. 46 of 2000): Government Gazette No 39480, 04 December 2015, Board notice, Notice 138 of 2015 (or the latest edition at the time of signing the SLA).



T2: RETURNABLE DOCUMENTS
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(All Documents and Schedules MUST BE RETURNED for the tender to Qualify)

- T2.1 List of Returnable Documents
- T2.2 Returnable Schedules

NOTE:

Although the documents “Returnable Documents” are in line with the CIDB model, these are not the only documents to be returned together with the bid. All the documents indicated on document T1, must be completed and signed where applicable and submitted as a complete set of documents.



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T2.1 LIST OF RETURNABLE DOCUMENTS

(All Documents and Schedules MUST BE RETURNED for the tender to Qualify)

The tenderer must complete the following returnable documents

1 Returnable Schedules: Primary Responsiveness		
	T2.2A	General Information
	T2.2B	Authority for Signatory
	T2.2C	Certificate of Authority for Signatory of Joint Ventures/Consortium
	T2.2D	Certificate of Attendance of Briefing Meeting
	T2.2E	Record of Addenda to tender documents
	T2.2F	Tenderer's Deviations or Qualifications
2 Returnable Schedules: Claims for Quality		
	T2.2G	Company Experience In ELECTRICAL INFRASTRUCTURE (value based) (valid certified appointment letters and completion certificates to be attached in 6.1)
	T2.2H	Company's previous Experience In ELECTRICAL INFRASTRUCTURE (number of projects implemented) (valid certified appointment letters and completion certificates to be attached in 6.1)
	T2.2I	Key Personnel Qualifications in the relevant field (including a 4 page abbreviated CV for each of the key personnel to be attached in 6.3)
	T2.2J	Valid Certified Copy of Corporate Membership with Industry Body (CESA, SBTACO)
	T2.2K	Locality – A Valid Certified Copy of a Tenderer's recent municipal account and proof of office address
	T2.2L	Affidavit with List of employees and their fields of expertise (no free lancers)
3 Returnable Schedules: Statements of Compliance (attach required certificates and documentation in Section 6)		
	T2.2M	Original Valid Tax Clearance Certificate (Tax Compliance status pin issued should also be attached for new tax clearance certificate issued)
	T2.2N	Valid Certified Copy of Company Registration
	T2.2O	Tenderer's valid Professional Indemnity Insurance for Civil Engineering Work > R 10 000 000,00

	T2.2P	Proof of Registration with National Treasury Central Data Base
	T2.2Q	Banking details
	T2.2R	Declaration of Interest (MBD 4)
	T2.2S	Declaration of Bidder's Past Supply Chain Management Practices (MBD 8)
	T2.2T	Certificate of Independent Bid Determination (MBD 9)
	T2.2U	Declaration for procurement above R10 million (MBD 5)
4 Returnable Schedules: Contract portion of this document		
	C1.1	Form of Offer and Acceptance
	C1.2	Contract Data
	C2	Scope of service
5 Returnable Schedules: Documents under Separate Cover		
	There are no schedules to be completed for tender purposes in the other documents forming part of this contract	
6 Evidence required		
	6.1	Valid Certified Copies of Appointment letters and completion reports (T2.2G and T2.2H)
	6.2	Company Profile and valid certified copies of CVs of team members (T2.2H)
	6.3	Valid Certified Copies of qualifications of team members, Valid certified Copies of ID and Valid Certified Copy of professional registration with ECSA (T2.2I)
	6.4	Affidavit
	6.5	Proof of Locality



RETURNABLE SCHEDULE: PRIMARY RESPONSIVENESS

APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS

FOR ENGINEERING RELATED SERVICES

FOR A PERIOD OF THREE (3) YEARS

FOR THE URBAN, PERI-URBAN AND RURAL AREAS
OF THE MOGALAKWENA LOCAL MUNICIPALITY

ELECTRICAL INFRASTRUCTURE

MOGALAKWENA LOCAL MUNICIPALITY

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T2.2A GENERAL INFORMATION

1. Name of bidding entity:

2. Contact details

Address : _____

Tel no : _____

Fax no : _____

E-mail address : _____

3. Legal entity (service provider): Mark with an X

Sole proprietor	
Partnership	
Close corporation	
Company (Pty) Ltd	
Joint venture/Consortium	

4. Income tax reference number :

5. For joint ventures/consortiums the following must be attached:

- Written power of attorney for authorized signatory;
- Pro-forma of the joint venture/consortium agreement;

Signed

Date

Name

Position

Tenderer



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T2.2B – AUTHORITY OF SIGNATORY

Signatories for closed corporations and companies shall confirm their authority by attaching to this form a duly signed and dated Valid Certified Copy of the relevant resolution of their members or their board of directors, as the case may be, on the organizations official stationary.

An example of a resolution for a company is shown below:

"By resolution of the board of directors passed on 20....,

Mr/Ms.....

has been duly authorized to sign all documents in connection with the Tender for Contract No **02-2020/2021** for **APPOINTMENT OF A POOL OF PROFESSIONAL SERVICE PROVIDERS FOR ENGINEERING RELATED SERVICES FOR A PERIOD OF THREE (3) YEARS FOR THE URBAN, PERI-URBAN AND RURAL AREAS OF THE MOGALAKWENA LOCAL MUNICIPALITY** –and any Contract which may arise there from on behalf of

(NAME OF THE COMPANY IN BLOCK CAPITALS)

SIGNED BY ACCOUNTABLE OFFICER:
ON BEHALF OF COMPANY

IN HIS/HER CAPACITY AS:

DATE:

SIGNATURE OF DULY AUTHORIZED SIGNATORY:

AS WITNESSES 1

2



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T2.2C CERTIFICATE OF AUTHORITY FOR SIGNATORIES OF JOINT VENTURE/CONSORTIUMS

This Returnable Schedule is to be completed by joint ventures/Consortiums.

We, the undersigned, are submitting this tender offer in Joint Venture/Consortium 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:
Partner		Signature: Name: Designation:
Partner		Signature: Name: Designation:
Partner		Signature: Name: Designation:

Attach hereto (separately) the agreement or undertaking of the Joint Venture/Consortium on the official stationery of the Joint Venture or the lead partner.



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T2.2E 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.		

Signed _____ Date _____

Name _____ Position _____

Tenderer _____



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T2.2F TENDERER'S DEVIATIONS OR QUALIFICATIONS

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

The Tenderer's attention is drawn to clause F.3.14.2 of the Standard Conditions of Tender referenced in the Tender Data regarding the employer's handling of material deviations and qualifications.

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

Page	Clause or item	Proposal

Signed

.....

Date

.....

Name

.....

Position

.....

Tenderer



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Returnable Schedule: Claims for Quality

Please complete all forms below. The supporting documentation to be added in Section 6.

Planning, Scoping, Design and Contract Supervision of Infrastructure in urban, peri-urban and rural areas

T2.2G: PREVIOUS EXPERIENCE IN ELECTRICAL INFRASTRUCTURE - CONSTRUCTION VALUE (VAT INCL.)

Provide the following information on relevant previous experience in Electrical Infrastructure

Note:

- The maximum number of points that can be scored for both company and team members is 40: company = 20 points; Key team members = 20 points
- Proof required: please attach valid certified copies of Appointment Letters and Close Out Certificate in Section 6: Evidence Required: 6.1: Valid Certified Copies of appointment letters and Close Out Certificates

Relevant Experience in similar projects for company						To be completed By MLM
Description of project	Value (R, VAT Included)	Year(s)	Reference			Points Allocated
		Executed	Name	Organization	Tel no	



Relevant experience in similar projects for team member						To be completed By MLM
NAME of KEY TEAM MEMBER						
Description of Project	Value (R, VAT Included)	Year(s)	Reference			Points Allocated
		Executed	Name	Organization	Tel no	

Valid Certified Copies of letters of appointment and closeout certificates for projects to be attached in Section 6

Signature: _____ Date: _____



T 2.2H: RELEVANT PREVIOUS EXPERIENCE IN ELECTRICAL INFRASTRUCTURE PROJECTS – NUMBER OF PROJECTS IMPLEMENTED

Provide the information on **relevant** previous experience in Electrical Infrastructure Projects
To be completed by consultant and project team members.

- The maximum number of points that can be scored for both company and key team member is 20: Company = 10 points; Key team member = 10 points
- Evidence required: maximum 4 page CV of individuals Section 6: Evidence Required: 6.2: Company Profile and copies of CVs of Individuals

<u>EXPERIENCE IN RELEVANT FIELD (COMPANY)</u>							To be completed By MLM
Description of project	Value (R, VAT Included)	Year(s)	Reference			Points Allocated	
		Executed	Name	Organization	Tel no		
1							
2							
3							
4							
5							
6							
7							
8							



EXPERIENCE IN RELEVANT FIELD								To be completed By MLM
NAME of KEY TEAM MEMBER								
Key Team Member Expertise	Description of Project	Value (R, VAT Included)	Year(s)	Reference			Points Allocated	
			Executed	Name	Organization	Tel no		
1								
2								
3								
4								
5								
6								
7								
8								

Signature: _____ Date: _____



T2.2I: KEY PERSONNEL QUALIFICATION RELEVANT TO PROJECT

Key personnel's tertiary qualification in relevant field of expertise that will be deployed for the proposed project duration. (Maximum 15 points).

- Valid Certified copies of ID documents, **relevant qualifications** and valid certified copies of professional registrations to be attached in Section 6 Evidence required: 6.3 Copies of qualifications of team members
- The maximum number of points that can be scored for both project leader and project team member is 20: project leader qualification = 10 points; Key team member 10 points; Evidence required: Valid Certified copies of qualifications attached in Section 6: Evidence Required: 6.3: Valid Certified Copies of Qualifications and registration with relevant professional body

Name and surname	Highest qualification received	Institution attended	Date of completion	Registration number with ECSA
Project Leader				
Qualifications (10)				
Key Team Member				
Qualifications (10)				

Signature: _____ Date: _____



T2.2J CORPORATE MEMBERSHIP WITH INDUSTRY BODY (CESA, SBTACO ETC.).

The maximum number of points that can be scored is 5. Proof of Registration with Industry Body = 5. No proof of registration = 0

- **Evidence required:** Valid Certified Copies of registration with Industry body to be included in **T2.2M**

Registration with Industry Body

Name of Industry Body	Registration number	Date Issued



T2.2K: LOCALITY; FULLY OPERATIONAL OFFICE

The maximum number of points that can be scored is 5.

Within Mogalakwena LM	10
Within Waterberg DM	5
Within Limpopo Province	3
Outside Limpopo Province	1

Evidence to be supplied:

- Proof of office address
- Latest municipal account

Attach proof in Section 6 Evidence Required: 6.5 Proof of Address and Municipal account.

Item	Score (office use only)
Within Mogalakwena LM	
Within Waterberg DM	
Within Limpopo Province	
Outside Limpopo Province	

Signed

Date

Name

Position

Tenderer



T2.2L: LIST OF OTHER PERSONNEL RELEVANT TO THE APPLIED FIELD OF EXPERTISE

An affidavit with a list of employees, their highest qualification received and their fields of expertise to be attached in Section 6: 6.4

Maximum number of points to be scored = 5

Affidavit submitted = 5

No affidavit submitted =0

Please note: No Freelancers to be included

Item	Score (office use only)
Affidavit submitted	
No affidavit submitted	





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Returnable Schedule: Statements of Compliance

Please complete all forms below. The supporting documentation to be added in Section 6.



T2.2M: TAX CLEARANCE

Original Valid tax clearance Certificate (Tax Compliance status pin should also be attached for new tax clearance certificates issued)

Please attach a copy to this page



T2.2N: VALID CERTIFIED COPY OF COMPANY REGISTRATION CERTIFICATE

Please attach a valid certified copy of the company registration certificate to this page



T2.20: VALID PROFESSIONAL INDEMNITY COVER

Please attach valid, professional indemnity cover >R 10 000 000.00 to this page



T2.2P: PROOF OF REGISTRATION ON THE NATIONAL TREASURY CENTRAL DATA BASE

Attach valid proof of registration on the National Treasury Central Data Base to this page



T2.2P: TENDER'S BANK ACCOUNT INFORMATION

If the Tenderer is a Joint Venture or Consortium, the information requested below is required for each Member.

I/We hereby authorise Mogalakwena Local Municipality to approach all or any of the following Banks for the purposes of obtaining a financial reference:

	Bank Details
Name of Bank	
Branch Name	
Branch Code	
Account Number	
Type of Account	

Tenderer's Tax Details

Tenderer's VAT vendor registration Number:

Tenderer's SARS Tax reference Number:

Attach a signed and original Account Confirmation Letter from the Bank:

Note: Bank Letter must not be older than 3 (three) Months.

I hereby confirm that the required documentation as requested above has been attached to this document.

Signed Date

Name Position

Tenderer





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T2.2R DECLARATION OF INTEREST (MBD4)

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

2.1 Full Name of bidder or his or her representative:

.....

Identity Number:

Position occupied in the Company (director, trustee, shareholder²):

.....

Company Registration Number:

Tax Reference Number:

VAT Registration Number:



2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

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

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

If so, furnish the following particulars:

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

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

.....

Position occupied in the state institution:

Any other particulars:

.....

.....

If you are presently employed by the state, did you obtain YES / NO
the appropriate authority to undertake remunerative
work outside employment in the public sector?

If yes, did you attached proof of such authority to the bid YES / NO
document?

(Note: Failure to submit proof of such authority, where
applicable, may result in the disqualification of the bid.

If no, furnish reasons for non-submission of such proof:

.....

Did you or your spouse, or any of the company's directors / YES / NO
trustees / shareholders / members or their spouses conduct



business with the state in the previous twelve months?

If so, furnish particulars:

.....

.....

Do you, or any person connected with the bidder, have YES / NO
any relationship (family, friend, other) with a person
employed by the state and who may be involved with
the evaluation and or adjudication of this bid?

2.9.1 If so, furnish particulars.

.....

.....

2.10 Are you, or any person connected with the bidder, YES/NO
aware of any relationship (family, friend, other) between
any other bidder and any person employed by the state
who may be involved with the evaluation and or adjudication
of this bid?

2.10.1 If so, furnish particulars.

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members YES/NO
of the company have any interest in any other related companies
whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

.....

Full details of directors / trustees / members / shareholders.

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

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number
Attach a list to this page if table has insufficient space.			

DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF F.1.1.2 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

Signed Date

Name Position

Enterprise name





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**T2.2S DECLARATION OF BIDDER'S PAST SUPPLY CHAIN
MANAGEMENT PRACTICES (MBD 8)**

This form is part of the Municipal Bidding Documentation.

- 2 This form 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 to combat the abuse of the supply chain management system.
- 3 **The Tender of any Bidder may be rejected if the Bidder, or any of its directors have:**
- a) Abused the Municipality'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 or failed to comply with any government, municipal or 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 Corruption Activities Act (No 12 of 2004).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

ITEM	QUESTION	YES	NO
4.1	Is the Tenderer or any of its directors listed on the National Treasury's database as a company or person prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).		
4.1.1	If so, furnish particulars:		



ITEM	QUESTION	YES	NO
4.2	Is the Tenderer or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corruption Activities Act (No 12 of 2004)? (To access this Register enter the National Treasury's website www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012 326 5445).		
4.2.1	If so, furnish particulars:		
4.3	Was the Tenderer 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?		
4.3.1	If so, furnish particulars:		
4.4	Does the Tenderer or any of its directors owe any municipal rates and taxes or municipal charges to the municipality/municipal entity, or any other municipality/municipal entity, that is in arrears for more than three months?		
4.4.1	If so, furnish particulars:		
4.5	Was any contract between the Tenderer 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?		
4.5.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM TO BE TRUE AND CORRECT.

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

Signed Date

Name Position

Tenderer





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**T2.2T CERTIFICATE OF INDEPENDENT BID DETERMINATION
(MBD9)**

I, the undersigned, in submitting the accompanying bid:

MOGALAKWENA LOCAL MUNICIPALITY

TENDER No.: 02-2020/2021

**FOR - Appointment of a Pool of Professional Service Providers for Engineering Related Services for a
Period of Three (3) Years for the Urban, Peri-Urban and Rural Areas of the Mogalakwena Local
Municipality: ELECTRICAL INFRASTRUCTURE**

in response to the invitation for the bid made by:

MOGALAKWENA LOCAL MUNICIPALITY

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

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the work "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 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 consortium will not be constructed as collusive bidding. (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).
7. In particular, without limiting the generality of paragraph 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 the awarding of the contract.
10. I am aware that , in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No.89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No.12 of 2004 or any other applicable legislation.

Signed

Date

Name

Position

Enterprise
name





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**T2.2U DECLARATION FOR PROCUREMENT ABOVE R10 MILLION
(ALL APPLICABLE TAXES INCLUDED) MBD5**

For all procurement expected to exceed R10 million (all applicable taxes included), bidders must complete the following questionnaire:

1	Are you by law required to prepare annual financial statements for auditing?	Yes	No
1.1	If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the past three years.		
2	Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than three months or any other service provider in respect of which payment is overdue for more than 30 days?	Yes	No
2.1	If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than three months or other service provider in respect of which payment is overdue for more than 30 days. * Delete if not applicable		
2.2	If yes, provide particulars. * Delete if not applicable		
3	Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract?	Yes	No
3.1	If yes, furnish particulars		
4	Will any portion of goods or services be sourced from outside the Republic, and, if so, what portion and whether any portion of payment from the municipality / municipal entity is expected to be transferred out of the Republic?	Yes	No
4.1	If yes, furnish particulars		



CERTIFICATION

I, THE UNDERSIGNED (NAME)

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

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

Signed

Date

Name

Position

*Enterprise
name*





C1: AGREEMENTS AND CONTACT DATA

APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS
FOR ENGINEERING RELATED SERVICES
FOR A PERIOD OF THREE (3) YEARS
FOR THE URBAN, PERI-URBAN AND RURAL AREAS
OF THE MOGALAKWENA LOCAL MUNICIPALITY

ELECTRICAL INFRASTRUCTURE

MOGALAKWENA LOCAL MUNICIPALITY

Tender No. 02-2020/2021

Notice No: 115/20220

C1.1 FORM OF OFFER AND ACCEPTANCE

OFFER

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

APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS FOR ENGINEERING RELATED SERVICES FOR A PERIOD OF THREE (3) YEARS FOR THE URBAN, PERI-URBAN AND RURAL AREAS OF THE MOGALAKWENA LOCAL MUNICIPALITY: ELECTRICAL INFRASTRUCTURE

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

By the representative of the Tenderer, deemed to be duly 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.

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 including the Schedule of Deviations (if any) to the tenderer before the end of the agreed period of validity, or other period as agreed, whereupon the tenderer becomes the party named as the **Service Provider** in the conditions of contract identified in the Contract Data.

Signature(s)

Name(s)

Capacity

For the tenderer:

Insert name and address organisation:
.....
.....
.....
.....

Name of witness:

Signature of Witness

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 Contractor the amount due in accordance with the conditions of contract identified in the Contract Data. Acceptance of the tenderer's Offer shall form an agreement between the Employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

Part C1	Agreements and Contract Data, (which includes this Form of Offer and Acceptance)
Part C2	Scope of Service: Works Information

and drawings and documents (or parts thereof), which may be incorporated by reference into the above listed Parts.

Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto listed in the Returnable Schedules as well as any changes to the terms of the offer agreed by the tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Form of Offer and Acceptance. No amendments to or deviations from said documents are valid unless contained in this Schedule.

The tenderer shall within two weeks 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 securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect two working days after the submission by the employer of one fully completed original copy of this document including the schedule of deviations (if any), to a courier-to-counter delivery / counter-to-counter delivery / door-to-counter delivery /door-to-door delivery /courier service (delete that which is not applicable), provided that the employer notifies the tenderer of the tracking number within 24 hours of such submission. Unless the tenderer (now **Service Provider**) within seven working days of the date of such submission notifies the employer in writing



.....
of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature(s)

Name(s)

Capacity

for the Employer

*(Insert name and address of
organisation)*

Name &
signature of
witness

Date



Schedule of Deviations

1 Subject	
Details	
.....	
.....	
.....	
2 Subject	
Details	
.....	
.....	
.....	
3 Subject	
Details	
.....	
.....	
.....	
4 Subject	
Details	
.....	
.....	
.....	

By the duly authorised representatives signing this agreement, 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 returnable schedules, as well as any confirmation, clarification or changes 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.





**APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS
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**MOGALAKWENA LOCAL MUNICIPALITY
Tender No. 02-2020/2021
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C.1.2 CONTRACT DATA

The Conditions of Contract are the CIDB Standard for Uniformity in Construction Procurement (May 2010) as published in Government Gazette No 33239, Board Notice 86 of 2010. (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.

Part 1: Data provided by the Employer

Clause	DATA
	The Employer is Mogalakwena Local Municipality
3.4 and 4.3.2	The authorised and designated representative of the Employer is: Name: GN Ramango The address for receipt of communications is: Telephone: (015) 491 9691/9601 E-mail: ramangog@mogalakwena.gov.za Address: 54 Retief Street, MOKOPANE
1	The Project is “ APPOINTMENT OF A POOL OF PROFESSIONAL SERVICE PROVIDERS FOR ENGINEERING RELATED SERVICES FOR A PERIOD OF THREE (3) YEARS FOR THE URBAN, PERI-URBAN AND RURAL AREAS OF THE MOGALAKWENA LOCAL MUNICIPALITY: ELECTRICAL INFRASTRUCTURE ”
1	The Period of Performance is for the 3 financial years commencing in 2020/2021 F/Y
1	The Start Date is to be confirmed with successful Bidder
3.4.1	Communications by e-mail / facsimile is not permitted.
3.6	The Service Provider may not release public or media statements or publish material related to the Services or Project under any circumstances.
3.15	Service providers will be appointed on a rotational basis as per their fields of expertise and a Service Level Agreement to be signed for each identified task/assignment



3.15.2	The appointment of Service Providers is dependent on funding availability.
3.16	Relevant ECSA fee structure to be used
3.16.1	“The Employer reserves the right, by giving written 30 days’ notice to the Consultant, to stop the progress of a particular project/stage at any time. Should the employer exercise this right, the Employer will pay the Consultant for work done and expenses incurred only up to the time that the notice was given.”
5.4.1	The Service Provider is required to provide professional indemnity cover in an amount of R 10 000 000.00 in respect of a claim without limit to the number of claims.
5.5	The Service Provider is required to obtain the Employer’s prior approval in writing before taking any of the following actions: 1 Commencement of any work 2 Appointment of Specialist work service providers 3 Appointment of Sub-consultants 4 Prior approaching any potential funders
7.2	The Service Provider is required to provide personnel as per team members indicated in T2.2J
8.1	The Service Provider is to commence the performance of the Services within 7 Days of date that the Contract becomes effective.
8.2.1	The Contract is concluded when the three year period has been completed
8.4.3 (c)	The period of suspension under clause 8.5 is not to exceed Four months
9.1	Copyright of documents prepared for the Project shall be vested with the Mogalakwena Local Municipality.
9.3	Change “shall have no right” to “shall have the right”
11.1	The service Provider is deemed to have all the skills necessary to provide the services detailed in the Scope of service. Therefore, the Service Provider may not subcontract any work which he has the skill and competency to perform.
12.1	Interim settlement of disputes is to be by mediation
12.2 / 12.3	Final settlement is by arbitration
12.2.1	<i>In the event that the parties fail to agree on a mediator, the mediator is nominated by the President of CESA</i>
12.4.1	In the event that the parties fail to agree on an arbitrator, the arbitrator is nominated by ECSA
13.1.3	All persons in a joint venture or consortium shall carry a minimum professional indemnity insurance of R10 000 000.00
15	The interest rate will be as prime interest rate of the Employers bank at the time that the amount is due.
	<i>The additional conditions of contract are:</i>

	<p>Once the service provider has been appointed for a task/assignment as part of the Service Level Agreement a detailed work programme with milestones would need to be submitted by the service provider to the municipality.</p> <p>The fee structure will be in accordance with the fee structure in the ECSA document: Professional Fees for Persons Registered in terms of the Engineering Profession Act, 200 (Act No. 46 of 2000): Government Gazette No 39480, 04 December 2015, Board notice, Notice 138 of 2015 (as amended from time to time)</p> <p>The PSP will be required to sign a Service Level Agreement with the Client prior to commencement of work</p>
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PART 2: CONTRACT DATA PROVIDED BY THE SERVICE PROVIDER

Clause	Details
5.1	The name of the Service Provider is.
5.3	<p>The authorised and designated representative of the Service Provider is:</p> <p>Name:.....</p> <p>Designation:.....</p> <p>The physical address and details of the Service Provider is:</p> <p>Telephone:</p> <p>Email:</p> <p>Address (physical):</p> <p>.....</p> <p>.....</p> <p>Address (postal):</p> <p>.....</p> <p>.....</p>

Signed

Date

Name

Position

Tenderer





C2: SCOPE OF SERVICE

**APPOINTMENT OF A POOL OF SIX (06) PROFESSIONAL SERVICE PROVIDERS
FOR ENGINEERING RELATED SERVICES
FOR A PERIOD OF THREE (3) YEARS
FOR THE URBAN, PERI-URBAN AND RURAL AREAS
OF THE MOGALAKWENA LOCAL MUNICIPALITY**

ELECTRICAL INFRASTRUCTURE

MOGALAKWENA LOCAL MUNICIPALITY

Tender No. 02-2020/2021

Notice No: 115/20220

C2: SCOPE OF SERVICE

BACKGROUND

According to Schedule 4 Part B of the Constitution of South Africa Local Government is responsible inter alia for "... electricity and gas reticulation, municipal planning, stormwater management systems in built-up areas, water and sanitation services limited to potable water supply systems and domestic wastewater and sewage disposal systems" and according to Schedule 5 Part B local government is also responsible for "... municipal roads".¹

It is therefore the mandate that, as a local municipality, the Mogalakwena Local Municipality is responsible for the supply of water, sanitation, roads and electrical services within its area of Jurisdiction.

The Mogalakwena municipal area can be divided into urban, peri-urban and rural areas. The focus of this scope of service includes the urban, peri-urban areas (including extensions), as well as rural areas of Mogalakwena

ELECTRICITY

For the urban and peri-urban areas of Mogalakwena a master plan study for electricity has been completed as the municipality is responsible for the supply of electricity to these areas. The existing infrastructure has been investigated and the available information has been captured on the Edisan modelling software for management of the systems. However, the information captured is incomplete and fragmented.

The appointed consultant will be required to study all the available information and identify the gaps in the electricity system as a whole in the focus area. The status quo investigation including condition assessment for the gaps identified will need to be investigated to complete the modelling started by the previously appointed Professional Service Providers. Planning of the identified infrastructure gaps is to be implemented as and when funding becomes available.

SERVICES REQUIRED

The municipality intends to appoint a Pool of Professional Service Providers for Engineering Related Services for a Period of Three (3) Years for the Urban, Peri-Urban and Rural Areas of the Mogalakwena Local Municipality: ELECTRICAL INFRASTRUCTURE for:

¹ Constitution of the Republic of South Africa No 108 of 1996



Planning, Scoping, Design and Contract Supervision of:

- Electrical Infrastructure in the municipal area

The service provider will be responsible for the following deliverables of Engineering Management Services as per ECSA guidelines:

- Stage 1 - Inception
- Stage 2 - Concept and Viability (Often called Preliminary Design)
- Stage 3 - Design Development (also termed Detail Design)
- Stage 4 - Documentation and Procurement
- Stage 5 - Contract administration and Inspection
- Stage 6 - Close –out

All fees to be paid according to ECSA Fee Structure (the latest published document)

DURATION

The appointment to the pool will be for a period of 3 years. All work done will be dependent on the availability of funding. SLAs to be signed for each appointment to do work. The municipality **does not guarantee** any PSP work during the 3 years as all work is dependent on funding received by the municipality.

Signed

Date

Name

Position

Tenderer

**5 Returnable Schedule:
Documents under Separate Cover**

Not applicable to this bid document



6 Evidence required

**Please attach relevant documents under
relevant sections**



6.1 Copies of Appointment letters (T2.2G and T2.2H)

Please attach copies of Appointment letters and Completion Certificates (as proof of work done) to this section



6.2 Company Profile and copies of CVs of team members (T2.2H)

**Please attach a company profile and CVs of team members to this section
(Maximum of 4 pages)**



6.3 Copies of qualifications (T2.2I)

Please attach valid certified copies qualifications of team members to this section



6.4 Affidavit

List of Personnel Relevant to the applied field of Expertise

Please attach the affidavit to this page



6.5 Locality

Attach a valid copy of proof of address as well as a copy of a municipal account

