

MATJHABENG LOCAL MUNICIPALITY



BID DOCUMENT

BID NO: BID/02/2023-24

PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

CLOSING DATE: 02/10/2023 CLOSING TIME: 12:00PM

TECHNICAL ENQUIRIES	BIDDING RELATED ENQUIRIES
SENIOR MANAGER: LOCAL ECONOMIC DEVELOPMENT Mr TB MNISI MATJHABENG LOCAL MUNICIPALITY P O BOX 708 WELKOM 9460 Tel : (057) 916 4073 E-mail: Themba.Mnisi@matjhabeng.co.za	ACCOUNTANT (TENDERS): SUPPLY CHAIN MANAGEMENT Mr LF SEBATANE MATJHABENG LOCAL MUNICIPALITY P O BOX 708 WELKOM 9460 Tel: (057) 391 3911 E-mail: lesibos@matjhabeng.co.za

NB: ONE DOCUMENT PER AREA OF EXPERTISE

FIELD BIDDING FOR : *example: Built Environment*

AREA OF EXPERTISE BIDDING FOR : *example: Town Planning*

NAME OF BIDDER (BIDDING ENTITY) :

LETTER OF EXPRESSION OF INTEREST FROM THE APPLICANT:

THE MUNICIPAL MANAGER
MATJHABENG LOCAL MUNICIPALITY
P O BOX 708
WELKOM
9460

EXPRESSION OF INTEREST

Call for Expression of Interest No. : _____

Deadline for the submission of the Expression of Interest: : _____

Applicant submitting the Expression of Interest:

(Company name)

(Company Registration number)

Dear Sir or Madam,

Herewith we are submitting our Expression of Interest on behalf of (Applicant) _____

in response to the Call for Expression of Interest No. _____ for
the provision of professional services as in and when required within a period of three years.

The undersigned is duly authorized to represent (Applicant) _____

By signing this form certifies and declares that the information contained in this Expression of Interest and its Appendices is complete and correct in all its elements.

Yours sincerely,

Signature(s) : _____

Name and position: _____

Applicant's name: _____

Place: _____ Date (day/month/year): _____

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Witness 1

Initials
Witness 2

Initials
Employer

Initials
Witness 1

Initials
Witness 2

PLEASE TICK ON THE AREA OF EXPERTISE FOR WHICH THE EXPRESSION OF INTEREST IS SUBMITTED

Field	Area of Expertise	<i>(tick where appropriate)</i>
Built Environment	Town Planning	
	Urban Design	
	Land Surveying	
	Architecture	
	Environmental	
	Geology	
	Anthropology	
Socio-Economic Development	Development Planning	
	Economics	
	Statistics	
	Media and Marketing	
	Event Tourism/Event Organizers	
	Social Facilitation and Mediation	
Project Management and Transactional Advisory Services	Transactional Advisor	
	Project Management	

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Witness 2

APPLICANT DETAILS

1.1 APPLICANT IDENTIFICATION

SUMMARY AND CONTACT INFORMATION REQUIRED	
NAME OF THE COMPANY	
CONTACT DETAILS	Address: Tel: Fax: e-mail:
COMPANY REGISTRATION DETAILS	Date of registration: Registration number:
VAT	Registration number:

1.2 PERSON AUTHORIZED TO SUBMIT THE EXPRESSION OF INTEREST ON BEHALF OF THE APPLICANT AND APPROPRIATE EVIDENCE OF SUCH AUTHORIZATION

INFORMATION REQUIRED	
TITLE	Mr./Ms./Dr/other (delete or complete as appropriate)
NAME	Surname: First Name:
POSITION	

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 Witness 2

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 Employer

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 Witness 1

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 Witness 2

CONTACT DETAILS	Address: Tel: Fax: e-mail:
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1.3 CONTACT PERSON (if different from 1 .2)

INFORMATION REQUIRED	
TITLE	Mr./Ms./Dr/other (delete or complete as appropriate)
NAME	Surname: First Name:
POSITION	
CONTACT DETAILS	Address: Tel: Fax: e-mail:

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MATJHABENG LOCAL MUNICIPALITY



PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

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VERY IMPORTANT NOTICE ON DISQUALIFICATIONS:

The municipality shall adjudicate and award tenders in accordance with the Preferential Procurement Policy Framework Act 5 of 2000 and revised Preferential Procurement Regulation June 2022 on 100 points functionality and administrative compliance only.

A bid not complying with the peremptory requirements stated hereunder will be regarded as not being an “Acceptable bid”, and as such will be rejected.

“**Acceptable Bid**” means any bid which, in all respects, complies with the conditions of Bid and specifications as set out in the bid document, including conditions as specified in the Preferential Procurement Policy Framework Act, revised Preferential Procurement Regulations and related legislations:

1. Submit bid in the correct bid box
2. Submit bid before closing date and time
3. Fill in the required information in all Forms/Schedules.
4. Complete all Forms/Schedules in ink. Do not use pencils or correction fluid to make corrections.
5. Make corrections, if necessary, only by placing a line across the words/numbers to be corrected and initial next to the amended text. Do not scratch out, write over, paint over words/ numbers or use correction fluid.
6. Do not remove pages from the bid document. Do not take the document apart or remove any pages.
7. Ensure that witnesses sign where required
9. Attend the compulsory site/clarification meetings
10. Submit the applicable completed Authority for Signatory form and attach a certified copy of the members/ director’s resolution
11. Attach to the bid documents a copy of a signed Joint Venture agreement (if applicable)
12. Only the person authorized to do so may sign the bid offer
14. Submit Company registration documents
15. Submit a valid tax compliance status letter and SARS verification pin on the SARS letterhead (in the case of a joint venture, all the partners in the joint venture must attach such documents)

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16. Submit proof of registration with the **Central Supplier Data Base (CSD)** of the National Treasury.
18. Submit proof of registration for Workmen's compensation with the Department of Labour in terms of Compensation for Occupational Injuries and Diseases Amendment Act, No.61 of 1997 (as amended)
19. Failure to submit a B-BBEE Verification Certificate from a Verification Agency accredited by South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulation Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

Furthermore, the bid will be considered as not acceptable if:

20. The bidder attempts to influence or has in fact influenced the evaluation of the bid and/or the awarding of the contract.
21. The bidder during the last 5 years has failed to perform satisfactorily on a previous contract with the municipality, municipal entity or any other organ of state after written notice was given to that bidder that performance was unsatisfactory.
22. The bidder or any of his directors is listed on the Register of Bid 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.
23. The bidder has abused the Matjhabeng LM's Supply Chain Management System
24. The bidder or any of its directors is in arrears for more than 3 months for any municipal rates and taxes owed to the Matjhabeng LM or any other municipality.
25. Irrespective of the procurement process followed, no award may be given to a person-
 - a) who is in the service of the state, or
 - b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or
 - c) who is an advisor or consultant contracted with the municipality in respect of contract that would cause a conflict of interest.
26. The bidder may only submit a bid on the documentation provided by the Matjhabeng LM.
27. The Bidder cannot submit more than one bid for the same area of expertise.
28. The Bid document must be initialed on the bottom of each and every page as provided for on each page.

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PLEASE NOTE:

1. **Section 217 of the constitution of the Republic of South Africa requires an organ of state to contract for goods and services in accordance with a system which is fair, equitable, transparent, competitive and cost effective.**
2. **The lowest bid / proposal will not necessarily be accepted, and the Municipality reserves the right to accept where applicable a part or portion of any bid or where possible accepts bids or proposals from multiple bidders.**
3. **Municipal Supply Chain Management policy and Preferential Procurement Policy Framework Act No 5 of 2000 and its regulations will be applied.**
4. **In this document and other documents referred to but not attached, the following words are synonymous with each other:**
 - a) **Client, Employer, Matjhabeng Local Municipality**
 - b) **Bidder, Consultant, Agency, Service Provider**
 - c) **Bid and Tender and Variations Thereof**
 - d) **Joint Venture / Consortium**

APPROVED BY:

Adv Lonwabo Ngoqo
Municipal Manager

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MATJHABENG LOCAL MUNICIPALITY



PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

E1: SUBMISSION PROCEDURE

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Witness 2

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E1.1 Notice and Invitation to submit an expression of interest

MATJHABENG LOCAL MUNICIPALITY



**PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS
- STAGE ONE -**

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TENDER NUMBER	DESCRIPTION	EVALUATION CRITERIA	PRICE PER DOCUMENT (Non-Refundable)	COMPULSORY BRIEFING SESSION	CONTACT PERSON (SCM)	CONTACT PERSON (TECHNICAL)	CLOSING DATE AND TIME
BID/02/2023-24	PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS	1. MANDATORY 2. FUNCTIONALITY 3. 80/20 OR 90/10 FOR PRICE & SPECIFIC GOALS (CRITERIA INSIDE THE TENDER DOCUMENT)	R2000,00	N/A	Lesibo Sebatane Tel: 057 391 3911 Email: lesibos@matjhabe ng.co.za Sylvia Malgas Tel: 057 391 3911 Email: sylvia.malgas@matjhabeng.co.za	Mr T.B Mnisi Tel: (067) 376 3530 E-mail: Themba.Mnisi@matjhabeng.co.za	02 nd of October 2023 @ 12h00pm
Availability of Tender Documents:			Submission of Tender Documents:				
Date: 4 th of September 2023 Documents accessibility: Downloadable for free on E-Tender Portal or printed document available at the Municipal Main Building at R600,00 (See address below)			In the Tender Box placed at the entrance of Municipal Offices situated at: Matjhabeng Local Municipality 319 Cnr Ryk & Stateway Street Civic Centre, Main Entrance Main Building Welkom 9460				
Purchase of tender documents can be made at the following Cashier Points			Or alternatively via Electronic Funds Transfer (EFT) to the following:				
Finance Department Matjhabeng Local Municipality 319 Cnr Ryk & Stateway Street Finance Building Welkom 9460			Municipal Bank Account: Absa Bank Account No: 4053705465 Branch Code: 632 005 Ref No: Tender Number				
NB: Payments cannot be made at the Supply Chain Management Offices							

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Interested companies, tax compliant companies are invited to submit Expression of Interest (EOI) for the provision of Built Environment, Socio-Economic and Project and Transactional Advisory services. The scope of work for the companies must be of standard services in accordance with the regulatory bodies of South Africa. The companies must demonstrate capabilities and experience in the following areas of expertise:

Field	Service or Expertise	Period
1. Built Environment Field	Town Planning	36 Months
	Urban Design	
	Land Surveying	
	Architecture	
	Environment	
	Geology	
	Anthropology	
2. Socio-Economic Development Field	Development Planners	
	Economists	
	Statistics	
	Event Tourism/Event Organizers	
	Media and Marketing	
3. Project Management and Transactional Advisory services	Social Facilitation and Mediation	
	Transactional Advisors	
Project Management		
Total		

The EOI bid documents will only be available from 04th September 2023 and may be obtained from Matjhabeng Local Municipality during working hours: 07h30am to 16h00pm (Monday to Friday).

No compulsory briefing required for these services. The completed EOI bid document and supporting documents shall be sealed in an envelope and package clearly marked as follows:

“Tender Number: BID/02/2023-24 – PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS – STAGE ONE”

Duly completed bids shall be placed in the tender box situated at the **entrance of Municipal Offices, Municipal Civic Centre, 319 Stateway, Welkom not later than 12:00 pm of the closing date.** Not later than **12:00pm** on the **02nd of October 2023.** No Fax or Late Bids will be accepted.

The submitted Expression of interest (EOI) Bids will be evaluated on administrative compliance and Functionality in the submission requirement of this tender document.

Successful Bidders shall form part of the Matjhabeng Local Municipality’s Panel of Consultants for the provision of various services for a period of three (3) years, enlisted in order of the highest scores and to a limited number as indicated per field and area of expertise. The

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Consultants shall be selected after a successful stage two bidding process and on rotational basis where applicable as and when required and at some point, on a risk basis depending on the nature of service required or when budget for specific projects is available.

The panel shall remain valid and readily available for a period of three (3) years subject to the conditions of the tender document.

Matjhabeng Local Municipality reserves the right to appoint shortlisted companies or individuals within the validity period of the panel of consultants.

All Technical enquiries are to be directed to MR T.B MNISI @ Themba.Mnisi@matjhabeng.co.za

MATJHABENG LOCAL MUNICIPALITY RESERVES THE RIGHT, AT ITS OWN DISCRETION, TO SHORT-LIST ANY OR NONE OF THE RESPONDENTS INTO ITS PANEL OF CONSULTANTS

**Adv Lonwabo Ngoqo
Municipal Manager**

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E1.2 Submission Data

The conditions applicable to this call for expressions of interest tender are the Standard Conditions for the calling for Expressions of Interest as contained in the South African regulatory bodies for various services of different professional affiliations and applicable guidelines.

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

Each item of data given below is cross-referenced to the clause in the Standard Conditions for the calling for Expressions of Interest.

Submission Data	
The Employer is Matjhabeng Local Municipality	
The documents associated with the calling for expressions of interest issued by the employer comprise:	
Part E.1: Submission procedures	
E.1.1	Invitation and notice for submissions of expressions of interest
E.1.2	Submission data
Part E.2: Returnable documents	
E.2.1	List of returnable documents
E.2.2	Submission schedules
Part E.3 Indicative scope of work	
E.3	Indicative scope of work

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Only those respondents who satisfy the following eligibility criteria are eligible to submit expressions of interest:

1. The companies who have capabilities and experience in the following areas of expertise:

Field	Service or Expertise
Built Environment Field	Town Planning
	Urban Design
	Land Surveying
	Architecture
	Environmental
	Geology
	Anthropology
Socio-Economic Development Field	Development Planning
	Economists
	Statistics
	Event Tourism/Event Organizers
	Media and Marketing
	Social Facilitation and Mediation
Project Management and Transactional Advisory services	Transactional Advisors
	Project Management
Total	

2. Companies must have experienced staff and where applicable registered with relevant professional regulatory bodies of their field of expertise.

The employer’s address for delivery of submissions and identification details to be shown on each submission package are:

Location of tender box: Entrance of Municipal Offices not later than 12:00 pm of the closing date.

Physical Address: Municipal Civic Centre, 319 Stateway, Welkom

Identification details: “Tender Number: BID/02/2023-24 – PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

The closing time for submissions is as stated in the Notice and Invitation to Submit an Expression of Interest.

Telephonic, telegraphic, telex, facsimile or e-mailed submissions offers will not be accepted.

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This is the stage 1 and 2 of the bidding process and the procedure for evaluation for responsive expression of interest (EOI) bids is:

- Administrative compliance
- Functionality

Successful Bidders on stage 1 and 2 will be enlisted in the Panel of Consulting Companies or Individual Specialists in the Built Environment, Socio-Economic Development, Project Management & Transactional Advisory Services for a period of 3 years, in the order of the highest scores and later invited on a rotational basis to bid on stage 3 as and when the services are required. The project will then be allocated to the successful Bidder in Stage 3.

All Bidders who submit responsive submissions and:

1. a) submit a valid tax compliance status letter issued by the South African Revenue Services and a SARS Verification Pin or have made arrangements to meet outstanding tax obligations;
b) the bidder is not in arrears for more than 3 months with municipal rates and taxes and municipal service charges.
c) do not have any of their 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) have not abused the Employer's Supply Chain Management System or have failed to perform on any previous contract and have been given a written notice to this effect.
e) have completed the returnable documents in full and who are considered by the Employer not to have any conflicts of interest which may impact on their ability to perform the proposed contract in the best interests of the Employer or potentially compromise the tender process and are free of persons in the state who are not permitted to submit tenders or to participate in the contract; and
2. If in the opinion of the Employer, can as necessarily demonstrate that they possess the necessary professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel to perform the contract; will have their submissions scored

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3. The quality criteria are to be scored according to the following functionality:

Field	Expertise	Skills Required	Knowledge and Experience
Built Environment Field	Town Planning, Urban Design, Development Planning, Land Surveying, Architecture, Environmental, and Geology	Land Development Feasibility Analysis, Land Use & Land Development Application Processes, Urban Regeneration and Redevelopment, Sustainability and Green Building, Land Use Management and Spatial Planning Policy and Legislation, GIS and Spatial Analysis, Urban Design, Precinct planning & Management, Building & infrastructure Design, Ability to conduct Environmental Impact Assessments, Practical and technical geotechnical skills, Environmental Impact Assessment skills, Community Engagement & Stakeholder Management.	Experience
			Professional Affiliation
			Personnel Qualification
			Project Management
			Traceable References
Socio-Economic Field	Economics, Statistics, Media and Marketing, Event Tourism/Event Organizing, and Social Facilitation and Mediation	Economic Analysis, Market Research, Financial Analysis, Economic Policy, Economic Development Strategies, Statistical Analysis, Sampling Techniques, Data Visualization, Predictive Modeling, Statistical Software, Marketing Strategy, Branding and Positioning, Digital Marketing, Market Segmentation, Marketing Analytics, Tourism Planning, Tourism Marketing and Promotion, Tourism Impact Assessment, Visitor Experience Enhancement, Sustainable Tourism, Conflict Resolution, Communication and Facilitation, Negotiation Skills, Stakeholder Engagement, Business and Legal Expertise, Cultural Assessment, Social Impact Assessment, Land Acquisition and Negotiation,	Experience
			Personnel Qualification
			Project Management
			Traceable References
Project Management, Transactional Services	Transactional Advisors, Project Managers,	Financial Analysis and Due Diligence, Deal Structuring and Negotiation, Valuation and Pricing, Legal and Regulatory Compliance, Transaction Management, Understanding of Public-Private Partnerships (PPP) Models, Project Planning and Execution, Risk Management, Resource Allocation and Budgeting, Community Engagement and Participation, Conflict Resolution and Mediation, Social Impact Assessment, Cultural Sensitivity and Diversity, Communication and Facilitation, Market Analysis and Feasibility, Land Acquisition and Site Development, Financial Management, Real Estate Market Knowledge, Auction Management, Valuation and Appraisal, Bidding Process and Documentation, Legal and Ethical Compliance	Experience
			Personnel Qualification
			Project Management
			Traceable References

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3. The evaluation criteria for functionality shall be scored by an evaluation committee in accordance with the submission data on the following aspects:

- Form L: Approach Paper (Dummy Project Plan)
- Form M: Organization and Staffing (Capacity)
- Form N: Experience of key personnel
- Form O: Bidder's Experience
- Form P: Traceable References
- Form Q: Professional Affiliation (Where applicable)

Scores will be allocated to each of the criteria based on the indicators contained in these schedules.

The minimum number of evaluation points for functionality is **70 points** and will thereby qualify bidders to be enlisted in the Panel of Consulting Companies or Individual Specialists in the Built Environment, Socio-Economic Development, Project Management & Transactional Advisory Services for a Period of 3 Years and will therefore be according to the order of the highest scorers.

The additional conditions of submission are:

1. Successful Bidders on stage one (1) and (2) will be loaded on the Municipal Database which will select companies fairly and allow competitive price bidding for various projects in the third stage.
2. The Successful Bidder on the third bidding stage will be expected to furnish the municipality with other compliance requirements such an updated tax compliance status letter and be willing to accept a risk-based project appointment (Where applicable).

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Annex H (normative)

Standard Conditions for the calling for Expressions of Interest

H.1 General

H.1.1 Actions

H.1.1.1 The employer and each respondent submitting an expression of interest shall comply with these conditions for calling for expressions of interest. In their dealings with each other, they shall discharge their duties and obligations as set out in H.2 and H.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anti-competitive practices.

H.1.1.2 The employer and the respondent and all their agents and employees involved in the submission process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Respondents shall declare any potential conflict of interest in their submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

- Note:
- 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.
 - 2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

H.1.1.3 The respondent shall not make a submission without having a firm intention and the capacity to proceed with the next stage of the procurement process.

H.1.2 Supporting documents

The documents issued by the employer for the purpose of obtaining expressions of interest are listed in the submission data.

H.1.3 Interpretation

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H.1.3.1 The submission data and additional requirements contained in the submission schedules that are included in the returnable documents are deemed to be part of these conditions for the calling for expressions of interest.

H.1.3.2 For the purposes of these conditions for the calling for expressions of interest, the following definitions apply:

- a) **conflict of interest** means any situation in which:
 - i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially.
 - ii) an individual or organization is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit.
 - iii) incompatibility or contradictory interests exist between an employee and the organization which employs that employee.
- b) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process; and
- c) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels

H.1.4 Communication and employer's agent

Each communication between the employer and a respondent shall be in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a respondent.

H.2 Respondent's obligations

H.2.1 Eligibility

Submit an expression of interest only if the respondent complies with the criteria stated in the submission data and the respondent, or any of his principals, is not under any restriction to do business with the employer.

H.2.2 Cost of submissions

Accept that the employer will not compensate the respondent for any costs incurred in the preparation and delivery of a submission.

H.2.3 Check documents

Check the submission documents on receipt, including pages within them, and notify the employer of any discrepancy or omission.

H.2.4 Acknowledge addenda

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Acknowledge receipt of addenda to the submission documents, which the employer may issue, and if necessary, apply for an extension to the closing time stated in the submission data, in order to take the addenda into account.

H.2.5 Clarification meeting

Attend the clarification meeting(s) at which respondents may familiarize themselves with the proposed work, services or supply (and location, etc.) and raise questions. Details of the meeting(s) are stated in the submission data.

H.2.6 Seek clarification

Request clarification of the submission documents, if necessary, by notifying the employer at least five working days before the closing time stated in the submission data.

H.2.7 Making a submission

H.2.7.1 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

H.2.7.2 Seal the original and each copy of the submission as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the submission data, as well as the respondent's name and contact address.

H.2.7.3 Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the submission if the outer package is not sealed and marked as stated.

H.2.8 Information and data to be completed in all respects

Accept that submissions, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

H.2.9 Closing time

Ensure that the employer receives the submissions at the address specified in the submission data not later than the closing time stated in the submission data. Proof of posting shall not be accepted as proof of delivery. The employer shall not accept submissions submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the submission data.

Accept that, if the employer extends the closing time stated in the submission data for any reason, the requirements of these conditions for expressions of interest apply equally to the extended deadline.

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H.2.10 Clarification of submission

Provide clarification of a submission in response to a request to do so from the employer during the evaluation of submissions.

H.3 Employer's undertakings

H.3.1 Respond to clarification

Respond to a request for clarification received up to five working days before the submission closing time stated in the submission data and notify all respondents who attended the clarification meetings, if any, of those responses.

H.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the submission documents to each respondent during the period from the date of the calling for expressions of interest until seven days before the closing time for submissions stated in the submission data. If, as a result, a respondent applies for an extension to the closing time stated in the submission data, the employer may grant such extension and, shall then notify it to all respondents.

H.3.3 Late submissions

Unless otherwise stated in the submission data, return submissions received after the closing time stated in the submission data, unopened, (unless it is necessary to open a submission to obtain a forwarding address), to the respondent concerned.

H.3.4 Opening of submissions

H.3.4.1 Record the name of each respondent whose submission is opened and acknowledge receipt of each submission.

H.3.4.2 Make available the names of the respondents that made submissions prior to the closing time for submissions to all interested persons upon request.

H.3.5 Non-disclosure

Not disclose to respondents, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of submissions until after the evaluation process is complete.

H.3.6 Grounds for rejection and disqualification

Determine whether there has been any effort by a respondent to influence the processing of submissions and instantly disqualify a respondent if it is established that he engaged in corrupt or fraudulent practices.

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H.3.7 Test for responsiveness

Determine, on opening and before detailed evaluation, whether each submission received:

- a) meets the requirements of these conditions for the calling for expressions of interest;
- b) has all the substantive provisions properly and fully completed and signed, and
- c) is responsive to the other requirements of the call for expressions of interest.

H.3.8 Non-responsive submissions

Reject all non-responsive submissions.

H.3.9 Evaluation of responsive submissions

An evaluation committee will be appointed by the Accounting Officer to evaluate submissions using the evaluation criteria established in the submission data.

H.3.10 Provide written reasons for actions taken

Provide upon request written reasons to respondents for any action that is taken in applying these conditions but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of respondents or might prejudice fair competition between respondents.

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E2: RETURNABLE DOCUMENTS

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E2.1 List of Returnable Documents

Documentation to demonstrate eligibility to have tenders evaluated

- (i) Certificate of authority for signatory (Form E).
- (ii) Copies of Company /Close Corporation/Partnership registration certificates as well as signed agreements and power of attorney for Joint Venture / Consortium if applicable
- (iii) Joint Venture Agreement and Power of attorney in case of Joint Ventures
- (iv) Original and Valid Tax Compliance Status Letter with Tax Compliance Status (SARS Pin) or Declaration by the South African Revenue Services that tax matters of the Tendering company / association or Joint Venture parties are in order (Form K).
- (v) Proof of Central Supplier Database registration. This must be submitted for all members / partners in case of Joint Venture / Partnership.
- (vi) Copy of Municipal utility account, which is not older than three (03) months. If Municipal Services are paid by the Lessor, in the case where the bidder is leasing the premises occupied, a copy of valid Lease Agreement and proof of payment of Municipal Services, which is not older than three (03) months must be submitted. and copies of the Director's personal Municipal Accounts must also be submitted (Form M).
- (vii) If required by law, three (3) sets of Audited Annual Financial Statements for the past three financial years.

Note: Failure to provide these documents will result in the tender not being evaluated further on Functionality/ Quality.

E2.2 Submission Schedules (Forms) required for tender evaluation purposes.

The Bidder must complete the following returnable documents:

ADMINISTRATIVE REQUIREMENTS AND COMPLIANCE	
Form A	COMPULSORY DECLARATION
Form B	MUNICIPAL DECLARATION OF CONSULTANCY SERVICES
Form C	AUTHORITY OF SIGNATORY
Form D	PREFERENCING SCHEDULE: BROAD BASED BLACK ECONOMIC EMPOWERMENT STATUS
Form E	DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES
Form F	CERTIFICATE OF INDEPENDENT BID DETERMINATION
Form G	DECLARATION OF INTEREST
Form H	DECLARATION OF GOOD STANDING REGARDING TAX
Form I	FINANCIAL REFERENCES /BIDDER'S CREDIT RATING AND BANK DETAILS
Form J	MUNICIPALITY UTILITY ACCOUNT
Form K	RECORD OF CONSULTANCY SERVICES PROVIDED TO ORGANS OF STATE

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FUNCTIONALITY AND TECHNICAL CAPACITY OF THE BIDDER	
Form L	APPROACH PAPER (DUMMY PROJECT PLAN)
Form M	ORGANISATIONAL STRUCTURE AND STAFFING
Form N	EXPERIENCE OF KEY PERSONNEL
Form O	BIDDER'S EXPERIENCE
Form P	TRACEBLE REFERENCES
Form Q	PROFESSIONAL AFFILIATION

PLEASE NOTE:

- The Bidder is required to complete each schedule and form listed above to the best of his ability, as the evaluation of Bids and eventual Contract will be based on the information provided by the Bidder.
- Failure of a Bidder to complete the schedules and forms to the satisfaction of the Employer will inevitably prejudice the Bid and may lead to rejection on the basis that the Bid is non-responsive.
- Bidders shall note that their signatures appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided, including the information provided by candidates proposed for the specified key positions.
- Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a bidder. If subsequently any information is found to be incorrect such discovery shall be taken as wilful misrepresentation by that bidder to induce the contract. In such event the Employer has the discretionary right to terminate the contract.

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ADMINISTRATIVE REQUIREMENTS AND COMPLIANCE

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FORM A: COMPULSORY DECLARATION

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

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
Email:	
Telephone:	
Cell No:	
Fax:	
Physical address:	
Postal address:	

Section 2: Particulars of companies and close corporations

Company / Close Corporation registration number	
--	--

Section 3: SARS Information

Tax reference number:	
VAT registration number:	

State Not Registered if not registered for VAT

Section 4: National Treasury Central Supplier Database

Supplier number:	
Unique registration reference number:	

Section 5: Particulars of principals

principal: means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporation Act, 1984, (Act No. 69 of 1984).

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Full name of principal	Identity number	Personal tax reference number

* Attach separate page if necessary

Section 7: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|--|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

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

Name of principal	Name of institution, public office, board or organ of state and position held	Status of service <i>(tick appropriate column)</i>	
		Current	Within last 12 months

*insert separate page if necessary

Section 8: Record of family member in the service of the state

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family member: a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 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
- a member of any provincial legislature
- a member of the National Assembly or the National Council of Province
- a member of the board of directors of any municipal entity
- an official of any municipality or municipal entity
- 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 an accounting authority of any national or provincial public entity
- an employee of Parliament or a provincial legislature

Name of family member	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 9: Record of termination of previous contracts with an organ of state

Was any contract between the tendering entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

- Yes
- No (Tick appropriate box)

If yes, provide particulars (interest separate page if necessary)

Section 10: Declaration

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the tendering

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entity confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise in an attachment hereto, are to the best of my belief both true and correct, and:

- i) neither the name of the tendering entity or any of its principals appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
 - b) National Treasury’s Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) neither the tendering entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc) or intention to not win a tender;
- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer’s tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signed

Name

.....

Date

Position

.....

Enterprise name

.....

.....

.....

NOTE 1: The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that tenderers avoid conflicts of interest, only submit a tender offer if the tenderer or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture

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(clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any tenderer who engages in fraudulent and corrupt practice. Clause 3.1 also requires tenderers to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is in the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE 5: Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE 6: Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

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FORM B: MUNICIPAL DECLARATION OF CONSULTANCY SERVICES

The following particulars must be furnished in relation to tenders for municipalities and municipal entities where:

- a) consultancy services are required; and
- b) goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT.

In the case of a joint venture, separate municipal declarations and returnable documents shall be submitted in respect of each partner.

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
E-mail:	
Telephone:	
Cell no:	
Fax:	
Physical address	
Postal address	

Section 2: Declaration for consultancy services:

The enterprise has been awarded the following consultancy services by an organ of state during the last five years.

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Name of organ of state	Estimated number of contracts	Nature of service, e.g., <i>Quantity surveying</i>	Service similar to required service (Yes / No)

***Attach separate page where necessary**

Section 3 Goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT

I / we certify that

1) *(tick one of the boxes):*

- the enterprise **is not** required by law to prepare annual financial statements for auditing
- the enterprise **is** required by law to have audited annual financial statements and attached the audited financial statements for the past three financial years, or since the establishment as the enterprise was established within the past three years

2) the enterprise and its directors has / have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days *(ie: all municipal accounts are paid up to date);*

3) source of goods and / or services:

(tick one of the boxes and insert percentages if applicable):

- goods and / or services are sourced only from within the Republic of South Africa
- % of the total cost of goods and / or services will be sourced from outside the Republic of South Africa and the percentage of payment from the municipality or municipal entity which is expected to be transferred out of the Republic is %

I furthermore confirm that the following contracts were awarded to the enterprise by an organ of state during the last five years and attached particulars of any material non-compliance or dispute concerning the execution of such contracts:

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Name of organ of state	Estimated number of contracts	Nature of contracts

* Attach separate page as necessary

I, the undersigned who warrants that I am duly authorised on behalf of the tendering entity, hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct

Signed

Name Date
 Position
 Enterprise name

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FORM C: AUTHORITY OF SIGNATORY

Details of person responsible for tender process:

Name : _____
Contact number : _____
Office 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 on the Company Letterhead** of the relevant resolution of their members or their board of directors, as the case may be.

PRO-FORMA FOR COMPANIES AND CLOSE CORPORATIONS:

"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.

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PRO-FORMA FOR JOINT VENTURES:

Certificate of Authority for Joint Ventures

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

NAME OF FIRM	ADDRESS	DULY AUTHORIZED SIGNATORY
		SIGNATURE ON BEHALF OF BIDDER: Name: Designation:
		SIGNATURE ON BEHALF OF BIDDER: Name: Designation:
		SIGNATURE ON BEHALF OF BIDDER: Name: Designation:

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**ATTACH HERETO THE DULY SIGNED AND DATED ORIGINAL OR CERTIFIED COPY OF
AUTHORITY OF SIGNATORY ON COMPANY LETTERHEAD
(NOT OLDER THAN THREE MONTHS FROM DATE OF TENDER CLOSURE)**

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FORM D: PREFERENCING SCHEDULE: BROAD BASED BLACK ECONOMIC EMPOWERMENT STATUS

Preamble

Section 10(b) of the Broad-Based Black Economic Empowerment Act of 2003 (Act No. 53 of 2003) states that “*Every organ of state and public entity must take into account and, as far as is reasonably possible, apply any **relevant code of good practice** issued in terms of this Act in developing and implementing a preferential procurement policy.*”

A number of codes of good practice have been issued in terms of Section 9(1) of the B-BBEE Act of 2003 including a generic code of good practice and various sector codes. The sector codes vary the metrics, weightings and targets used in the generic code of good practice to establish the overall performance of an entity and its B-BBEE status. The B-BBEE status needs to be assessed in accordance with the applicable code.

1. Conditions associated with the granting of preferences

Tenderers who claim a preference shall provide sufficient evidence of their B-BBEE Status in accordance with the requirements of section 2 in respect of the applicable code as at the closing time for submissions, failing which their claims for preferences will be rejected.

2. Sufficient evidence of qualification

2.1 Exempted micro enterprises

Sufficient evidence of qualification as an Exempted Micro-Enterprise is:

- a) a registered auditor’s certificate or similar certificate issued by an accounting officer as contemplated in the Close Corporation Act of 1984 in respect of the entity’s last financial year or a 12 month period which overlaps with its current financial year; or a certificate issued by a verification agency and which is valid as at the closing date for submissions; or
- b) a sworn affidavit - B-BBEE Exempted Micro Enterprise (see www.thedti.gov.za/gazettes/Affidavit_EME.pdf)

2.2 Enterprises other than micro exempted enterprises

Sufficient evidence of B-BBEE Status is:

- a) an original or certified copy of the certificate issued by a verification agency accredited by the South African National Accreditation System (SANAS) or registered auditors approved by Independent Regulatory Board for Auditors (IRBA) and which is valid as at the closing date for submissions; or.
- b) a sworn affidavit – B-BBEE Qualifying Small Enterprise (see www.thedti.gov.za/gazettes/BBEE_QUALIFYING_SMALL_ENTERPRISE.pdf)

3. Tender preferences claimed

The scoring shall be as follows:

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B-BBEE status determined in accordance with the preferencing schedule for Broad-Based Black Economic Empowerment	% max points for preference (80/20)	% max points for preference (90/10)
Form not completed or no-complaint contributor	0	0
Level 8 contributor	2	1
Level 7 contributor	2	1
Level 6 contributor	2	1
Level 5 contributor	2	1
Level 4 contributor	4	2
Level 3 contributor	6	3
Level 2 contributor	8	4
Level 1 contributor	10	5

4. Declaration

The tenderer declares that

- a) the tendering entity is a level contributor as stated in the submitted evidence of qualification as at the closing date for submissions
- b) the tendering entity has been measured in terms of the following code (*tick applicable box*)
 - Generic code of good practice
 - Other – specify
- c) the contents of the declarations made in terms of a) and b) above are within my personal knowledge and are to the best of my belief both true and correct

The undersigned, who warrants that he / she is duly authorized to do so on behalf of the tenderer confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Name:

Duly authorized to sign on behalf of:

Telephone :

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Fax:..... Date:

Name of witness: Signature of witness:

- Note:** 1) Failure to complete the declaration will lead to the rejection of a claim for a preference
2) Supporting documentation of the abovementioned claim for a preference must be submitted with the tender submission to be eligible for a preference

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FORM E: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (MBD 8)

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. 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).
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		

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Item	Question	Yes	No
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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.

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**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

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FORM F: CERTIFICATE OF INDEPENDENT BID DETERMINATION (MBD 9)

- 1 This Municipal Bidding Document (MBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Municipal Supply Regulation 38 (1) prescribes that a supply chain management policy must provide measures for the combating of abuse of the supply chain management system, and must enable the accounting officer, among others, to:
 - a. take all reasonable steps to prevent such abuse;
 - b. reject the bid of any bidder if that bidder or any of its directors has abused the supply chain management system of the municipality or municipal entity or has committed any improper conduct in relation to such system; and
 - c. cancel a contract awarded to a person if the person committed any corrupt or fraudulent act during the bidding process or the execution of the contract.
- 4 This MBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (MBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

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CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

BID NUMBER BID/02/2023-24 – PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

(Bid Number and Description)

in response to the invitation for the bid made by:

MATJHABENG LOCAL MUNICIPALITY

(Name of Municipality / Municipal Entity)

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

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word “competitor” shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However,

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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

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FORM G: DECLARATION OF INTEREST (MBD4)

1. No bid will be accepted from persons in the service of the state¹.
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 favoritism, 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 authorized representative declare their position in relation to the evaluating/adjudicating authority.
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 or his or her representative:.....

3.2 Identity Number:

3.3 Position occupied in the Company (director, trustee, hareholder²):.....

3.4 Company Registration Number:

3.5 Tax Reference Number:.....

3.6 VAT Registration Number:

3.7 The names of all directors / trustees / shareholders members, their individual identity Numbers and state employee numbers must be indicated in paragraph 4 below.

3.8 Are you presently in the service of the state? YES / NO

3.8.1 If yes, furnish particulars.....

.....

¹MSCM Regulations: "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;

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- (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.

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

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

3.9.1 If Yes, furnish particulars

.....
.....

3.10 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

3.10.1 If yes, furnish particulars.

.....
.....

3.11 Are you, aware of any relationship (family, friend, other) between any other 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

3.11.1 If yes, furnish particulars

.....
.....

3.12 Are any of the company's directors, trustees, managers, Principle shareholders or stakeholders in service of the state? YES / NO

3.12.1 If yes, furnish particulars.

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.....

3.13 Are any spouse, child or parent of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state? YES / NO

3.13.1 If yes, furnish particulars.

.....

3.14 Do you or any of the directors, trustees, managers, principle shareholders, or stakeholders of this company have any interest in any other related companies or business whether or not they are bidding for this contract. YES / NO

3.14.1 If yes, furnish particulars:

.....

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

Full Name	Identity Number	State Employee Number

.....
 SIGNATURE ON BEHALF OF BIDDER

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FORM H: DECLARATION OF GOOD STANDING REGARDING TAX (MBD 2)

Original and Valid Tax Clearance Certificate with Tax Compliance Status (SARS Pin) or Declaration by the South African Revenue Services that tax matters of the Tendering company/association or Joint Venture parties are in order must be submitted together with the Bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.

ATTACH ORIGINAL VALID TAX CLEARANCE CERTIFICATE TO THIS PAGE

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FORM I: FINANCIAL REFERENCES

DETAILS OF BIDDERS BANKING INFORMATION

Notes to bidder:

1. The bidder shall attach to this form certified copy or an original letter from the bank confirming the bank account and details which is not older than three months. The bidder's banking details as they appear below shall be completed.
2. In the event that the bidder is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.

BANK NAME											
ACCOUNT NAME											
ACCOUNT TYPE											
ACCOUNT NO											
ADDRESS OF BANK											
CONTACT PERSON											
TEL. NO. OF BANK / CONTACT											
How long has this account been in existence:	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">0-6 months</td> <td style="width: 20%; text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>7-12 months</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>13-24 months</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>More than 24 months</td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	0-6 months	<input type="checkbox"/>	7-12 months	<input type="checkbox"/>	13-24 months	<input type="checkbox"/>	More than 24 months	<input type="checkbox"/>	(Tick which is appropriate)	
0-6 months	<input type="checkbox"/>										
7-12 months	<input type="checkbox"/>										
13-24 months	<input type="checkbox"/>										
More than 24 months	<input type="checkbox"/>										

SIGNATURE ON BEHALF OF BIDDER:

<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>
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ATTACH CERTIFIED COPY OR ORIGINAL LETTER FROM BANK TO THIS PAGE
(Not older than three months from date of tender closure)

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FORM J: MUNICIPAL UTILITY ACCOUNT

DECLARATION BY THE BIDDER

I the undersigned _____, has been
 duly authorized to sign all documents with the Tender for Contract Number _____ on
 behalf of _____
 (referred to herein as “the Bidder”)

hereby make a declaration as follows:

1. I declare that the bidder and /or any of its director(s) / member(s) does not owe the municipality, or any other municipality and/or municipal entity any amount which is in arrears in respect of any municipal rates and taxes or municipal service charges.
2. I understand and accept that in the event that this declaration is proved to be false, the bid shall be rejected forthwith. All other rights of the municipality (including but not limited to the right to claim damages where applicable) shall remain reserved in full.

Important: Note the following

- List Account(s) registered either in the name(s) of the Director(s) or the Company the declaration form attached hereto.
- Attach municipal Utility account(s) of the respective Director(s) not older than three (3) months from date of the bid or quotation, and
- Attach Municipal Utility account of Company registered office (if applicable) and, In case of leased premises, attach lease agreement and the utility account of leased premises.
- In case of joint ventures – utility account(s) of the various directors must be attached to the bid document and or the joint lease agreement should be attached

UTILITY NUMBER	ACCOUNT	NAME OF MUNICIPALITY	NAME OF OWNER

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SIGNED ON BEHALF OF THE COMPANY:

IN HIS CAPACITY AS:

DATE:

FULL NAMES OF SIGNATORY:

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ATTACH AN ORIGINAL OR CERTIFIED COPY OF UTILITY ACCOUNT
(Not older than three (3) months from date of tender closure)

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FORM K: RECORD OF CONSULTANCY SERVICES PROVIDED TO ORGANS OF STATE

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

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

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

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

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

#	Organ of state, i.e. national or provincial department, public entity, municipality or municipal entity.	Title of contract for the consultancy service	Value of contract for service incl VAT (Rand)	Date completed (State current if not yet completed)
1.				
2.				
3.				
4.				

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

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

.....

.....

.....

.....

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

Signed

Date

Name

Position

Bidder

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FUNCTIONALITY AND TECHNICAL CAPACITY OF THE BIDDER

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FORM L: APPROACH PAPER (DUMMY PROJECT PLAN)

The approach paper (dummy project plan) **MUST BE ATTACHED** and must respond to any practical project identified as an example of any work scope of the area of expertise within the field under which the bidder is bidding for. The approach paper (dummy project plan) must at least at a minimum cover the following aspects:

ASPECT	DETAILS
Project Name and description	Name the project and describe the project objectives and the impact of the project within the municipal environment and other critical aspects of the society and the economy.
Scope Definition	Clearly define scope of the project, including the specific deliverables and outcomes to be achieved.
Project Organization	List and present key role players involved in the project execution.
Schedule and Milestones	Develop a project schedule that includes key milestones, timelines, and dependencies. This should outline the sequencing and duration of project activities to ensure timely completion
Budget and Cost Management	Specify the project budget and provide a cost management plan that outlines how costs will be estimated, monitored, controlled, and reported. Include details on the payment schedule, any financial considerations related to the project and submission of invoice.
Risk Management	Identify potential risks and uncertainties associated with the project and outline a risk management plan that includes risk assessment, mitigation strategies, and contingency plans.
Contract Administration and Inspection	Detail how the contractual aspects of the project will be managed, including activities such as contract negotiation, execution, monitoring, and issue resolution. It will also outline the inspection processes to ensure compliance with contractual obligations and quality standards.
Stakeholder Engagement	Describe strategies for engaging and involving key stakeholders throughout the project, including regular communication channels, stakeholder meetings, and feedback mechanisms.
Documentation and Reporting	Detail the documentation requirements, including project plans, progress reports, meeting minutes, and any other relevant project documentation. Specify the reporting frequency, format, and distribution channels for project updates.
Close-out and Handover	Describe the process for project close-out, including the finalization of all project activities, documentation, and handover of deliverables to the client or end-users. Address any specific requirements or procedures for the transition to the operations and maintenance phase.
Operations and Maintenance Process	Must include a plan for the post-project phase, specifically addressing the operations and maintenance of the project deliverables. This includes project closure procedures, lessons learned documentation, transition planning, and ongoing support processes for stakeholders or end-users.

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ATTACH THE APPROACH PAPER (DUMMY PROJECT PLAN)

<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>
-----------------	-----------------	-----------------	-----------------	-----------------	-----------------

The scoring points for the approach paper (dummy project plan) will be as follows:

Scoring Criteria	Dummy Project Plan	Project Content
Poor (score 0)	The project plan is not attached (0 Point)	The work plan is not attached. (0 Point)
Fair (score 6)	The project plan does not cover any of the aspects listed above (3 Point)	The work plan is not linked to the scope of work; it is not detailed and does not have time frames. (3 Point)
Good (score 16)	The project plan does not cover ALL aspects listed above (8 Points)	The work plan correlates to the scope of work but without details and clear time frames. (8 Points)
Excellent (score 30)	The project plan covers ALL aspects listed above (15 Points)	The work plan correlates to the scope of work with full details and clearly time frames. (15 Points)
Total Points	30 Points	

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

Signed _____

Date _____

Name _____

Position _____

Bidder _____

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FORM M: ORGANISATIONAL STRUCTURE AND STAFFING

The Bidder **MUST ATTACH** the organizational structure clearly presenting the composition of the team i.e. the main disciplines involved, the key staff member / expert responsible for each discipline, and the technical support staff. The roles and responsibilities of each key staff member / expert should be defined. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared.

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

Poor (score 0)	The organizational chart is not attached
Fair (score 3)	The organizational chart does not indicate the post levels and roles of staff members and there are no clear linkages between various disciplines of personnel/ staff
Good (score 5)	The organizational structure clearly indicates the various roles and responsibilities and levels of all positions but there is limited clarity on linkages amongst different disciplines and their roles and responsibilities.
Excellent (score 10)	The organizational structure clearly indicates roles and responsibilities with linkages between various disciplines and other technical levels. The structure present a clear hierarchy of functions and roles within the structure.
Total	10 Points

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

Signed _____ Date _____
 Name _____ Position _____
 Bidder _____

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ATTACH ORGANISATIONAL STRUCTURE AND STAFFING

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FORM N: EXPERIENCE OF KEY PERSONNEL

Experience of key staff will be evaluated from three different points of view:

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

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

- a) Personal Information (Including Citizenship, Physical Address, Contact Information etc.)
- b) Qualifications (Post Grad, Degrees, Diplomas, and other certificates)
- c) Professional Affiliation (Grades of membership e.g. technical or professional registrations)
- d) Name of current employer and position in the company/enterprise
- e) Professional Experience (Number of years in previous employers and the positions held)
- f) Accomplishment in terms of projects within various industry fields

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

Scoring Criteria	General qualifications	Professional Affiliation to other organizations	Adequacy for the assignment
Poor (score 0)	Qualifications are not attached (0 points)	No affiliation (0 points)	Curriculum Vitae not attached (0 points)
Fair (score 12)	N-Diploma/ B Tech (4 points)	Less than two years with affiliation to organizational bodies (4 points)	Key staff have limited levels of experience (1 year) (4 points)
Good (score 18)	B-Tech/ B (Honors) degree (6 points)	More than two years of affiliation to organizational bodies (6 points)	Key staff have reasonable levels of general experience (2 -5 years) (6 points)
Excellent (score 30)	MTech/ M Eng/ PhD Degrees (10 Points)	3 and more Professional Registrations for key personnel (10 Points)	Key staff have outstanding levels of general experience (6 and above years) (10 Points)
Total	30 Points		

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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

Bidder

ATTACH ALL CURRICULUM VITAE OF PERSONNEL

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FORM O: BIDDER'S EXPERIENCE

The experience of the Bidder as opposed to the key staff members / experts in similar projects or similar areas and conditions in relation to the field applied for will be evaluated.

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

Employer	Description of work (service)	Value of work (i.e. the service provided) inclusive of VAT (Rand)	Date completed

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

<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>	<i>Initials</i>
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Poor (score 0)	No documentation attached
Fair (score 5)	1 similar project
Good (score 15)	2 - 5 similar projects
Excellent (score 30)	6 and above similar projects
Total	30 Points

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

Signed _____

Date _____

Name _____

Position _____

Bidder _____

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ATTACH COPIES OF APPOINTMENT LETTERS FOR PREVIOUSLY COMPLETED WORK
(Letters of appointments must be clearly legible from respective Clients)

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MATJHABENG LOCAL MUNICIPALITY



PANEL OF CONSULTING COMPANIES IN THE BUILT ENVIRONMENT, SOCIO-ECONOMIC DEVELOPMENT, AND PROJECT MANAGEMENT & TRANSACTIONAL ADVISORY SERVICES FOR A PERIOD OF 3 YEARS

E3: INDICATIVE SCOPE OF WORK

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E3. SCOPE OF WORK

E3.1 PROJECT DESCRIPTION AND BACKGROUND

The Municipality adopts a three-year capital budget for every financial year as legislated in the Municipal Finance Management Act 56 of 2003, and hereby intends to appoint professional consultants to be shortlisted into a database that will be valid for a period of three financial years. These shortlisted consultants will be selected on a rotational basis as and when the need arises and at some point on a risk bases and or when budget becomes available and allocated with projects through the second stage of bidding with price and preference.

The following are project types to be implemented:

Field	Expertise
Built Environment Field	Town Planning
	Urban Design
	Land Surveying
	Architect
	Environmental
	Geology
	Anthropology
Socio-Economic Development Field	Development Planning
	Economics
	Statistics
	Event Tourism/Event Organizers
	Media and Marketing
	Social Facilitation and Mediation
Project Management and Transactional Advisory Services	Transactional Advisors
	Project Management

A Service Level Agreement will be signed with the successful Bidder of the second stage bidding process.

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END OF CALL FOR EXPRESSION OF INTEREST

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