

THABAZIMBI LOCAL MUNICIPALITY



TENDER: TECH/12/2022-23

APPOINTMENT OF PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 3 YEARS

A	CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF COMMUNITY FACILITIES	
B	CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF ROADS AND STORM WATER	
C	CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF WATER SUPPLY SCHEMES	
D	ELECTRICAL ENGINEERING COMPANIES FOR INSTALLATION OF HIGH MAST LIGHTS	
E	CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF SANITATION PROGRAMME	

Please tick (✓) your choice(s) on the table above

BID DOCUMENT

TECH/12/ 2022-23

NAME OF TENDERER:	
COMPULSORY BRIEFING SESSION	NOT COMPULSORY
CLOSING DATE:	08 December 2022 @ 12H00 pm.

PREPARED AND ISSUED BY:

The Acting Municipal Manager
Thabazimbi Local Municipality
Private Bag X530
THABAZIMBI
0380

07 Rietbok Street
Thabazimbi
0380
Tel: 014 772 2295
Fax: 014 777 1531



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PART A

INVITATION TO BID

Thabazimbi Local Municipality hereby invites suitable service providers to submit BIDS on:

BID NUMBER	DESCRIPTION	CONTACT PERSON	CLOSING DATE & TIME	COMPULSORY BRIEFING SESSION	EVALUATION CRITERIA
TECH/12/2022-23	The Appointment of a Panel for the Provision of Various Professional (Infrastructure) Services to be rendered as and when required for a period of Three (3) years	Technical Enquiries: J Khuabo 079 286 0523 Procurement Enquiries: BK Monyeki 066 008 3752	08 December 2022 @ 12H00 pm.	29 November 2022 @ Council Chamber @ 11h00 am. (Not compulsory)	80/20

Bid documents containing the Conditions of Bid and other requirements in terms of Supply Chain Management Policy will be downloaded from e-tender Publication Portal at www.etenders.gov.za at no fee, and can also be downloaded from the municipal website at www.thabazimbi.gov.za

Bids will be evaluated under the provision of the following Acts and its Regulations: Municipal Finance Management Act, (Act 56 of 2003); PPPFA; Supply Chain Management Policy of the Municipality in accordance with the Specifications and in terms of **80/20 preferential points system**.

Sealed Bid Documents must be submitted in an envelope clearly indicating, "**BID NUMBER AND DESCRIPTION**" on the outside and must reach the undersigned by depositing it into the Municipal Tender Box, by no later than the date and time stipulated on the above table. All bids will be opened in public at the Municipal Chamber.

The Municipality is not bound to accept the lowest or any Bid and reserves the right to accept any part of a Bid. Bids must remain valid for a period of ninety (90) days after the closing date of the Submission thereof.

Bids which are late, incomplete, unsigned, completed by pencil, sent by telegraph, facsimile, electronically or E-mail and without compulsory required documents will be disqualified.

N.B: NO BIDS WILL BE CONSIDERED FROM ANY PERSON IN THE SERVICE OF THE STATE [AS DEFINED IN REGULATION 1 OF THE LOCAL GOVERNMENT: MUNICIPAL SUPPLY CHAIN MANAGEMENT REGULATIONS]

THABAZIMBI LOCAL MUNICIPALITY



**Ms LP Makaya
Acting Municipal Manager
7 Rietbok Street
Thabazimbi
0380**

Notice No. 53/2022



INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE THABAZIMBI LOCAL MUNICIPALITY

BID NUMBER:	TECH/12/2022-23	CLOSING DATE:	08 December 2022	CLOSING TIME:	12H00pm
DESCRIPTION	APPOINTMENT OF PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR INFRASTRUCTURE PROJECTS FOR A PERIOD OF THREE YEARS				

The successful bidder will be required to fill in and sign a written contract form (mbd7).

Bid response documents may be deposited in the bid box situated at (street address

Thabazimbi Local Municipality
07 Rietbok Street
THABAZIMBI
0380

Supplier information

Name of bidder					
Postal address					
Street address					
Telephone number	CODE		NUMBER		
Cellphone number					
Facsimile number	CODE		NUMBER		
E-mail address					
Vat registration number					
Tax compliance status	TCS PIN:		OR	CSD No:	
B-BBEE status level verification certificate [tick applicable box]	Yes <input type="checkbox"/> No <input type="checkbox"/>		B-BBEE status level Sworn affidavit		
			Yes <input type="checkbox"/> No <input type="checkbox"/>		

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]



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<u>Are you the accredited representative in South Africa for the goods /services /works offered?</u>	Yes <input type="checkbox"/> [If yes enclose proof]	No <input type="checkbox"/>	<u>Are you a foreign based supplier for the goods /services /works offered?</u>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
				[If yes, answer part b:3]	
<u>Total number of items offered</u>					
<u>Signature of bidder</u>		<u>Date</u>		
<u>Capacity under which this bid is signed</u>					
Bidding procedure enquiries may be directed to:			Technical information may be directed to:		
Department	Supply Chain		Contact person	J Khuabo	
Contact person	B Monyeki		Telephone number	071 795 2342	
Telephone number	014 772 2295		Facsimile number	014 777 1531	
Facsimile number	014 777 1531		E-mail address	khuaboj@thabazimbi.gov.za	
E-mail address	beatricemonyeki5@gmail.com				



PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:

- 1.1. Bids must be delivered by the stipulated time to the correct address. Late bids will not be accepted for consideration.
- 1.2. All bids must be submitted on the official forms provided–(not to be re-typed) or online**
- 1.3. This bid is subject to the preferential procurement policy framework act and the preferential procurement regulations, 2017, the general conditions of contract (GCC) and, if applicable, any other special conditions of contract.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 Bidders must ensure compliance with their tax obligations.
- 2.2 Bidders are required to submit their unique personal identification number (pin) issued by SARS to enable the organ of state to view the taxpayer’s profile and tax status.
- 2.3 Application for the tax compliance status (TCS) certificate or pin may also be made via e-filing. In order to use this provision, taxpayers will need to register with SARS as e-filers through the website www.sars.gov.za.
- 2.4 Foreign suppliers must complete the pre-award questionnaire in part b: 3.
- 2.5 Bidders may also submit a printed TCS certificate together with the bid.
- 2.6 In bids where consortia / joint ventures / sub-contractors are involved, each party must submit a separate TCS certificate / pin / CSD number.
- 2.7 Where no TCS is available but the bidder is registered on the central supplier database (CSD), a CSD number must be provided.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. Is the entity a resident of the republic of South Africa (RSA)? yes no
- 3.2. Does the entity have a branch in the RSA? yes no
- 3.3. Does the entity have a permanent establishment in the RSA? yes no
- 3.4. Does the entity have any source of income in the RSA? yes no
- 3.5. Is the entity liable in the RSA for any form of taxation? yes no

IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID. NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

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PART B

**GENERAL CONDITIONS OF CONTRACT
TENDER CONDITIONS**



GENERAL CONDITIONS OF CONTRACTS

3.1 Definitions

The following terms shall be interpreted as indicated:

- 3.1.1 “Closing time” means the date and hour specified in the bidding documents for the receipt of bids.
- 3.1.2 “Contract” means the written agreement entered into between the purchaser and the supplier, as recorded in the contract from signed by the parties, including all attachments and appendices thereto and all documents incorporated by reference therein.
- 3.1.3 “Contract price” means the price payable to the supplier under the contract for the full and proper performance of this contractual obligation.
- 3.1.4 “Corrupt practice” means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in contract execution.
- 3.1.5 “Countervailing duties” are imposed in cases where an enterprise abroad is subsidized by its government and encouraged to market its products internationally.
- 3.1.6 “Country of origin” means the place where goods were mined, grown or produced or from which the services are supplied. Goods are produced when, through manufacturing, processing or substantial and major assembly of components, a commercially recognized new product results that is substantially different in basis characteristics or in purpose or utility from its components.
- 3.1.7 “Day” means calendar day.
- 3.1.8 “Delivery” means delivery in compliance of the conditions of the contract or order.
- 3.1.9 “Delivery ex stock” means immediate delivery directly from stock actually on hand.
- 3.1.10 “Delivery into consignees store or to his site” means delivered and unloaded in the specified store or depot or on the specified site in compliance with the conditions of the contract or order, the supplier bearing all risks and charges involved until the supplies are so delivered and a valid receipt is obtained.
- 3.1.11 “Dumping” occurs when a private enterprise abroad market its good on own initiative in the RSA at lower prices than that of the country or origin and which have the potential to harm the local industries in the RSA.
- 3.1.12 “Force majeure” means an event beyond the control of the supplier and not involving the supplier’s fault or negligence and not foreseeable. Such events may include, but is not restricted to, acts of the purchaser in its sovereign capacity, wars or resolutions, fires floods, epidemics, quarantine restrictions and freight embargoes.

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- 3.1.13 “Fraudulent practice” means a misrepresentation of facts in order to influence a procurement process or the execution of a contract to the detriment of any bidder, and includes collusive practice among bidders (prior to or after bid submission) designed to establish bid prices at artificial non-competitive levels and to deprive the bidder of the benefits of free and open competition.
- 3.1.14 “GCC” mean the General Conditions of Contract.
- 3.1.15 “Good” means all of the equipment, machinery, and/or other materials that the supplier is required to supply to the purchaser under the contract.
- 3.1.16 “Imported content” means that portion of the bidding price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or his subcontractors) and which costs are inclusive of the costs abroad, plus freight and other direct importation costs such as landing costs, dock dues, import duty, sales duty or other similar tax or duty at the South African place of entry as well transportation and handling charges to the factory in the Republic where the supplies covered by the bid will be manufactured.
- 3.1.17 “Local content” means that portion of the bidding price, which is not included in the imported content provided that local manufacture does take place.
- 3.1.18 “Manufacture” means the production of products in a factory using labour, material components and machinery and includes other related value-adding activities.
- 3.1.19 “Order” means an official written order issued for the supply of goods or works or the procuring of a service.
- 3.1.20 “Project site” where applicable, means the place indicated in bidding documents.
- 3.1.21 “Purchaser” means the organization purchasing the goods.
- 3.1.22 “Republic” means the Republic of South Africa.
- 3.1.23 “SCC” means the Special Conditions of Contract.
- 3.1.24 “Services” means those functional services ancillary to the supply of the goods, such as transportation and any other incidental services, such as installation, commissioning, provision of technical assistance, training, catering, gardening, security, maintenance and other such obligations of the supplier covered under the contract.
- 3.1.25 “Written” or “in writing” means handwritten in ink or any form of electronic or mechanical writing.

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3.2 Application

- 3.2.1 These general conditions are applicable to all bids, contracts and orders including bids for functional and professional services, sales, hiring, letting and the granting or acquiring of rights, but excluding immovable property, unless otherwise indicated in the bidding documents.
- 3.2.2 Where applicable, special conditions of contract are also laid down to cover specific supplies, services or works.
- 3.2.3 Where such special conditions of contract are in conflict with these general conditions, the special shall apply.

3.3 General

- 3.3.1 Unless otherwise indicated in the bidding documents, the purchase shall not be liable for any expense incurred in the preparation and submission of a bid. Where applicable a non-refundable fee for documents may be charged.
- 3.3.2 With certain exceptions, invitations for bid are only published in the Government Tender Bulletin. The Government Tender Bulletin may be obtained directly from the Government Printer, Private Bag X85, Pretoria 0001, or accessed electronically from www.treasury.gov.za.

3.4 Standards

- 3.4.1 The goods supplied shall conform to the standards mentioned in the bidding documents and specifications.

3.5 Use of contracts documents and information

- 3.5.1 The supplier shall not, without the purchaser's prior written consent, disclose the contract, or any provision thereof, or any specification, plan, drawing, pattern, sample or information furnished by or on behalf of the purchaser in connection therewith, to any person other than a person employed by the supplier in the performance of the contract. Disclosure to any such employed person shall be made in confidence and shall extend only as far as may be necessary for purposes of such performance.
- 3.5.2 The supplier shall not, without the purchaser's prior written consent, make use of any document or information mentioned in GCC clause 5.1 except for purposes of performing the contract.

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-3.5.3 Any document, other than the contract itself mentioned in GCC clause 5.1 shall remain the property of the purchaser and shall be returned (all copies) to the purchaser on completion of the supplier's performance under the contract if so required by the purchaser.

3.5.4 The supplier shall permit the purchaser to inspect the supplier's records relating to the performance of the supplier and to have them audited by auditors appointed by the purchaser, if so required by the purchaser.

3.6 Patent rights

3.6.1 The supplier shall indemnify the purchaser against all third-party claims of infringement of patent, trademark, or industrial design rights arising from use of the goods or any part thereof by the purchaser.

3.7 Performance Security

3.7.1 Within thirty (30) days of receipt of the notification of contract award, the successful bidder shall furnish to the purchaser the performance security of the amount specified in GCC.

3.7.2 The proceeds of the performance security shall be payable to the purchaser as compensation for any loss resulting from the supplier's failure to complete his obligations under the contracts.

3.7.3 The performance security shall be denominated in the currency of the contract, or in freely convertible currency acceptable to the purchaser and shall be in one of the following:

(a) a bank guarantee or an irrevocable letter of credit issued by a reputable bank located in the purchaser's country or broad, acceptable to the purchaser, in the form provided in the bidding documents or another form acceptable to the purchaser; or

(b) a cashier's or certified cheque

3.7.4 The performance security will be discharged by the purchaser and returned to the supplier not later than thirty (30) days following the date of completion of the supplier's performance obligations under the contract, including any warranty obligations, unless otherwise specified in SCC.

3.8 Inspections, tests and analyses

3.8.1 All pre-bidding testing will be for the account of the bidder.

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- 3.8.2 If it is a bid condition that supplies to be produced or services to be procured should at any stage during production or execution or on completion be subject to inspection, the premises of the bidder or contractor shall be open, at all reasonable hours, for inspection by a representative of the Department or an organization acting on behalf of the Department.
- 3.8.3 If there are no inspection requirements indicated in the bidding documents and no mention is made in the contract, but during the contract period it is decided that inspections shall be carried out, the purchaser shall itself make the necessary arrangements, including payments arrangements with the testing authority concerned.
- 3.8.4 If the inspection, test and analyses referred to in clauses 8.2 and 8.3 show the supplies to be in accordance with the contract requirements, the cost of the inspections, tests and analyses shall be defrayed by the purchaser.
- 3.8.5 Where the supplies or services referred to in clauses 8.2 and 8.3 do not comply with the contract requirements, irrespective of whether such supplies or services are accepted or not, the cost in connection with these inspections, tests or analyses shall be defrayed by the supplier.
- 3.8.6 Supplies and services, which are, referred to in clauses 8.2 and 8.3 and which do not comply with the contract requirements may be rejected.
- 3.8.7 Any contract supplies may, on or after delivery, be inspected; tested or analyzed and may be rejected if found no to comply with the requirements of the contract. Such rejected supplies shall be held at the cost and risk of the supplier who shall, when called upon, remove them immediately at his own cost and forthwith substitute them with supplies which do comply with the requirements of the contract. Failing such removal the rejected supplies shall be returned at the suppliers cost and risk. Should the supplier fail to provide the substitute supplies forthwith, the purchase may without giving the supplier further opportunity to substitute the rejected supplies purchase such supplies as may be necessary at the expense of the supplier.
- 3.8.8 The provisions of clauses 8.4 to 8.7 shall not prejudice the right of the purchaser to cancel the contract on account of a breach of the conditions thereof, or to act in terms of Clause 23 of GCC.

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Packing

3.8.9 The supplier shall provide such packing of the goods as is required to prevent their damage or deterioration during transit to their final destination, as indicated in the contract. The packing shall be sufficient to withstand, without limitation, rough handling during transit and exposure to extreme temperatures, salt and precipitations during transit, and open storage. Packing, case size and weights shall take into consideration, where appropriate, the remoteness of the goods' final destination and the absence of heavy handling facilities at all points in transit.

3.8.10 The packing, marking and documentation within and outside the packages shall comply strictly with such special requirements as shall be expressly provided for in the contract, including additional requirements, if any, specified in SCC, and in any subsequent instructions ordered by the purchaser.

3.9 Delivery and documents

3.9.1 Delivery of the goods shall be made by the supplier in accordance with the terms specified in the contract. The details of shipping and/or other documents to be furnished by the supplier are specified in SCC.

3.10 Insurance

3.10.1 The goods supplied under the contract shall be fully insured in a freely convertible currency against loss or damage incidental to manufacture or acquisition, transportation, storage and delivery in the manner specified in the SCC.

3.11 Transportation

3.11.1 Should a price other than an all-inclusive delivered price be required, this shall be specified in the SCC.

3.12 Incidental services

3.12.1 The supplier may be required to provide any or all of the following services, including additional services, if any specified in SCC:

- (a) performance or supervision of on-site assembly and/or commissioning of the supplied goods;
- (b) furnishing of tools required for assembly and/or maintenance of the supplied goods;
- (c) furnishing of a detailed operations and maintenance manual for each appropriate unit of the supplied goods;
- (d) performance or supervision or maintenance and/or repair of the supplied goods, for a period of time agreed by the parties, provided that this service

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- shall not relieve the supplier of any warranty obligations under this contract;
and
- (e) training of the purchaser's personnel, at the supplier's plant and/or on- site, in assembly, start-up, operation, maintenance, and/or repair of the supplied goods.

3.12.2 Prices charged by the supplier for incidental services, if not included in the contract price for the goods, shall be agreed upon in advance by the parties and shall not exceed the prevailing rates charged to other parties by the supplier for similar services.

3.13 Spare parts

3.13.1 As specified in SCC, the supplier may be required to provide any or all of the following materials, notifications, and information pertaining to spare parts manufactured or distributed by the supplier:

- (a) such spare parts as the purchaser may elect to purchase from the supplier, provided that this election shall not relieve the supplier of any warranty obligations under the contract ; and
- (b) in the event of termination of production of the spare parts:
 - (i) Advance notification to the purchaser of the pending termination, in sufficient time to permit the purchaser to procure needed requirements; and
 - (ii) Following such termination, furnishing at no cost to the purchaser, the blueprints, drawings and specifications of the spare parts, if requested.

3.14 Warranty

3.14.1 The supplier warrants that the goods supplied under the contract are new, unused, of the most recent or current models and that they incorporate all recent improvements in design and materials unless provided otherwise in the contract. The supplier further warrants that all goods supplied under this contract shall have no defect, arising from design, materials, or workmanship (except when the design and/or material is required by the purchaser's specifications) or from any act or omission of the supplier, that may develop under normal use of the supplied goods in the conditions prevailing in the country of final destination.

3.14.2 This warranty shall remain valid twelve (12) months after the goods, or any portion thereof as the case may be, have been delivered to and accepted at the final destination indicated in the contract, or for eighteen (18) months after the date of shipment from the port or place of loading in the source country, whichever period concludes earlier, unless specified otherwise in SCC.

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- 3.14.3 The purchaser shall promptly notify the supplier in writing of any claims arising under this warranty.
- 3.14.4 Upon receipt of such notice, the supplier shall, with the period specified in SCC and with all reasonable speed, repair or replace the defective goods or parts thereof, without costs to be purchaser.
- 3.14.5 If the supplier, having been notified, fails to remedy the defect(s) within the period specified in SCC, the purchaser may proceed to take such remedial action as may be necessary, at the supplier's risk and expense and without prejudice to any other rights which the purchaser may have against the supplier under the contract.

3.15 Payment

- 3.15.1 The method and conditions of payment to be made to the supplier under this contract shall be specified in SCC.
- 3.15.2 The supplier shall furnish the purchaser with an invoice accompanied by a copy of the delivery note and upon fulfilment of other obligations stipulated in the contract.
- 3.15.3 Payments shall be made promptly by the purchaser, but in no case later than thirty (30) days after submission of an invoice or claim by the supplier.
- 3.15.4 Payment will be made in Rand unless otherwise stipulated in SCC.

3.16 Prices

- 3.16.1 Prices charged by the supplier for goods delivered and services performed under the contract shall not vary from the prices quoted by the supplier in his bid, with the exception of any price adjustments authorized in SCC or in the purchaser's request for bid validity extension, as the case may be.

3.17 Contract Amendments

- 3.17.1 No variation in or modification of the terms of the contract shall be made except by written amendment signed by the parties concerned.

3.18 Assignment

- 3.18.1 The supplier shall not assign, in whole or in part, its obligations to perform under the contract, except with the purchaser's prior written consent.

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3.19 Subcontracts

3.19.1 The supplier shall notify the purchaser in writing of all subcontracts awarded under this contract if not already specified in the bid. Such notification, in the original bid or later, shall not relieve the supplier from any liability or obligation under the contract.

3.20 Delays in the supplier's performance

3.20.1 Delivery of the goods and performance of services shall be made by the supplier in accordance with the time schedule prescribed by the purchaser in the contract.

3.20.2 If at any time during performance of the contract, the supplier or its subcontractor(s) should encounter conditions impeding timely delivery of the goods and performance of services, the supplier shall promptly notify the purchaser in writing in writing of the fact of the delay, its likely duration and its cause(s). As soon as practicable after receipt of the supplier's notice, the purchaser shall evaluate the situation and may at his discretion extend the supplier's time for performance, with or without the imposition of penalties, in which case the extension shall be ratified by the parties by amendment of contract.

3.20.3 No provision in a contract shall be deemed to prohibit the obtaining of supplies or services from a national department, provincial department, or local authority.

3.20.4 The right is reserved to procure outside of the contract small quantities or to have minor essential services executed if an emergency arises, the supplier's point of supply is not situated at or near the place where the supplies are required, or the supplier's services are not readily available.

3.20.5 Except as provided under GCC clause 3.25, a delay by the supplier in the performance of its delivery obligations shall procure the supplier liable to the imposition of penalties, pursuant to GCC clause 3.22, unless an extension of time is agreed upon pursuant to GCC clause 3.21.2 without the application of penalties.

3.20.6 Upon any delay beyond the delivery period in the case of a supplies contract, the purchaser shall, without cancelling the contract, be entitled to purchase supplies of a similar quality and up to the same quantity in substitution of the goods not supplied in conformity with the contract and to return any goods delivered later at the supplier's expense and risk, or to cancel the contract and buy such goods as may be required to complete the contract and without prejudice to his other rights, be entitled to claim damages from the supplier.

3.21 Penalties

3.21.1 Subject to GCC clause 3.25, if the supplier fails to deliver any or all of the goods or to perform the services within the period(s) specified in the contract, the purchaser shall, without prejudice to its other remedies under the contract, deduct from the

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contract price, as a penalty, a sum calculated on the delivered price of the delayed goods or unperformed services using the current prime interest rate calculated for each day of the delay until actual delivery or performance. The purchaser may also consider termination of the contract pursuant to GCC clause 3.23.

3.22 Termination for default

3.22.1 The purchaser, without prejudice to any other remedy for breach of contract, by written notice of default sent to the supplier, may terminate this contract in whole or in part:

- (a) if the supplier fails to deliver any or all of the goods within the period(s) specified in the contract, or within any extension thereof granted by the purchaser pursuant to GCC clause 21.2;
- (b) if the supplier fails to perform any other obligation(s) under the contract; or if the supplier, in the judgment of the purchaser, has engaged in corrupt or fraudulent practices in competing for or in executing the contract.

3.22.2 In the event the purchaser terminates the contract in whole or in part, the purchaser may procure, upon such terms and in such manner as it deems appropriate, goods, works or services similar to those undelivered, and the supplier shall be liable to the purchaser for any excess costs for such similar goods, works or services. However, the supplier shall continue performance of the contract to the extent not terminate.

3.23 Anti-dumping and countervailing duties and rights

3.23.1 When, after the date of bid, provisional payments are required, or anti-dumping or countervailing duties are imposed, or the amount of a provisional payment or anti-dumping or countervailing right is increased in respect of any dumped or subsidized import, the State is not liable for any amount so required of imposed, or for the amount of any such increase. When, after the said date, such a provisional payment is no longer required or any such anti-dumping or countervailing right is abolished, or where the amount of any such provisional payment or any such right is reduced, any such favorable difference shall on demand be paid forthwith by the contractor to the State may deduct such amounts from moneys (if any) which may otherwise be due to the contractor in regard to supplies or services which he delivered or procured, or is to deliver or procure in terms of the contract or any other contract or any other amount which may be due to him.

3.24 Force Majeure

3.24.1 Notwithstanding the provisions of GCC clauses 3.22 and 3.23, the supplier shall not be liable for forfeiture or its performance security, damages or termination for default if and to the extent that his delay in performance or other failure to perform his obligations under the contract is the result of an event of force majeure.

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3.24.2 If a force majeure situation arises, the supplier shall promptly notify the purchaser in writing of such condition and the cause thereof. Unless otherwise directed by purchaser in writing, the supplier shall continue to perform its obligations under the contract as far as is reasonably practical, and shall seek all reasonable alternative means for performance not prevented by the force majeure event.

3.25 Termination for insolvency

3.25.1 The purchaser may at any time terminate the contract by giving written notice to the supplier if the supplier becomes bankrupt or otherwise insolvent. In this event, termination will be without compensation to the supplier, provided that such termination will prejudice or affect any right of action or remedy, which has accrued or will accrue thereafter to the purchaser.

3.26 Settlement of Disputes

3.26.1 If any dispute or difference of any kind whatsoever arises between the purchaser and the supplier in connection with or arising out of the contract, the parties shall make every effort to resolve amicably such dispute or difference by mutual consultation.

3.26.2 If, after thirty (30) days, the parties have failed to resolve their dispute or difference by much mutual consultation, then either the purchaser or the supplier may give notice to the other party of his intention to commence with mediation. No mediation in respect of this matter may be commenced unless such notice is given to the other party.

3.26.3 Should it not be possible to settle a dispute by means of mediation, it may be settled in a South African court of law.

3.26.4 Mediation proceedings shall be conducted in accordance with the rules or procedure specified in the SCC.

3.26.5 Notwithstanding any reference to mediation and/or court proceedings herein,

- (a) the parties shall continue to perform their respective obligations under the contract unless they otherwise agree; and
- (b) the purchaser shall pay the supplier any monies due the supplier.

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3.27 Limitation of liability

3.27.1 Expect in cases of criminal negligence or willful misconduct, and in the case of infringement pursuant to clause 3.6;

- (a) the supplier shall not be liable to the purchaser, whether in contract, tort, or otherwise, for any indirect or consequential loss or damage, loss or use, loss of production, or loss of profits or interest costs, provided that this exclusion shall not apply to any obligation of the supplier to pay penalties and/or damages to the purchaser; and
- (b) the aggregate liability of the supplier to the purchaser, whether under the contract, in tort or otherwise, shall not exceed the total contract price, provided that this limitation shall not apply to the cost of repairing or replacing defective equipment.

3.28 Governing language

3.29.1 The contract shall be written in English. All correspondence and other documents pertaining to the contract that is exchanged by the parties shall also be written in English.

3.30 Applicable law

3.30.1 The contract shall be interpreted in accordance with South African laws, unless otherwise specified in SCC.

3.31 Notices

3.31.1 Every written acceptance of a bid shall be posted to the supplier concerned by registered or certified mail and any other notice to him shall be posted by ordinary mail to the address furnished in his bid or to the address notified later by him in writing and such posting shall be deemed to be proper service of such notice.

3.31.2 The time mentioned in the contract documents for performing any act after such aforesaid notice has been given, shall be reckoned from the date of posting of such notice

3.32 Taxes and duties

3.32.1 A foreign supplier shall be entirely responsible for all taxes, stamp duties, license fees, and other such levies imposed outside the purchaser's country.

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3.32.2 A local supplier shall be entirely responsible for all taxes, duties, license fees, etc., incurred until delivery of the contracted goods to the purchaser.

3.32.3 No contract shall be concluded with any bidder whose tax matters are not in order. Prior to the award of a bid the Department must be in possession of a tax clearance certificate, submitted by the bidder. This certificate must be an original issued by the South African Revenue Services.

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Tender Conditions

TENDER NO: TECH/12/2022-23

**APPOINTMENT OF PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR
INFRASTRUCURE PROJECTS FOR A PERIOD OF 3 YEARS**

1. Tender must satisfy themselves that the documents are complete and in the same order as listed in the index. The Local Municipality of THABAZIMBI will not be held responsible for any discrepancy or uncertainty.
2. Bidders are required to scan their fully completed tender document with all its returnable documents and submit it in a non –rewritable compact disc (CD-R) together with the hard copy document.
3. The Municipality does not bind itself to accept the lowest or any bid, or to disclose any reasons for their decision. The municipality further reserves the right to accept the whole or part of the bid should it deem fit.
4. The tender documents indicated above, must be completed and submitted in full **(Black Ink must be used and failure to use black ink WILL disqualify your tender)**
5. Tipex is not allowed on tender amounts.
6. It is the responsibility of the tenderer to ensure that their RFPs/Bid Documents are submitted before the closing time to the correct address.
7. Tenderers received after closing date and time are late and will not be considered.
8. Tender submitted by fax or email, post box, telex or telegram **Will Not Be Considered.**
9. The municipality will not be held responsible for documents lost through couriers, therefore bidders must ensure that couriered documents reach the required destination and are deposited in the correct tender box before the closing date and time.
10. The complete tender documents obtained must be submitted in the same order and not part thereof be removed or omitted.
11. Tenderers must attach proof of purchase of tender document.
12. Failure to submit a **Tax pin** will invalidate your tender.
13. Municipal Preferential Procurement Policy Framework Act (Act No. 5 of 2000) and subsequent regulation shall apply.
14. Bidders must be registered with the central suppliers database, through self- registrations on www.csd.gov.za
15. No preference points will be claimed by bidders who fail to submit a BBB-EE certificate.

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16. **BIDDERS MUST ENSURE THAT FORM OF OFFER IS COMPLETELY FILLED AND SIGNED, FAILURE WHICH WILL INVALIDATE THE OFFER.**
17. The tenderers must take care that their offers with reference to the price must be quoted strictly in accordance with the units requested and on the form provided.
18. No preference points would be claimed if Preferential Procurement Regulations of 2017 form is not completed and signed.
19. Bids must be sealed and endorsed accordingly (Bid number be written on the envelope)

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PART D

PREFERENCE POINTS CLAIM



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

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

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

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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



2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

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

Where

- Ps = Points scored for price of bid under consideration
- Pt = Price of bid under consideration
- Pmin = Price of lowest acceptable bid

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

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

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

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted%
- ii) The name of the sub-contractor.....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

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



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MBD 6.1

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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

8.7 MUNICIPAL INFORMATION

Municipality where business is situated:

Registered Account Number:

Stand Number:.....

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MBD 6.1

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

8.9 I/we, the undersigned, who is / are duly authorized to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favorable arrangements due to such cancellation;
 - (d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

.....

SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....

THABAZIMBI LOCAL MUNICIPALITY



PART E

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES



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	<p>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?</p> <p>(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).</p> <p>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.</p>	<input type="checkbox"/>	<input type="checkbox"/>
4.1.1	If so, furnish particulars:		



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MBD 8

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:		
Item	Question	Yes	No
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:		



THABAZIMBI LOCAL MUNICIPALITY

MBD 8

CERTIFICATION

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

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

SIGNATURE		DATE	
NAME OF SIGNATORY			
POSITION			
NAME OF BIDDER(COMPANY)			

THABAZIMBI LOCAL MUNICIPALITY



PART F

CERTIFICATE OF INDEPENDENT BID DETERMINATION



CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description) in

response to the invitation for the bid made by:

(Name of Municipality / Municipal Entity)

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

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign, the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

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THABAZIMBI LOCAL MUNICIPALITY

MBD 9

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

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MBD 9

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	
NAME OF SIGNATORY			
POSITION			
NAME OF BIDDER (COMPANY)			

THABAZIMBI LOCAL MUNICIPALITY



PART G

DECLARATION OF INTEREST



THABAZIMBI LOCAL MUNICIPALITY

MBD 4

DECLARATION OF INTEREST

- 1. No bid will be accepted from persons in the service of the ~~state~~
- 2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of 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 and/or take an oath declaring his/her interest.
- 3. In order to give effect to the above, the following questionnaire must be completed and Submitted with the bid.

3.1	Full name	
3.2	Identity number	
3.3	Company registration number	
3.4	Tax reference number	
3.5	Vat registration number	

3.6	Are you presently in the service of the state <input type="checkbox"/>	YES	NO
3.6.1	If so, furnish particulars.		
3.7	Have you been in the service of the state for the past twelve months?	YES	NO
3.7.1	If so, furnish particulars.		

- * TSCM 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;
 - (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.



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MBD 4

3.8	Do you, have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid?	YES	NO
3.8.1	If so, furnish particulars.		

3.9	Are you, aware of any relationship (family, friend, other) between a bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?	YES	NO
3.9.1	If so, furnish particulars		

3.10	Are any of the company's directors, managers, principal shareholders or stakeholders in service of the state?	YES	NO
3.10.1	If so, furnish particulars		

3.11	Are any spouse, child or parent of the company's directors, managers, principal shareholders or stakeholders in service of the state?	YES	NO
3.11.1	If so, furnish particulars		



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MBD 4

Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	State Employee Number

4. 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.

SIGNATURE		DATE	
NAME OF SIGNATORY			
CAPACITY			
NAME OF BIDDER COMPANY)			

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PART H

MUNICIPAL RATES AND TAXES



MUNICIPAL RATES & CHARGES CLEARANCE CERTIFICATE

IT IS A CONDITION OF BIDDING I.R.O. GOODS, WORKS AND SERVICES ABOVE A TRANSACTION VALUE OF R15 000 (VAT INC) THAT –

1. The rates and taxes as well as other charges (e.g. water and electricity accounts) of the successful bidder must be in order, or that satisfactory arrangements have been made with the municipality concerned to meet his/her obligations in this regard.
2. The attached form “Application for a municipal tax rates & charges Clearance Certificate” in respect of bidders must be completed in all respects and submitted to the municipality where the bidder or his/her business is located.

The relevant municipality will then furnish the bidder with a “Clearance Certificate” that will be valid for a period of twelve (12) months from date of issue.

3. This Clearance Certificate must be obtained by the bidder at his/her own cost and submitted in the original together with the rest of the bid documents.
4. Failure to submit the original valid Clearance Certificate may invalidate your bid.
5. In bids where consortia/joint ventures/sub-contractors are involved, each party must submit a separate Clearance Certificate.
6. If a bidder resides in an area where rates and taxes are not payable, the bidder must submit an affidavit clearly stipulating such information together with a proof of residence from the tribal authority/municipality.
7. If a bidder resides in an area which is rented and the bidder is not the one responsible for rates and taxes, bidder must submit a lease agreement clearly outlining who is responsible for the rates and taxes between the lease and lessor
8. If bidder trades from home, the bidder must provide an affidavit clearly stipulating that the business trades from home and attach the rates and taxes certificate of that particular home.
9. If bidder rent a premise for his/her personal use or for the company to conduct business, provide lease agreement indicating who is responsible for the payment of account.
10. And the abovementioned information must be provided for the company and the individual directors of the company.

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SCM 5

**APPLICATION FOR A TAX, RATES & OTHER MUNICIPAL CHARGES CLEARANCE CERTIFICATE
(I.R.O. BIDDERS)**

1. Full name of tax payer/bidder				
2. Trade name (if any)				
3. Identification No.				
4. Company/Close Company Registration No.				
5. Municipal Account No.				
Signature of person requiring Clearance Certificate				
Name				
Telephone No.		Code		Number
Residential Address				
Postal Address				



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SCM 5

CLEARANCE CERTIFICATE BY MUNICIPALITY

I, _____ (Full names) in my
 capacity as _____ (Designation) Of the municipality of
 _____ (Name of municipality)
 hereby certify that:

- I have examined the municipal accounts of the above-named person/firm/company/close corporation and am satisfied that all his/her municipal accounts are up to date and fully paid.

- I have examined the above-named municipal accounts and have found the said accounts to be in arrears.

Signature of official		MUNICIPAL STAMP
Name of Municipality		
Telephone No.		
Date		

NB: THIS SECTION MUST BE FILLED BY MUNICIPAL OFFICIAL AND NOT A BIDDER, AND STATEMENT OF MUNICIPAL ACCOUNT MUS ALSO BE ATTACHED.

*****Do not attaché an invoice. Strictly statement of municipal accounts is required.**

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THABAZIMBI LOCAL MUNICIPALITY



PART I

AUTHORITY TO SIGN



THABAZIMBI LOCAL MUNICIPALITY

AUTHORITY TO SIGN

THABAZIMBI LOCAL MUNICIPALITY
AUTHORITY TO SIGN DOCUMENTS

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete
The certificate set out below for the relevant category. Delete whichever is inapplicable.

A	B	C	D	E
Company	Partnership	Joint Venture	Sole Proprietor	Close Corporation

The following documentation must be provided in all categories

Certified Copy of Extract from Minutes
Company Documentation

A. Certificate for company

I,....., chairperson of the board of directors of
....., hereby confirm that by
resolution of the board taken on
..... 20.....,
Mr/Ms... .., acting in the capacity of
....., was authorized to sign all documents in
connection with this tender and any contract resulting from it on behalf of the
company.

As witnesses:-

1.
Witness Chairman

2.
Witness Date



THABAZIMBI LOCAL MUNICIPALITY

AUTHORITY TO SIGN

B. Certificate for partnership

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

NAME	ADDRESS	SIGNATURE	DATE

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



THABAZIMBI LOCAL MUNICIPALITY

AUTHORITY TO SIGN

C. Certificate for Joint Venture

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 for Contract and any contract resulting from it on our behalf. This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORIZING SIGNATURE, NAME & CAPACITY
Lead Partner (Partner 1)		Signature: _____ Name: _____ Position: _____
Partner 2		Signature: _____ Name: _____ Position: _____
Partner 3		Signature: _____ Name: _____ Position: _____
Partner 4		Signature: _____ Name: _____ Position: _____



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AUTHORITY TO SIGN

D. Certificate for sole proprietor.

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

trading as

.....

As witnesses:-

1.
Witness Signature: Sole owner

2.
Witness Date



THABAZIMBI LOCAL MUNICIPALITY

AUTHORITY TO SIGN

E. Certificate for Close Corporation

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

NAME	ADDRESS	SIGNATURE	DATE

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

In his capacity as:

Date:

Signature of Signatory:

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PART J

TECHNICAL SPECIFICATION



TENDER: TECH/12/2022-23

APPOINTMENT OF A PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR INFRASTRUCTURE PROJECTS FOR THE PERIOD OF 3 YEARS

WORK PACKAGE A: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF COMMUNITY FACILITIES

WORK PACKAGE B: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS – CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF ROADS AND STORM WATER

WORK PACKAGE C: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF WATER SUPPLY SCHEMES

WORK PACKAGE D: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - ELECTRICAL ENGINEERING COMPANIES FOR INSTALLATION OF HIGH MAST LIGHTS

WORK PACKAGE E: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF SANITATION PROGRAMME

1. The appointed service providers will be responsible for the following activities:
2. Carrying out of Feasibility studies (EIA's, Geo-tech, Geo-hydrological and Surveying)
3. Planning (Preliminary Designs and Detailed Designs)
4. Preparations of Tender Documentation and Drawings
5. Evaluation of Tender Documents
6. Construction Monitoring and Supervision
7. Progress Reporting on Monthly basis
8. Issuing of Completion Certificates
9. Preparation of Close Out Reports & Issue As-Build drawings

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SPECIFICATION

- At least one of the Director(s) that appears on the company registration document must be registered with the Engineering Council of South Africa (ECSA) as a professional accredited Engineer or Technologist for the respective professional service area.
- A company must be affiliated/Registered with the Consulting Engineers South Africa (CESA) or South African Black Technical and Allied Careers Organization (SABTACO).
- The appointment of these service providers is necessary for proper planning and rolling out of the MIG/WSIG/INEP, any other infrastructure conditional grants or any independent sourced funding by service provider for the next three financial years in order to avoid unnecessary underspending or possible roll-overs.

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WORK PACKAGE A



THABAZIMBI LOCAL MUNICIPALITY

Terms of Reference

F O R T H E

**Appointment of suitably qualified Engineering Consultants
and Related Service Providers**

To the

**Thabazimbi Local Municipality
(Community Facilities)**

T E N D E R R E F:

TECH/12/2022-23

Client	Thabazimbi Local Municipality
Contract Type	Term Contract for a period of 3 years. (36 months)
Project	Appointment of Structural Engineering Consultants for Planning, Design and Construction Monitoring of Municipal Facilities

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THABAZIMBI LOCAL MUNICIPALITY

1) INTRODUCTION

The Thabazimbi Local Municipality is a Category B municipality located within the Waterberg District in the south-western part of the Limpopo Province.

THABAZIMBI Local Municipality is bordered by:

- Madibeng Local Municipality
- Lephalale Local Municipality
- Bela Bela Local Municipality
- Moses Kotane Local Municipality

The Thabazimbi Local Municipality is located in the Limpopo Province and extends to the North West border. It is one of five municipalities in the Waterberg District area of jurisdiction. Neighboring municipalities include Lephalale Local Municipality to the north, Bela-Bela Local Municipality to the east and Moses Local Municipality to the south-east. The Northwest and Gauteng Provinces border the Municipality to the south, and Botswana to the west. Thabazimbi Town is the municipal capital and one of four major towns in the District, together with Modimolle, Mokopane, Lephalale, and Bela Bela. Routes R511, R510 and R516 are the only regional roads that traverse the western parts of the District, linking Thabazimbi, Bela-Bela, Mookgophong and Mokopane with the provincial capital, Polokwane.

The Municipality covers an area of approximately 11 190 km² and is mostly rural in nature, comprising of 4 x Urban Settlements, 5 x Rural Settlements and 12 x Informal Settlements. The N4 Corridor which is the east-west bound road connecting Rustenburg and Pretoria runs to the south of THABAZIMBI local municipality. According to Stats SA, the 2021 projection shows that there are ± 104 781 people residing within the area of the Municipality, which amounts to ± 38 175 households.

2) Problem Statement

The TLM undertook a diagnostic exercise during the 2020/21 financial year and identified a myriad of gaps impacting on provisioning of infrastructure and basic services to communities. This exercise culminated in the prioritization of projects which are due to be implemented in the next three financial years through grant, sectorial and municipal funded mechanisms (e.g. MIG, WSIG, and INEP) by the Municipality.



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The following challenges have been identified;

a) Infrastructure Planning

- Inability to plan, develop and manage infrastructure projects;

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- Outdated or non-existent sector plans

b) Infrastructure Asset Management

- Ageing infrastructure
- Poor Infrastructure Asset Management
- Poor rate of cost recovery for infrastructure services
- High water and electricity losses due to illegal connections, dilapidated infrastructure, poor distribution systems, lack of demand management systems etc
- Lack of capacity, systems and procedures to operate and maintain infrastructure

c) Bulk Infrastructure Provision

- Insufficient water resources to serve all communities
- Inadequate bulk infrastructure, with most treatment works not functioning optimally

d) Access to Basic Services

- High backlogs in terms of access to water and sanitation.
- Inadequate tracking of backlog eradication has meant that the backlog status is not known definitively.

e) Project & Contract Management

- Lack of contract management capacity;
- Inability to effectively plan for delivery of infrastructure projects;
- Incapacity to manage the execution of projects to ensure highest quality of delivery, aligned with set standards, procedures and set outcomes;
- Under-spending on capital budgets and overspending on operational budgets as well as inappropriate use of conditional infrastructure grants for purposes other than those intended.
- Appointment of related support services and suppliers without following due processes in terms of the Municipal Finance Management Act,

From this exercise, the TLM hereby responds accordingly by requesting the services of professional and related infrastructure service providers to offer technical support in engineering,

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and related services towards improving the management of their infrastructure development, operations & maintenance, and PMU Unit.

3) Objectives

This Terms of Reference (ToR) therefore seeks to outline the services required of suitable qualified Professional Services Providers (PSP’s) as well as other related services to the TLM Panel to provide support in Engineering and related services to the THABAZIMBI Local Municipality for a period of 3 (three) years.

The Service Providers must have the **capacity** and **capabilities** to primarily deal with the challenges identified in the municipality, based on grant funded capital projects. The Service Providers should be able to propose solutions and execute them in a practical and hands-on manner. In addition to this, there should be a focus on building the internal capacity of the municipality as well as transferring knowledge and skills to appropriate municipal employees where possible.

The overall objective is therefore to support municipalities thus ensuring effective scoping and delivery of multiple infrastructure projects as set out within the Integrated Development Plans (IDP’s) of the municipality. It will be the responsibility of the PSP to collect and collate the base information required to allow them to discharge their obligations in terms of the agreements to be entered into between the municipality and the PSP. In awarding these contracts, TLM intends to enter into an individual specific contract or Service Level Agreement (SLA) with each successful Service Provider.

Please Note:

PSP is defined as an Engineering Consultancy firm, as registered with CESA, SBTACO, ECSA (as applicable), who will provide services as defined in this Terms of Reference.

The decision on the number of consulting firms appointed will remain firmly with the Municipality, based on its needs.

Related Services Provider is defined as a supplier of a service or goods that facilitates the execution of the Infrastructure project and categorized as a secondary or support service to the

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Project. This will include Surveyors; Geohydrologists, Geotechnologist, Environmentalists, Training academies, OHS Specialist

Providers for Related Services must have the applicable minimum qualifications and experience as per their related field of work.

4) Scope Of Work

4.1 Engineering (REF: CE)

The successful **PSP** will undertake the following activities and any other activities related to **engineering** services to the TLM as follows:-

- a) Delivering **Engineering Services** diligently in accordance with South African Policies, Acts, Regulations and Industry Guidelines following TLM and Municipal Norms and Practices;
- b) Assessment of **Engineering** Infrastructure planning, development, implementation and Operation & Maintenance requirement of municipality in consultation with relevant municipal leadership and/ or officials and sectoral stakeholders and municipal Infrastructure Development Plan (IDP), Sector Development Framework (SDF), District, Provincial and National Policies and Strategies.
- c) Supporting/assisting municipalities in preparing Project Business Plans in accordance to government and/ or non-government Funders conditions and securing necessary Funds as applicable.
- d) Supporting/assisting municipality in managing **Engineering** Infrastructure Life Cycle covering Pre-feasibility and Feasibility Studies, Design and Development, Implementation and Operation and Maintenance including procurement of various services providers and emanated contract management; and projects cost, quality and time management.
- e) Supporting/assisting municipality in implementation and management of infrastructure in compliance with various organizational and funders progress reporting, monitoring and evaluation requirements.
- f) Supporting/assisting municipality in reviewing and / or developing and implementing sector master plans.
- g) Complete any other assignment, as and when required, according to the TLM representatives' request.
- h) Provide construction monitoring services for projects the PSP is involved

The stages for professional fees will be in accordance with the Engineering Council of SA (ECSA) as

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follows: -

Stage	Percentage
Inception 5%	5%
Concept and Viability 25%	25%
Design Development 25%	25%
Documentation and Procurement 15%	15%
Contract Administration and Inspection 25%	25%
Close Out	5%

i) Fees paid will be as prescribed by the prevailing guidelines as gazette annually by ECSA However, tenderers who offer discounts off primary fees will score favorably during evaluation.

4.2 Related support services for Infrastructure projects

The service provider should in addition appoint service providers for additional **infrastructure –related support services**, who will undertake the following activities to the TLM as follows for a period of 3 years;-

- a) Environmental Services (REF: ES)
- b) Geotechnical Services (REF: GS)
- c) Surveying Services (REF: SS)
- d) Electrical Engineering Services (REF: EES)
- e) Building & Architectural Services (REF: BAS)
- f) Mechanical Engineering Services (REF: MES)
- g) Occupational Health and Safety Services (REF: OHS)
- h) Accredited Training Services (REF: ATS)
- i) Geo-hydrologist Services (REF: GES)
- j) Plant and Equipment Hire Services (REF: PES)
- k) Material Supply Services (REF : MAT)

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- l) Project Funding Services (REF: PFS)
- m) Risk Management Services (REF: RMS)
- n) Energy Demand/Alternative Energy Services (REF: EDS)
- o) Other Infrastructure-related services (REF: OIS)
- p) Asset Management Services (REF: AMS)
- q) Operation and Maintenance Services (REF: OMS)

The intention hereof, is to appoint suitably vetted service providers who will facilitate the implementation of the infrastructure projects by providing services and goods at discounted rates. This will ultimately assist the execution of the projects as Service Providers will be recommended for use with appointed Contractors.

All services provided under the abovementioned list of ancillary service providers, must also submit the complete list of requirements (as applicable), in order to be considered for appointment.

These Service providers must list all of the services offered, together with corresponding pricing or value proposition for each consecutive year. These will be considered based on the need, merit, pricing and applicability. Submission of your tender does not automatically imply that your services will be utilized on Infrastructure projects during this period. Your appointment under this section will be governed on needs as identified by the Municipality.

All conditions as set out for the appointment of the Engineering Service Providers, will also apply for the support services as listed above (as applicable). Tenderers must indicate the applicable reference number on the cover sheet of the tender.

The “Value Proposition” to be submitted under this section, must be detailed and properly articulated to display the advantages and benefit to the Municipality. It must also be valid for a period of 3 years after the closing date of this tender.

4.3 Engineering Services

The Engineering PSP will be expected to conduct the following:-



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- a) Feasibility studies to estimate materials, time and labour costs
- b) Visit construction sites to monitor progress.
- c) Preparing tender and contract documents, including bills of quantities with the architect and/or the client;
- d) Preparation of project specifications;
- e) Undertaking costs analysis for repair and maintenance project work;
- f) Assisting in establishing the client's requirements and undertaking feasibility studies;
- g) Performing risk and value management and cost control;
- h) Preparing and analyzing costings for tenders;
- i) Advising on procurement strategy;
- j) Identifying, analyzing and developing responses to commercial risks;
- k) Providing advice on contractual claims;
- l) Analyzing outcomes and writing detailed progress reports;
- m) Valuing completed work and arranging payments;
- n) Preparations of As-Built drawings and issuing of O&M Manuals
- o) Prepare specifications for existing municipal building for maintenance/refurbishment work to be done on as and when required basis.

4.4. Capacity Building and Skills Transfer

- (a) In undertaking the tasks above, capacity building of existing or identified municipal employees will be critical. Evidently the PSP must build capacity building initiatives into their proposals to bridge the skills gaps experienced by municipalities;
- (b) The PSP is required to strengthen the overall capacity of the Infrastructure/Planning/Engineering/PMU's by timeously providing professional advice on matters regarding the projects in which they are involved in.

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4.5. Procurement Processes

The PSP's should provide support, guidance and facilitation to enable the municipality to manage procurement processes carried out in the targeted municipality for the purpose of implementing approved projects, **as and when required to do so.**

- a) Such procurement will be managed and implemented within the existing supply chain policies and mandate of the targeted municipality, provincial government, national government, relevant legislation and professional good practice guidelines.

5 COMPETENCY REQUIREMENTS FROM PSP's (Company Owner) and related service providers (Individuals)

Engineering – Proof of Professional Registration of the Owner of the company as a Professional Engineer/Technologist with ECSA is a prerequisite for main members of the firm, with the following expertise:

- a) Must have a minimum of a Tertiary qualification (not less than a Degree) in Engineering from a recognized institution. Please note that the academic qualifications will undergo a verification check. A post graduate qualification will be an added advantage
- b) Must have a minimum of 6 years post-graduation experience including 3 years programme and project management experience, with at least 3 years' experience in South African local government environment and infrastructure development projects.
- c) Ability to interact with respective stakeholders (especially executive management) in all three spheres of government.
- d) A clear understanding of methodologies used for municipal project planning, implementation, coordination, monitoring and evaluation phases, and be able to give feedback to project stakeholders.
- e) Must have excellent problem solving and mediation skills.
- f) Must have excellent communication and negotiating skills
- g) Ability to absorb complex information and assess the requirements readily.
- h) Understanding of the basic legal framework governing the local government sector.

6 Expected Outputs and Outcomes

The overall expected outcomes of the TLM are as follows;

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- 6.3.1 To have more realistic project cost planning during municipal budgeting process
- 6.3.2 To significantly reduce service delivery backlogs.
- 6.3.3 To have more control in terms of project cost management at municipal level
- 6.3.4 To improve efficiency and value for money during implementation of municipal project
- 6.3.5 To reduce a lengthy procurement duration by cutting down time on producing specifications and tender documents.
- 6.3.6 To have a support unit at the departmental level that can assist the municipality on approval issues that forms a core center of project implementation challenges.
- 6.3.7 To enable the municipalities and sector departments to realize the increased spending on their allocations.

7 PSP's and related service providers

The TLM hereby invites interested and suitable qualified PSP's and related service providers to provide support to the municipality for the following services:

Tender Reference No.	Project Name
TECH/12/2022-23	Appointment of suitably qualified Professional Service Provider for the Design and Construction of Community Facilities.

All tenders and supporting documents must be sealed and clearly marked as indicated above and should be deposited in the tender box of Municipality by no later than 8 December 2022 Technical enquiries shall be directed to Manager Electrical Services , Mr J Khuabo on email khuaboj@thabazimbi.gov.za before the 8 December 2022; 12:00.

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The TLM does not bind itself to accept the lowest or any tender and no reason for the acceptance or rejection of a tender will be given. Tenderers, once appointed are to form a part of TLM Panel of technical / engineering professionals and other related service providers for a period of three years with effect from tender closing date.

8 Selection of psp's and related service providers

Evaluation Flow Diagram - Responsiveness of Tender

First Stage: Legal Compliance Evaluation

The Tenderer must comply with the submission of **ALL** of the following requirements to be regarded as responsive:

Submission of the following documents:

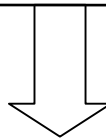
- o Certified Copy of the Identity Document/s of Company Owners
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the require field of interest
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA) of company owner. At least one of the Company Owner must be a Registered Professional with the Engineering Council of South Africa (ECSA)**
- o Minimum 6 years' post qualification experience
- o Adequately detailed CV's of key personnel.
- o Company Profile indicating similar works performed in the past 3 years – With clear referral
- o Methodology and Approach – a detailed outline of how the PSP's intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- o Central Supplier Database (CSD) Report not older that 3 months
- o Joint Venture agreement where applicable



THABAZIMBI LOCAL MUNICIPALITY
FAILURE TO SUBMIT THE ABOVE DOCUMENTS WILL RESULT IN DISQUALIFICATION

Non-responsive ← No

Yes → Proceed to Stage 2



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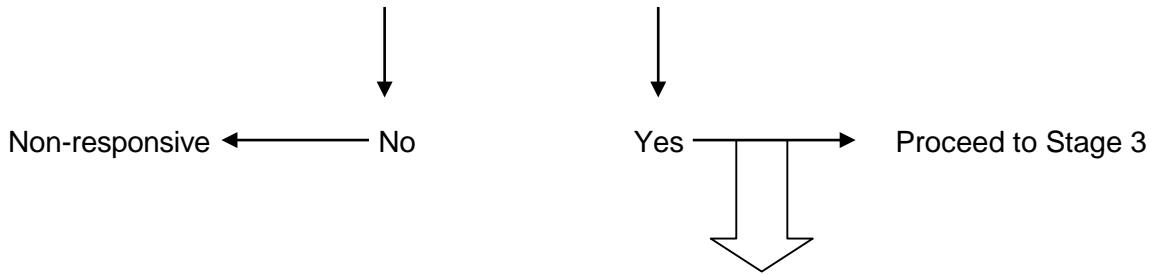
Second Stage: Functionality Evaluation

The Tenderer that complies with **ALL** of the requirement on the first stage will be tested for functionality.

The criteria will be used to determine functionality and minimum points of 70 out of 100 points must be achieved to be regarded as responsive. All tenderers that meet the above requirements will then be evaluated against criteria as set in stage 3. All tenders that fail to achieve minimum of 70 points for functionality assessments will be regarded as non-responsive.



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Stage 3 – Registration to the Panel of Service Providers

Registration in the Panel of Service Providers ranked according to the rate and HDI (functionality will take pre-eminence where necessary).

The selection of Service Providers for inclusion on the TLM Panel is solely at the discretion of the Municipality with strategic advice and input from other stakeholders. TLM will base the selection of its Service Providers based mainly on the following consideration points amongst others:

- (a) Previously demonstrated relevant technical experience and competence in Engineering, infrastructure field programmes and project delivery;
- (b) Quality: Focus on quality in terms of programme and project management as well as evaluation of work by other service providers forming part of the project delivery;

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- (c) Value Added Proposition: Innovation with regard to the methodology for the delivery of Engineering and related infrastructure services across municipalities with an aim to add value with less cost or leverage resources collectively;
- (d) Propensity and innovations in terms of capacity building on a municipal level with low capacity for skill absorption.

Applications will be scored according to the evaluation criteria as indicated on page 161. Applicants that score less than 70% in respect of functionality will be regarded as submitting a non-responsive application and will be disqualified.

Evaluation on Functionality

The applicants need to score minimum of targeted 70 points to be considered for placement on TLM Panel

9 Reporting

It will be required from successful PSP's and related Service Providers to submit monthly reports in accordance to TLM reporting framework which will be made available after appointment.

10 PROFESSIONAL FEES

Engineering PSP

Excerpt from ECSA scale of fees: Jan 2015

4.3.1 Project Types

The following tables categorize projects according to the typical range of fees that are appropriate.

Table 4-1: Work Types and Fee Categories for Civil, Agricultural and Structural Engineering Services Project Type

Project Type	Fee Category
General Agricultural Engineering	D
Pipelines	
Pipelines - Water	A
Pipelines - hazardous substances, submarine pipelines	D
Transport Infrastructure	
Airport Runways, Taxiways and Aprons	A



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New and improved unpaved roads	C
New and Improved Urban Roads	C
New Paved Rural Roads	A
New Rural Freeways	B
New Urban Freeways	D
Railway Trackwork	A
Railways (Excluding Cost of Track)	A
Road Rehabilitation	A
Rural Road Expansion	B
Water	
Large Earth Dams	B
Large Concrete Dams	C
Small Dams	D
Stormwater Pipes (Pre-cast Units)	A
Irrigation – Centre Pivot., lateral move and similar	B
Irrigation – Sprinklers and similar	C
Irrigation – Micro, drip and similar	D
Municipal and Building Civils	
Building civils	C
Municipal Services	C
Parking lots	A
Water and Sewage Treatment works	F
Geotechnical	
Underground Structures and Dredging	A
Reinforced Concrete and Structural Steel	
Complex Load Bearing Structures, Quay Walls and Jetties	F
Minor structures	C
Overpasses and Freeway Bridges	E
Powerstation Civil and Buildings	C
River Bridges	F
Stormwater structures, Breakwaters and canals (Designed)	C
Unique structures	E
Water Retaining Structures	D
Water Towers	E
Building Structural	
Iconic and Unique Buildings and Structural Alterations	G
Hospitals, Hotels, Airports, Stadia, Exhibition Halls and Retail Shopping Centres	F
Residential, Offices, Educational and Industrial	E
Mechanical Services	
Green building design and energy management	F
Specialised fire protection systems such as gas, foam extinguishing, etc.	D
Hazardous material systems	F
HVAC systems	D
Industrial process, piping and instrumentation	E
Mechanical plant and equipment	C
Pressure vessel design	F
Pumping and pipeline systems	D
Refrigeration and cold storage	C
Vertical transportation systems and materials handling	D



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Building Services	
Industrial building services and utilities	E
General - Commercial, retail, offices, schools, hostels, clinics, hotels and resorts	E
Specialized - Airport buildings, museums, theatres, libraries, public entertainment, hospitals, research facilities, universities, laboratories, conference facilities, institutional buildings and facilities.	F
Residential – individual luxury housing units and apartment buildings	F
Residential – multiple (>50) standard housing units	C
Wet Services	G

Table 4-4: Work Types and Fee Categories for Miscellaneous Services

Project Type	Fee Category
Electronic Engineering	G
Engineering Management	M
Industrial Engineering	N*

Note: Fee category N projects are not appropriate to determine fees based on the **cost of the works** and fees will be based on value delivered or time and cost as agreed between the **client** and **consulting engineer**.

4.3.2 Fee Range for Project Categories

The fee expressed as a percentage of the **cost of the works** will differ for different types of work due to different amounts of effort and engineering input required of the same **cost of the works**. For some types of projects the input can be high relative to the **cost of the works** while for other project types the input and corresponding percentage can be lower. The fees for a specific type of work can also vary considerably depending on the amount of effort required for a particular project relative to other projects of a similar type. However, an appropriate fee for full consultancy services, as set out in Section 3.2 above, should generally lie within the range shown below with the middle of the range representing the norm.

It is convenient to express the guideline professional fee in relation to a fixed works cost to establish a common reference point and to subsequently adjust this fee depending on the **cost of the works**. The Table below shows the typical range of fees appropriate for different categories of **works** with a works cost of R10 million, expressed as a percentage of the **cost of the works**. The table must be read in conjunction with Fig 4-1 in Clause 4.3.4.

Table 4-5: Guideline Fee for different Project Categories for a R10million works value

Table 4-5: Guideline Fee for different Project Categories for a R10million works value	Fee Category	Typical Lower Limit	Typical Upper Limit
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Based on a R10 million works value

A	6.0%	to	8.0%
B	7.0%	to	9.0%
C	8.0%	to	10.0%
D	9.0%	to	11.0%
E	10.0%	to	13.0%
F	11.0%	to	14.0%
G	12.0%	to	15.0%
M	2.0%	to	4.0%
N		Not appropriate to estimate fees based on cost of works	

Discount applicable.

Indicate discount applicable as a percentage to primary fees.....%

NOTE!!!!

ALL FEES PAYABLE WILL BE IN ACCORDANCE WITH THE APPLICABLE PREVAILING ECSA GUIDELINES WHICH ARE REVIEWABLE ANNUALLY.

The Professional Fees includes operational and administration expenditure required for the effective undertaking of the assigned tasks. This includes but not limited to Accommodation, Telephone, Printer, 3G, Computer, ICT Equipment, etc.

The TLM reserves the right to appoint the PSP based on any preference type, based on its needs.

Note that the above professional fees above exclude the travelling and subsistence disbursement which will be paid in accordance with the ECSA guidelines.

The successful individual professional service provider will enter into a performance contract with TLM and the payment will be linked to milestones specified in the agreement.

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11 Required documentation for submission

The following documents will constitute a valid tender

- Certified Copy of the Identity Document
- Tax pin/tax clearance certificate
- Certified Copies of the original Qualifications – As per the requirement
- **Certified Proof of Professional Registration as a Professional Engineer/Technologist /Architect / Projects Manager of Company Owner**
- Minimum 6 years' post qualification experience
- Adequately detailed CV's of key personnel.
- Company Profile indicating similar works performed in the past 3 years
- Methodology and Approach – a detailed outline of how the PSP intends to undertake tasks of this nature;
- Completed supplier information form (Attached)
- Completed and signed Terms of Reference
- Proof of professional Indemnity Insurance
- Municipality Rates and Taxes – Business
- Municipality Rates and Taxes – Company Directors
- Company / JVC audited Financial Statement
- All pages must be initialized and signed
- Bid amount be clearly written in front of the bid document.
- Completed and signed Invitation to bid (MBD1)
- Completed and signed Tax clearance certificate form (MBD2)
- Completed and signed Scheduling of Pricing (MBD3)
- Completed and signed Declaration of Interest (MBD4)
- Completed and signed Declaration for procurement above R10 million (MBD5)
- Completed and signed preferential procurement form (MBD6)
- Completed and signed Contract Form (MBD7)
- Completed and signed Declaration on the past SCM practices (MBD8)
- Complete and signed certificate of independent bid determination (MBD9)
- Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- Central Supplier Database (CSD) Report not older than 3 months
- Joint Venture agreement where applicable

NB: BIDDERS WHO FAIL TO COMPLY WITH EITHER OR ALL OF THE ABOVE MENTIONED REQUIREMENT SHALL BE AUTOMATICALLY DISQUALIFIED.



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FAILURE TO SUBMIT THE ABOVE DOCUMENTS WILL RESULT IN DISQUALIFICATION

12 Project DURATION

Successful tenders will be registered in the panel of Service Providers for a period of three (3) years and will be used on and as and when required rotational basis.

Annual projects will be allocated based on the needs of the TLM.

Appointment will be based on projects for the following financial years:

-

Year of appointment	Financial Year
Year 1	2022/23
Year 2	2023/24
Year 3	2024/25



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13 service providers CONTACT DETAILS

The prospective Service Provider is:

Postal Address:

.....

Physical Address:

.....

Telephone: Cell:

Email:.....@.....

Contact Person:..... Signature:

Position in Company:.....

14 TLM Contact Details

All enquiries regarding this tender should be directed to

<u>Technical</u>	<u>Procurement</u>
Mr. J. Khuabo	Ms B Monyeki
Manager Technical	Acting Manager Supply Chain
Services	Management
THABAZIMBI	THABAZIMBI
Tel: 079 286 0523	Tel: 066 008 3752 / 073 919 4602
Email: khuaboi@thabazimbi.gov.za	Email: beatricemonyeki5@gmail.com

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WORK PACKAGE B

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF ROADS AND STORM WATER

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Terms of Reference

F O R T H E

**Appointment of suitably qualified Engineering Consultants
and Related Service Providers**

to the

THABAZIMBI Local Municipality

(Roads and Stormwater Projects)

T E N D E R R E F:

TECH/12/2022

Client	Thabazimbi Local Municipality
Contract Type	Term Contract for a period of 3 years. (36 months)
Project	Appointment of Civil Engineering Consultants for Planning, Design and Construction Monitoring of Roads & Stormwater

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THABAZIMBI LOCAL MUNICIPALITY

1) INTRODUCTION

The Thabazimbi Local Municipality is a Category B municipality located within the Waterberg District in the south-western part of the Limpopo Province.

THABAZIMBI Local Municipality is bordered by:

- Madibeng Local Municipality
- Lephalale Local Municipality
- Bela Bela Local Municipality
- Modimolle-Mookgophong Local Municipality
- Botswana

The Thabazimbi Local Municipality is located in the Limpopo Province and extends to the Botswana border. It is one of six municipalities in the Waterberg District area of jurisdiction. Neighboring municipalities include Lephalale Local Municipality to the north, Modimolle Mookgophong Local Municipality to the east and Bela-Bela Local Municipality to the south-east. The Northwest and Gauteng Provinces border the Municipality to the south, and Botswana to the west. Thabazimbi Town is the municipal capital and one of four major towns in the District, together with Modimolle, Mokopane, Lephalale, and Bela Bela. Routes R511, R510 and R516 are the only regional roads that traverse the western parts of the District, linking Thabazimbi, Bela-Bela, Mookgophong and Mokopane with the provincial capital, Polokwane.

The Municipality covers an area of approximately 11 190 km² and is mostly rural in nature, comprising of 4 x Urban Settlements, 5 x Rural Settlements and 12 x Informal Settlements. The N4 Corridor which is the east-west bound road connecting Rustenburg and Pretoria runs to the south of THABAZIMBI local municipality. According to Stats SA, the 2021 projection shows that there are ± 104 781 people residing within the area of the Municipality, which amounts to ± 38 175 households

2) Problem Statement

The TLM undertook a diagnostic exercise during the 2013/14 financial year and identified a myriad of gaps impacting on provisioning of infrastructure and basic services to communities. This exercise culminated in the prioritization of projects which are due to be implemented in the next three financial years through grant, sectorial and municipal funded mechanisms (e.g. MIG, DWS, RBIG) by the Municipality.

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The following challenges have been identified;

a) *Infrastructure Planning*

- Inability to plan, develop and manage infrastructure projects;
- Outdated or non-existent sector plans

b) *Infrastructure Asset Management*

- Ageing infrastructure
- Poor Infrastructure Asset Management
- Poor rate of cost recovery for infrastructure services
- High water and electricity losses due to illegal connections, dilapidated infrastructure, poor distribution systems, lack of demand management systems etc
- Lack of capacity, systems and procedures to operate and maintain infrastructure

c) *Bulk Infrastructure Provision*

- Insufficient water resources to serve all communities
- Inadequate bulk infrastructure, with most treatment works not functioning optimally

d) *Access to Basic Services*

- High backlogs in terms of access to water and sanitation.
- Inadequate tracking of backlog eradication has meant that the backlog status is not known definitively.

e) *Project & Contract Management*

- Lack of contract management capacity;
- Inability to effectively plan for delivery of infrastructure projects;
- Incapacity to manage the execution of projects to ensure highest quality of delivery, aligned with set standards, procedures and set outcomes;
- Under-spending on capital budgets and overspending on operational budgets as well as inappropriate use of conditional infrastructure grants for purposes other than those intended.
- Appointment of related support services and suppliers without following due processes in terms of the Municipal Finance Management Act,

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From this exercise, the TLM hereby responds accordingly by requesting the services of professional and related infrastructure service providers to offer technical support in engineering, and related services towards improving the management of their infrastructure development, operations & maintenance, and PM Unit.

3) Objectives

This Terms of Reference (ToR) therefore seeks to outline the services required of suitable qualified Professional Services Providers (PSP's) as well as other related services to the TLM Panel to provide support in Engineering and related services to the THABAZIMBI Local Municipality for a period of 3 (three) years.

The Service Providers must have the **capacity** and **capabilities** to primarily deal with the challenges identified in the municipality, based on grant funded capital projects. The Service Providers should be able to propose solutions and execute them in a practical and hands-on manner. In addition to this, there should be a focus on building the internal capacity of the municipality as well as transferring knowledge and skills to appropriate municipal employees where possible.

The overall objective is therefore to support municipalities thus ensuring effective scoping and delivery of multiple infrastructure projects as set out within the Integrated Development Plans (IDP's) of the municipality. It will be the responsibility of the PSP to collect and collate the base information required to allow them to discharge their obligations in terms of the agreements to be entered into between the municipality and the PSP. In awarding these contracts, TLM intends to enter into an individual specific contract or Service Level Agreement (SLA) with each successful Service Provider.

Please Note:

PSP is defined as an Engineering Consultancy firm, as registered with CESA, SABTACO, ECSA (as applicable), who will provide services as defined in this Terms of Reference.

The decision on the number of consulting firms appointed will remain firmly with the Municipality, based on its needs.

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Related Services Provider is defined as a supplier of a service or goods that facilitates the execution of the Infrastructure project and categorized as a secondary or support service to the Project. This will include Surveyors; Geohydrologists, Geotechnologist, Environmentalists, Training academies; OHS Specialist

Providers for Related Services must have the applicable minimum qualifications and experience as per their related field of work.

4) Scope Of Work

4.1 Engineering (REF: CE)

The successful **PSP** will undertake the following activities and any other activities related to **engineering** services to the TLM as follows:-

- a) Delivering **Engineering Services** diligently in accordance with South African Policies, Acts, Regulations and Industry Guidelines following TLM and Municipal Norms and Practices;
- b) Assessment of **Engineering** Infrastructure planning, development, implementation and Operation & Maintenance requirement of municipality in consultation with relevant municipal leadership and/ or officials and sectoral stakeholders and municipal Infrastructure Development Plan (IDP), Sector Development Framework (SDF), District, Provincial and National Policies and Strategies.
- c) Supporting/assisting municipalities in preparing Project Business Plans in accordance to government and/ or non-government Funders conditions and securing necessary Funds as applicable.
- d) Supporting/assisting municipality in managing **Engineering** Infrastructure Life Cycle covering Pre-feasibility and Feasibility Studies, Design and Development, Implementation and Operation and Maintenance including procurement of various services providers and emanated contract management; and projects cost, quality and time management.
- e) Supporting/assisting municipality in implementation and management of infrastructure in compliance with various organizational and funders progress reporting, monitoring and evaluation requirements.
- f) Supporting/assisting municipality in reviewing and / or developing and implementing sector master plans.
- g) Complete any other assignment, as and when required, according to the TLM representatives' request.
- h) Provide construction monitoring services for projects the PSP is involved

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The stages for professional fees will be in accordance with the Engineering Council of SA (ECSA) as follows:-

Stage	Percentage
Inception 5%	5%
Concept and Viability 25%	25%
Design Development 25%	25%
Documentation and Procurement 15%	15%
Contract Administration and Inspection 25%	25%
Close Out	5%

i) Fees paid will be as prescribed by the prevailing guidelines as gazetted annually by ECSA However, tenderers who offer discounts off primary fees will score favourably during evaluation.

4.2 Related support services for Infrastructure projects

The Municipality also seeks to appoint Service Providers for additional **INFRASTRUCTURE-RELATED** support services, who will undertake the following activities to the TLM as follows for a period of 3 years;-

- a) Environmental Services (REF: ES)
- b) Geotechnical Services (REF: GS)
- c) Surveying Services (REF: SS)
- d) Electrical Engineering Services (REF: EES)
- e) Architectural Services (REF: AS)
- f) Mechanical Engineering Services (REF: MES)
- g) Occupational Health and Safety Services (REF: OHS)
- h) Accredited Training Services (REF: ATS)
- i) Geohydrologist Services (REF: GES)
- j) Plant and Equipment Hire Services (REF: PES)
- k) Material Supply Services (REF : MAT)

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- l) Project Funding Services (REF: PFS)
- m) Risk Management Services (REF: RMS)
- n) Energy Demand/Alternative Energy Services (REF: EDS)
- o) Other Infrastructure-related services (REF: OIS)
- p) Asset Management Services (REF: AMS)
- q) Operation and Maintenance Services (REF: OMS)

The intention hereof, is to appoint suitably vetted service providers who will facilitate the implementation of the Infrastructure projects by providing services and goods at discounted rates. This will ultimately assist the execution of the projects as Service Providers will be recommended for use with appointed Contractors.

All services provided under the abovementioned list of ancillary service providers, must also submit the complete list of requirements (as applicable), in order to be considered for appointment.

These Service providers must list all of the services offered, together with corresponding pricing or value proposition for each consecutive year. These will be considered based on the need, merit, pricing and applicability. Submission of your tender does not automatically imply that your services will be utilized on Infrastructure projects during this period. Your appointment under this section will be governed on needs as identified by the Municipality.

All conditions as set out for the appointment of the Engineering Service Providers, will also apply for the support services as listed above (as applicable). Tenderers must indicate the applicable reference number on the cover sheet of the tender.

The “Value Proposition” to be submitted under this section, must be detailed and properly articulated to display the advantages and benefit to the Municipality. It must also be valid for a period of 3 years after the closing date of this tender.

4.3. Engineering Services

The Engineering PSP will be expected to conduct the following:-



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- a) Feasibility studies to estimate materials, time and labour costs
- b) Visit construction sites to monitor progress.
- c) Preparing tender and contract documents, including bills of quantities with the architect and/or the client;
- d) Preparation of project specifications;
- e) Undertaking costs analysis for repair and maintenance project work;
- f) Assisting in establishing the client's requirements and undertaking feasibility studies;
- g) Performing risk and value management and cost control;
- h) Preparing and analyzing costings for tenders;
- i) Advising on procurement strategy;
- j) Identifying, analyzing and developing responses to commercial risks;
- k) Providing advice on contractual claims;
- l) Analyzing outcomes and writing detailed progress reports;
- m) Valuing completed work and arranging payments;
- n) Preparations of As-Built drawings and issuing of O&M Manuals

4.4. Capacity Building and Skills Transfer

- (a) In undertaking the tasks above, capacity building of existing or identified municipal employees will be critical. Evidently the PSP must build capacity building initiatives into their proposals to bridge the skills gaps experienced by municipalities;
- (b) The PSP is required to strengthen the overall capacity of the Infrastructure/Planning/Engineering/PMU's by timeously providing professional advice on matters regarding the projects in which they are involved in.

4.5. Procurement Processes

The PSP's should provide support, guidance and facilitation to enable the municipality to manage procurement processes carried out in the targeted municipality for the purpose of implementing

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approved projects, **as and when required to do so.**

- b) Such procurement will be managed and implemented within the existing supply chain policies and mandate of the targeted municipality, provincial government, national government, relevant legislation and professional good practice guidelines.

5. COMPETENCY REQUIREMENTS FROM PSP's and related service providers (Individuals)

Engineering – Proof of Professional Registration as a Professional Engineer/Technologist with ECSA is a prerequisite for main members of the firm, with the following expertise:

- a) Must have a minimum of a Tertiary qualification (not less than a Degree) in Engineering from a recognized institution. Please note that the academic qualifications will undergo a verification check. A post graduate qualification will be an added advantage
- b) Must have a minimum of 6 years post-graduation experience including 3 years programme and project management experience, with at least 3 years' experience in South African local government environment and infrastructure development projects.
- c) Ability to interact with respective stakeholders (especially executive management) in all three spheres of government.
- d) A clear understanding of methodologies used for municipal project planning, implementation, coordination, monitoring and evaluation phases, and be able to give feedback to project stakeholders.
- e) Must have excellent problem solving and mediation skills.
- f) Must have excellent communication and negotiating skills
- g) Ability to absorb complex information and assess the requirements readily.
- h) Understanding of the basic legal framework governing the local government sector.

6. Expected Outputs and Outcomes

The overall expected outcomes of the TLM are as follows;

6.3.1. To have more realistic project cost planning during municipal budgeting process

6.3.2. To significantly reduce service delivery backlogs.

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- 6.3.3. To have more control in terms of project cost management at municipal level
- 6.3.4. To improve efficiency and value for money during implementation of municipal project
- 6.3.5. To reduce a lengthy procurement duration by cutting down time on producing specifications and tender documents.
- 6.3.6. To have a support unit at the departmental level that can assist the municipality on approval issues that forms a core center of project implementation challenges.
- 6.3.7. To enable the municipalities and sector departments to realize the increased spending on their allocations.

7. PSP's and related service providers

The TLM hereby invites interested and suitable qualified PSP's and related service providers to provide support to the municipality for the following services:

Tender Reference No.	Project Name
TECH/12/2022-23	Appointment of suitably qualified Professional and Infrastructure Related Service providers to provide project support services to the Municipality.

All tenders and supporting documents must be sealed and clearly marked as indicated above and should be deposited in the tender box of Municipality by no later than 8 December 2022. Technical enquiries shall be directed to Acting Director Technical Services, Mr. SE Tlhabadira on email billytlhaba@gmail.com before the 8 December 2022 at 12h00

The TLM does not bind itself to accept the lowest or any tender and no reason for the acceptance or rejection of a tender will be given. Tenderers, once appointed are to form a part of TLM Panel of technical / engineering professionals and other related service providers for a period of three years with effect from tender closing date.



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8. Selection of psp’s and related service providers

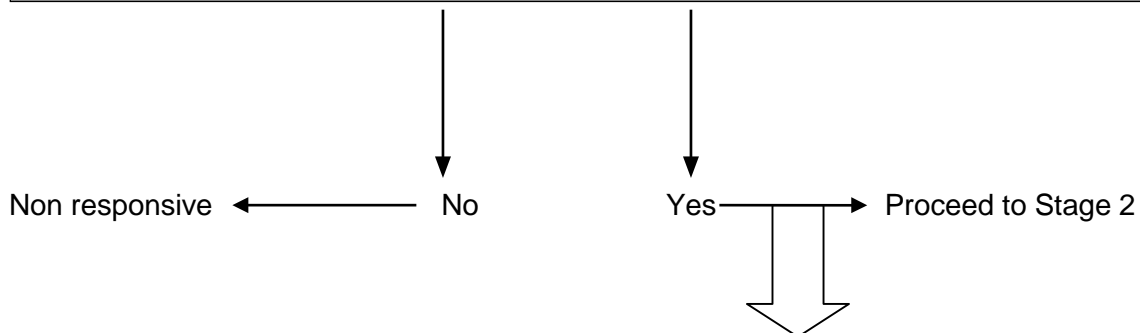
Evaluation Flow Diagram - Responsiveness of Tender

First Stage: Legal Compliance Evaluation

The Tenderer must comply with the submission of **ALL** of the following requirements to be regarded as responsive:

Submission of the following documents:

- o Certified Copy of the Identity Document
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the require field of interest
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA)**
- o Minimum 6 years’ post qualification experience
- o Adequately detailed CV’s of key personnel.
- o Company Profile indicating similar works performed in the past 3 years – With clear referral
- o Methodology and Approach – a detailed outline of how the PSP’s intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- o Central Supplier Database (CSD) Report not older than 3 months
- o Joint Venture agreement where applicable





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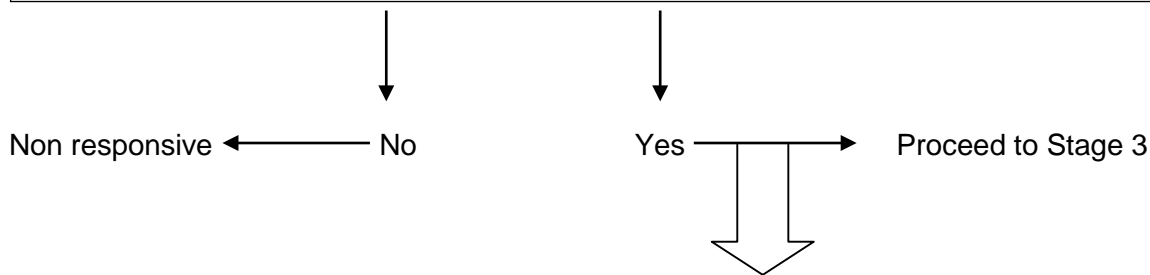
Second Stage: Functionality Evaluation



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The Tenderer that complies with **ALL** of the requirement on the first stage will be tested for functionality.

The criteria will be used to determine functionality and minimum points of 65 out of 100 points must be achieved to be regarded as responsive. All tenderers that meet the above requirements will then be evaluated against criteria as set in stage 3. All tenders that fail to achieve minimum of 65 points for functionality assessments will be regarded as non-responsive.



Stage 3 – Registration to the Panel of Service Providers

Registration in the Panel of Service Providers ranked according to the rate and HDI (functionality will take pre-eminence where necessary).

The selection of Service Providers for inclusion on the TLM Panel is solely at the discretion of the Municipality with strategic advice and input from other stakeholders. TLM will base the selection of its Service Providers based mainly on the following consideration points amongst others:

- (a) Previously demonstrated relevant technical experience and competence in Engineering, infrastructure field programmes and project delivery;
- (b) Methodology: The proposed method of undertaking the programme and project management function;
- (c) Quality: Focus on quality in terms of programme and project management as well as evaluation of work by other service providers forming part of the project delivery;

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- (d) Value Added Proposition: Innovation with regard to the methodology for the delivery of Engineering and related infrastructure services across municipalities with an aim to add value with less cost or leverage resources collectively;
- (e) Propensity and innovations in terms of capacity building on a municipal level with low capacity for skill absorption.

Applications will be scored according to the evaluation criteria as indicated below. Applicants that score less than 70% in respect of functionality will be regarded as submitting a non-responsive application and will be disqualified.

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The applicants need to score minimum of targeted 70 points to be considered for placement on TLM Panel

9. Reporting

It will be required from successful PSP's and related Service Providers to submit monthly reports in accordance to TLM reporting framework which will be made available after appointment.

10. PROFESSIONAL FEES

Engineering PSP

Excerpt from ECSA scale of fees: Jan 2015

4.3.1 Project Types

The following tables categorize projects according to the typical range of fees that are appropriate.

Table 4-1: Work Types and Fee Categories for Civil, Agricultural and Structural Engineering Services Project Type

Project Type	Fee Category
General Agricultural Engineering	D
Pipelines	
Pipelines - Water	A
Pipelines - hazardous substances, submarine pipelines	D
Transport Infrastructure	
Airport Runways, Taxiways and Aprons	A
New and improved unpaved roads	C
New and Improved Urban Roads	C
New Paved Rural Roads	A
New Rural Freeways	B
New Urban Freeways	D
Railway Trackwork	A
Railways (Excluding Cost of Track)	A
Road Rehabilitation	A
Rural Road Expansion	B
Water	
Large Earth Dams	B
Large Concrete Dams	C
Small Dams	D
Stormwater Pipes (Pre-cast Units)	A
Irrigation – Centre Pivot., lateral move and similar	B
Irrigation – Sprinklers and similar	C
Irrigation – Micro, drip and similar	D
Municipal and Building Civils	
Building civils	C
Municipal Services	C
Parking lots	A
Water and Sewage Treatment works	F
Geotechnical	
Underground Structures and Dredging	A
Reinforced Concrete and Structural Steel	
Complex Load Bearing Structures, Quay Walls and Jetties	F
Minor structures	C
Overpasses and Freeway Bridges	E
Powerstation Civil and Buildings	C



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River Bridges	F
Stormwater structures, Breakwaters and canals (Designed)	C
Unique structures	E
Water Retaining Structures	D
Water Towers	E
Building Structural	
Iconic and Unique Buildings and Structural Alterations	G
Hospitals, Hotels, Airports, Stadia, Exhibition Halls and Retail Shopping Centres	F
Residential, Offices, Educational and Industrial	E

Mechanical Services

Green building design and energy management	F
Specialised fire protection systems such as gas, foam extinguishing, etc.	D
Hazardous material systems	F
HVAC systems	D
Industrial process, piping and instrumentation	E
Mechanical plant and equipment	C
Pressure vessel design	F
Pumping and pipeline systems	D
Refrigeration and cold storage	C
Vertical transportation systems and materials handling	D

Building Services

Industrial building services and utilities	E
General - Commercial, retail, offices, schools, hostels, clinics, hotels and resorts	E
Specialised - Airport buildings, museums, theatres, libraries, public entertainment, hospitals, research facilities, universities, laboratories, conference facilities, institutional buildings and facilities.	F
Residential – individual luxury housing units and apartment buildings	F
Residential – multiple (>50) standard housing units	C
Wet Services	G

Table 4-4: Work Types and Fee Categories for Miscellaneous Services Project Type

Fee Category

Electronic Engineering	G
Engineering Management	M
Industrial Engineering	N*

Note: Fee category N projects are not appropriate to determine fees based on the **cost of the works** and fees will be based on value delivered or time and cost as agreed between the **client** and **consulting engineer**.



4.3.2 Fee Range for Project Categories

The fee expressed as a percentage of the **cost of the works** will differ for different types of work due to different amounts of effort and engineering input required of the same **cost of the works**. For some types of projects the input can be high relative to the **cost of the works** while for other project types the input and corresponding percentage can be lower. The fees for a specific type of work can also vary considerably depending on the amount of effort required for a particular project relative to other projects of a similar type. However, an appropriate fee for full consultancy services, as set out in Section 3.2 above, should generally lie within the range shown below with the middle of the range representing the norm.

It is convenient to express the guideline professional fee in relation to a fixed works cost to establish a common reference point and to subsequently adjust this fee depending on the **cost of the works**. The Table below shows the typical range of fees appropriate for different categories of **works** with a works cost of R10 million, expressed as a percentage of the **cost of the works**. The table must be read in conjunction with Fig 4-1 in Clause 4.3.4.

Table 4-5: Guideline Fee for different Project Categories for a R10million works value

Table 4-5: Guideline Fee for different Project Categories for a R10million works value Fee Category	Typical Lower Limit	Typical Upper Limit
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Based on a R10 million works value

A	6.0%	to	8.0%
B	7.0%	to	9.0%
C	8.0%	to	10.0%
D	9.0%	to	11.0%
E	10.0%	to	13.0%
F	11.0%	to	14.0%
G	12.0%	to	15.0%
M	2.0%	to	4.0%
N	Not appropriate to estimate fees based on cost of works		

Discount applicable.

Indicate discount applicable as a percentage to primary fees.....%

NOTE!!!!

ALL FEES PAYABLE WILL BE IN ACCORDANCE WITH THE APPLICABLE PREVAILING ECSA GUIDELINES WHICH ARE REVIEWABLE ANNUALLY.

The Professional Fees includes operational and administration expenditure required for the effective undertaking of the assigned tasks. This includes but not limited to Accommodation, Telephone, Printer, 3G, Computer, ICT Equipment, etc.

The TLM reserves the right to appoint the PSP based on any preference type, based on its needs.

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Note that the above professional fees above exclude the travelling and subsistence disbursement which will be paid in accordance with the ECSA guidelines.

The successful individual professional service provider will enter into a performance contract with TLM and the payment will be linked to milestones specified in the agreement.

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11. Required documentation for submission

The following documents will constitute a valid tender

- o Certified Copy of the Identity Document
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the requirement
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA)**
- o Minimum 6 years' post qualification experience
- o Adequately detailed CV's of key personnel.
- o Company Profile indicating similar works performed in the past 3 years
- o Methodology and Approach – a detailed outline of how the PSP intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- o Central Supplier Database (CSD) Report not older than 3 months
- o Joint Venture agreement where applicable

12. Project duration

Successful tenders will be registered in the panel of Service Providers for a period of three (3) years and will be used on and as and when required rotational basis.

Annual projects will be allocated based on the needs of the TLM.

Appointment will be based on projects for the following financial years:-

Year of appointment	Financial Year
Year 1	2022/23
Year 2	2023/24
Year 3	2024/25



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13.service providers CONTACT DETAILS

The prospective Service Provider is:

Postal Address:

.....

Physical Address:

.....

Telephone: Cell:

Email:.....@.....

Contact Person:..... Signature:

Position in Company:.....

14.TLM Contact Details

All enquiries regarding this tender should be directed to

<u>Technical</u>	<u>Procurement</u>
<p>Mr. J.Khuabo</p> <p>Manager Electrical</p> <p>Services</p> <p>THABAZIMBI</p> <p>Tel: 066 488 3161</p> <p>Email:</p> <p>khuaboi@thabazimbi.gov.za</p>	<p>Me B Monyeki</p> <p>Acting Manager Supply Chain</p> <p>Management</p> <p>THABAZIMBI</p> <p>Tel: 066 008 3752 / 073 919 4602</p> <p>Email: beatricemonyeki5@gmail.com</p>

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WORK PACKAGE C

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF WATER SUPPLY SCHEMES



THABAZIMBI LOCAL MUNICIPALITY

Terms of Reference

F O R T H E

**Appointment of suitably qualified Engineering Consultants
And Related Service Providers**

**To the
Thabazimbi Local Municipality**

(Water Supply)

**T E N D E R R E F :
TECH/12/2022-23**

Client	THABAZIMBI Local Municipality
Contract Type	Term Contract for a period of 3 years. (36 months)
Project	Appointment of Structural Engineering Consultants for Planning, Design and Construction Monitoring of Water Supply Schemes

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THABAZIMBI LOCAL MUNICIPALITY

1) INTRODUCTION

The Thabazimbi Local Municipality is a Category B municipality located within the Waterberg District in the south-western part of the Limpopo Province.

THABAZIMBI Local Municipality is bordered by:

- Madibeng Local Municipality
- Lephalale Local Municipality
- Bela Bela Local Municipality
- Modimolle-Mookgophong Local Municipality
- Botswana

The Thabazimbi Local Municipality is located in the Limpopo Province and extends to the Botswana border. It is one of six municipalities in the Waterberg District area of jurisdiction. Neighbouring municipalities include Lephalale Local Municipality to the north, Modimolle Mookgophong Local Municipality to the east and Bela-Bela Local Municipality to the south-east. The Northwest and Gauteng Provinces border the Municipality to the south, and Botswana to the west. Thabazimbi Town is the municipal capital and one of four major towns in the District, together with Modimolle, Mokopane, Lephalale, and Bela Bela. Routes R511, R510 and R516 are the only regional roads that traverse the western parts of the District, linking Thabazimbi, Bela-Bela, Mookgophong and Mokopane with the provincial capital, Polokwane.

The Municipality covers an area of approximately 11 190 km² and is mostly rural in nature, comprising of 4 x Urban Settlements, 5 x Rural Settlements and 12 x Informal Settlements. The N4 Corridor which is the east-west bound road connecting Rustenburg and Pretoria runs to the south of THABAZIMBI local municipality. According to Stats SA, the 2021 projection shows that there are ± 104 781 people residing within the area of the Municipality, which amounts to ± 38 175 households

2) Problem Statement

The TLM undertook a diagnostic exercise during the 2020/21 financial year and identified a myriad of gaps impacting on provisioning of infrastructure and basic services to communities. This exercise culminated in the prioritization of projects which are due to be implemented in the next three financial years through grant, sectorial and municipal funded mechanisms (e.g. MIG, DWS, RBIG) by the Municipality.



THABAZIMBI LOCAL MUNICIPALITY

The following challenges have been identified;

a) Infrastructure Planning

- Inability to plan, develop and manage infrastructure projects;

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- Outdated or non-existent sector plans
- b) *Infrastructure Asset Management*
- Ageing infrastructure
 - Poor Infrastructure Asset Management
 - Poor rate of cost recovery for infrastructure services
 - High water and electricity losses due to illegal connections, dilapidated infrastructure, poor distribution systems, lack of demand management systems etc
 - Lack of capacity, systems and procedures to operate and maintain infrastructure
- c) *Bulk Infrastructure Provision*
- Insufficient water resources to serve all communities
 - Inadequate bulk infrastructure, with most treatment works not functioning optimally
- d) *Access to Basic Services*
- High backlogs in terms of access to water and sanitation.
 - Inadequate tracking of backlog eradication has meant that the backlog status is not known definitively.
- e) *Project & Contract Management*
- Lack of contract management capacity;
 - Inability to effectively plan for delivery of infrastructure projects;
 - Incapacity to manage the execution of projects to ensure highest quality of delivery, aligned with set standards, procedures and set outcomes;
 - Under-spending on capital budgets and overspending on operational budgets as well as inappropriate use of conditional infrastructure grants for purposes other than those intended.
 - Appointment of related support services and suppliers without following due processes in terms of the Municipal Finance Management Act,

From this exercise, the TLM hereby responds accordingly by requesting the services of professional and related infrastructure service providers to offer technical support in engineering,

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and related services towards improving the management of their infrastructure development, operations & maintenance, and PM Unit.

3) Objectives

This Terms of Reference (ToR) therefore seeks to outline the services required of suitable qualified Professional Services Providers (PSP’s) as well as other related services to the TLM Panel to provide support in Engineering and related services to the THABAZIMBI Local Municipality for a period of 3 (three) years.

The Service Providers must have the **capacity** and **capabilities** to primarily deal with the challenges identified in the municipality, based on grant funded capital projects. The Service Providers should be able to propose solutions and execute them in a practical and hands-on manner. In addition to this, there should be a focus on building the internal capacity of the municipality as well as transferring knowledge and skills to appropriate municipal employees where possible.

The overall objective is therefore to support municipalities thus ensuring effective scoping and delivery of multiple infrastructure projects as set out within the Integrated Development Plans (IDP’s) of the municipality. It will be the responsibility of the PSP to collect and collate the base information required to allow them to discharge their obligations in terms of the agreements to be entered into between the municipality and the PSP. In awarding these contracts, TLM intends to enter into an individual specific contract or Service Level Agreement (SLA) with each successful Service Provider.

Please Note:

PSP is defined as an Engineering Consultancy firm, as registered with CESA, SABTACO, ECSA (as applicable), who will provide services as defined in this Terms of Reference.

The decision on the number of consulting firms appointed will remain firmly with the Municipality, based on its needs.

Related Services Provider is defined as a supplier of a service or goods that facilitates the execution of the Infrastructure project and categorized as a secondary or support service to the

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Project. This will include Surveyors; Geohydrologists, Geotechnologist, Environmentalists, Training academies, OHS Specialist

Providers for Related Services must have the applicable minimum qualifications and experience as per their related field of work.

4) Scope Of Work

4.1 Engineering (REF: CE)

The successful **PSP** will undertake the following activities and any other activities related to **engineering** services to the TLM as follows:-

- a) Delivering **Engineering Services** diligently in accordance with South African Policies, Acts, Regulations and Industry Guidelines following TLM and Municipal Norms and Practices;
- b) Assessment of **Engineering** Infrastructure planning, development, implementation and Operation & Maintenance requirement of municipality in consultation with relevant municipal leadership and/ or officials and sectoral stakeholders and municipal Infrastructure Development Plan (IDP), Sector Development Framework (SDF), District, Provincial and National Policies and Strategies.
- c) Supporting/assisting municipalities in preparing Project Business Plans in accordance to government and/ or non-government Funders conditions and securing necessary Funds as applicable.
- d) Supporting/assisting municipality in managing **Engineering** Infrastructure Life Cycle covering Pre-feasibility and Feasibility Studies, Design and Development, Implementation and Operation and Maintenance including procurement of various services providers and emanated contract management; and projects cost, quality and time management.
- e) Supporting/assisting municipality in implementation and management of infrastructure in compliance with various organizational and funders progress reporting, monitoring and evaluation requirements.
- f) Supporting/assisting municipality in reviewing and / or developing and implementing sector master plans.
- g) Complete any other assignment, as and when required, according to the TLM representatives' request.
- h) Provide construction monitoring services for projects the PSP is involved

The stages for professional fees will be in accordance with the Engineering Council of SA (ECOSA) as follows:-

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Stage	Percentage
Inception 5%	5%
Concept and Viability 25%	25%
Design Development 25%	25%
Documentation and Procurement 15%	15%
Contract Administration and Inspection 25%	25%
Close Out	5%

i) Fees paid will be as prescribed by the prevailing guidelines as gazette annually by ECSA However, tenderers who offer discounts off primary fees will score favorably during evaluation.

4.2 Related support services for Infrastructure projects

The service provider should in addition appoint service providers for additional **infrastructure –related support services**, who will undertake the following activities to the TLM as follows for a period of 3 years;-

- a) Environmental Services (REF: ES)
- b) Geotechnical Services (REF: GS)
- c) Surveying Services (REF: SS)
- d) Electrical Engineering Services (REF: EES)
- e) Building & Architectural Services (REF: BAS)
- f) Mechanical Engineering Services (REF: MES)
- g) Occupational Health and Safety Services (REF: OHS)
- h) Accredited Training Services (REF: ATS)
- i) Geo-hydrologist Services (REF: GES)
- j) Plant and Equipment Hire Services (REF: PES)
- k) Material Supply Services (REF : MAT)

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- l) Project Funding Services (REF: PFS)
- m) Risk Management Services (REF: RMS)
- n) Energy Demand/Alternative Energy Services (REF: EDS)
- o) Other Infrastructure-related services (REF: OIS)
- p) Asset Management Services (REF: AMS)
- q) Operation and Maintenance Services (REF: OMS)

The intention hereof, is to appoint suitably vetted service providers who will facilitate the implementation of the Infrastructure projects by providing services and goods at discounted rates. This will ultimately assist the execution of the projects as Service Providers will be recommended for use with appointed Contractors.

All services provided under the abovementioned list of ancillary service providers, must also submit the complete list of requirements (as applicable), in order to be considered for appointment.

These Service providers must list all of the services offered, together with corresponding pricing or value proposition for each consecutive year. These will be considered based on the need, merit, pricing and applicability. Submission of your tender does not automatically imply that your services will be utilized on Infrastructure projects during this period. Your appointment under this section will be governed on needs as identified by the Municipality.

All conditions as set out for the appointment of the Engineering Service Providers, will also apply for the support services as listed above (as applicable). Tenderers must indicate the applicable reference number on the cover sheet of the tender.

The “Value Proposition” to be submitted under this section, must be detailed and properly articulated to display the advantages and benefit to the Municipality. It must also be valid for a period of 3 years after the closing date of this tender.



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4.3. Engineering Services

The Engineering PSP will be expected to conduct the following:-

- a) Feasibility studies to estimate materials, time and labour costs
- b) Visit construction sites to monitor progress.
- c) Preparing tender and contract documents, including bills of quantities with the architect and/or the client;
- d) Preparation of project specifications;
- e) Undertaking costs analysis for repair and maintenance project work;
- f) Assisting in establishing the client's requirements and undertaking feasibility studies;
- g) Performing risk and value management and cost control;
- h) Preparing and analyzing costings for tenders;
- i) Advising on procurement strategy;
- j) Identifying, analyzing and developing responses to commercial risks;
- k) Providing advice on contractual claims;
- l) Analyzing outcomes and writing detailed progress reports;
- m) Valuing completed work and arranging payments;
- n) Preparations of As-Built drawings and issuing of O&M Manuals
- o) Prepare specifications for existing municipal building for maintenance/refurbishment work to be done on as and when required basis.

4.4 Capacity Building and Skills Transfer

- (a) In undertaking the tasks above, capacity building of existing or identified municipal employees will be critical. Evidently the PSP must build capacity building initiatives into their proposals to bridge the skills gaps experienced by municipalities;
- (b) The PSP is required to strengthen the overall capacity of the Infrastructure/Planning/Engineering/PMU's by timeously providing professional advice on matters



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regarding the projects in which they are involved in.

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4.5 Procurement Processes

The PSP's should provide support, guidance and facilitation to enable the municipality to manage procurement processes carried out in the targeted municipality for the purpose of implementing approved projects, **as and when required to do so.**

- c) Such procurement will be managed and implemented within the existing supply chain policies and mandate of the targeted municipality, provincial government, national government, relevant legislation and professional good practice guidelines.

5. COMPETENCY REQUIREMENTS FROM PSP's and related service providers (Individuals)

Engineering – Proof of Professional Registration as a Professional Engineer/Technologist with ECSA is a prerequisite for main members of the firm, with the following expertise:

- a) Must have a minimum of a Tertiary qualification (not less than a Degree) in Engineering from a recognized institution. Please note that the academic qualifications will undergo a verification check. A post graduate qualification will be an added advantage
- b) Must have a minimum of 6 years post-graduation experience including 3 years programme and project management experience, with at least 3 years' experience in South African local government environment and infrastructure development projects.
- c) Ability to interact with respective stakeholders (especially executive management) in all three spheres of government.
- d) A clear understanding of methodologies used for municipal project planning, implementation, coordination, monitoring and evaluation phases, and be able to give feedback to project stakeholders.
- e) Must have excellent problem solving and mediation skills.
- f) Must have excellent communication and negotiating skills
- g) Ability to absorb complex information and assess the requirements readily.
- h) Understanding of the basic legal framework governing the local government sector.

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6. Expected Outputs and Outcomes

The overall expected outcomes of the TLM are as follows;

- 6.3.1. To have more realistic project cost planning during municipal budgeting process
- 6.3.2. To significantly reduce service delivery backlogs.
- 6.3.3. To have more control in terms of project cost management at municipal level
- 6.3.4. To improve efficiency and value for money during implementation of municipal project
- 6.3.5. To reduce a lengthy procurement duration by cutting down time on producing specifications and tender documents.
- 6.3.6. To have a support unit at the departmental level that can assist the municipality on approval issues that forms a core center of project implementation challenges.
- 6.3.7. To enable the municipalities and sector departments to realize the increased spending on their allocations.

7. PSP's and related service providers

The TLM hereby invites interested and suitable qualified PSP's and related service providers to provide support to the municipality for the following services:

Tender Reference No.	Project Name
TECH/12/2022-23	Appointment of suitably qualified Professional Service Provider for the Design and Construction of Water Supply Schemes.

All tenders and supporting documents must be sealed and clearly marked as indicated above and should be deposited in the tender box of Municipality by no later than 8 December 2022. Technical enquiries shall be directed to Acting Director Technical Services, Mr. SE Tlhabadira on email billythaba@gmail.com before the 8 December 2022 at 12h00.

The TLM does not bind itself to accept the lowest or any tender and no reason for the acceptance or rejection of a tender will be given. Tenderers, once appointed are to form a part of TLM Panel of technical / engineering professionals and other related service providers for a period of three years with effect from tender closing date.



8. Selection of psp's and related service providers

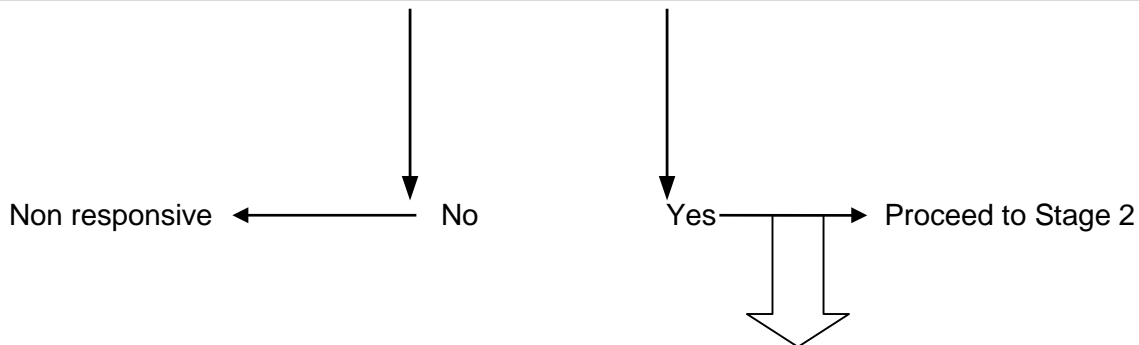
Evaluation Flow Diagram - Responsiveness of Tender

First Stage: Legal Compliance Evaluation

The Tenderer must comply with the submission of **ALL** of the following requirements to be regarded as responsive:

Submission of the following documents:

- Certified Copy of the Identity Document
- Tax pin/Tax clearance certificate
- Certified Copies of the original Qualifications – As per the require field of interest
- **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA)**
- Minimum 6 years' post qualification experience
- Adequately detailed CV's of key personnel.
- Company Profile indicating similar works performed in the past 3 years – With clear referral
- Methodology and Approach – a detailed outline of how the PSP's intends to undertake tasks of this nature;
- Completed supplier information form (Attached)
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- Proof of professional Indemnity Insurance
- Municipality Rates and Taxes – Business
- Municipality Rates and Taxes – Company Directors
- Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- Central Supplier Database (CSD) Report not older that 3 months
- Joint Venture agreement where applicable



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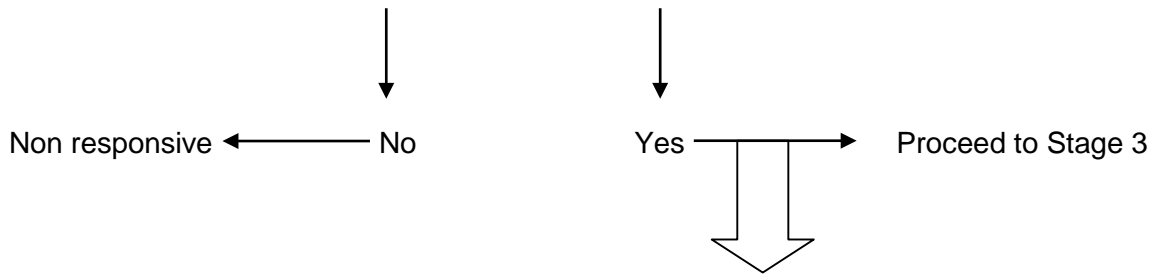


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Second Stage: Functionality Evaluation

The Tenderer that complies with **ALL** of the requirement on the first stage will be tested for functionality.

The criteria will be used to determine functionality and minimum points of 70 out of 100 points must be achieved to be regarded as responsive. All tenderers that meet the above requirements will then be evaluated against criteria as set in stage 3. All tenders that fail to achieve minimum of 70 points for functionality assessments will be regarded as non-responsive.





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Stage 3 – Registration to the Panel of Service Providers

Registration in the Panel of Service Providers ranked according to the rate and HDI (functionality will take pre-eminence where necessary).

The selection of Service Providers for inclusion on the TLM Panel is solely at the discretion of the Municipality with strategic advice and input from other stakeholders. TLM will base the selection of its Service Providers based mainly on the following consideration points amongst others:

- (a) Previously demonstrated relevant technical experience and competence in Engineering, infrastructure field programmes and project delivery;
- (b) Methodology: The proposed method of undertaking the programme and project management function;
- (c) Quality: Focus on quality in terms of programme and project management as well as evaluation of work by other service providers forming part of the project delivery;
- (d) Value Added Proposition: Innovation with regard to the methodology for the delivery of Engineering and related infrastructure services across municipalities with an aim to add value with less cost or leverage resources collectively;
- (e) Propensity and innovations in terms of capacity building on a municipal level with low capacity for skill absorption.

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Applications will be scored according to the evaluation criteria as indicated below. Applicants that score less than 70% in respect of functionality will be regarded as submitting a non-responsive application and will be disqualified.

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9. Reporting

It will be required from successful PSP's and related Service Providers to submit monthly reports in accordance to TLM reporting framework which will be made available after appointment.

10. PROFESSIONAL FEES

Engineering PSP

Excerpt from ECSA scale of fees: Jan 2015

4.3.1 Project Types

The following tables categorize projects according to the typical range of fees that are appropriate.

Table 4-1: Work Types and Fee Categories for Civil, Agricultural and Structural Engineering Services Project Type

Engineering Services Project Type	Fee Category
General Agricultural Engineering	D
Pipelines	
Pipelines - Water	A
Pipelines - hazardous substances, submarine pipelines	D
Transport Infrastructure	
Airport Runways, Taxiways and Aprons	A
New and improved unpaved roads	C
New and Improved Urban Roads	C
New Paved Rural Roads	A
New Rural Freeways	B
New Urban Freeways	D
Railway Trackwork	A
Railways (Excluding Cost of Track)	A
Road Rehabilitation	A
Rural Road Expansion	B
Water	
Large Earth Dams	B
Large Concrete Dams	C
Small Dams	D
Stormwater Pipes (Pre-cast Units)	A
Irrigation – Centre Pivot., lateral move and similar	B
Irrigation – Sprinklers and similar	C
Irrigation – Micro, drip and similar	D
Municipal and Building Civils	
Building civils	C
Municipal Services	C
Parking lots	A
Water and Sewage Treatment works	F
Geotechnical	
Underground Structures and Dredging	A
Reinforced Concrete and Structural Steel	
Complex Load Bearing Structures, Quay Walls and Jetties	F
Minor structures	C
Overpasses and Freeway Bridges	E
Powerstation Civil and Buildings	C
River Bridges	F



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Stormwater structures, Breakwaters and canals (Designed)	C
Unique structures	E
Water Retaining Structures	D
Water Towers	E
Building Structural	
Iconic and Unique Buildings and Structural Alterations	G
Hospitals, Hotels, Airports, Stadia, Exhibition Halls and Retail Shopping Centres	F
Residential, Offices, Educational and Industrial	E

Mechanical Services

Green building design and energy management	F
Specialised fire protection systems such as gas, foam extinguishing, etc.	D
Hazardous material systems	F
HVAC systems	D
Industrial process, piping and instrumentation	E
Mechanical plant and equipment	C
Pressure vessel design	F
Pumping and pipeline systems	D
Refrigeration and cold storage	C
Vertical transportation systems and materials handling	D

Building Services

Industrial building services and utilities	E
General - Commercial, retail, offices, schools, hostels, clinics, hotels and resorts	E
Specialised - Airport buildings, museums, theatres, libraries, public entertainment, hospitals, research facilities, universities, laboratories, conference facilities, institutional buildings and facilities.	F
Residential – individual luxury housing units and apartment buildings	F
Residential – multiple (>50) standard housing units	C
Wet Services	G

Table 4-4: Work Types and Fee Categories for Miscellaneous Services

Project Type	Fee Category
Electronic Engineering	G
Engineering Management	M
Industrial Engineering	N*

Note: Fee category N projects are not appropriate to determine fees based on the **cost of the works** and fees will be based on value delivered or time and cost as agreed between the **client** and **consulting engineer**.



4.3.2 Fee Range for Project Categories

The fee expressed as a percentage of the **cost of the works** will differ for different types of work due to different amounts of effort and engineering input required of the same **cost of the works**. For some types of projects the input can be high relative to the **cost of the works** while for other project types the input and corresponding percentage can be lower. The fees for a specific type of work can also vary considerably depending on the amount of effort required for a particular project relative to other projects of a similar type. However, an appropriate fee for full consultancy services, as set out in Section 3.2 above, should generally lie within the range shown below with the middle of the range representing the norm.

It is convenient to express the guideline professional fee in relation to a fixed works cost to establish a common reference point and to subsequently adjust this fee depending on the **cost of the works**. The Table below shows the typical range of fees appropriate for different categories of **works** with a works cost of R10 million, expressed as a percentage of the **cost of the works**. The table must be read in conjunction with Fig 4-1 in Clause 4.3.4.

Table 4-5: Guideline Fee for different Project Categories for a R10million works value

Table 4-5: Guideline Fee for different Project Categories for a R10million works value
Typical Lower Limit Typical Upper Limit
Fee Category

Based on a R10 million works value

A	6.0%	to	8.0%
B	7.0%	to	9.0%
C	8.0%	to	10.0%
D	9.0%	to	11.0%
E	10.0%	to	13.0%
F	11.0%	to	14.0%
G	12.0%	to	15.0%
M	2.0%	to	4.0%
N		Not appropriate to estimate fees based on cost of works	

Discount applicable.

Indicate discount applicable as a percentage to primary fees.....%

NOTE!!!!

ALL FEES PAYABLE WILL BE IN ACCORDANCE WITH THE APPLICABLE PREVAILING ECSA GUIDELINES WHICH ARE REVIEWABLE ANNUALLY.



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The Professional Fees includes operational and administration expenditure required for the effective undertaking of the assigned tasks. This includes but not limited to Accommodation, Telephone, Printer, 3G, Computer, ICT Equipment, etc.

The TLM reserves the right to appoint the PSP based on any preference type, based on its needs.

Note that the above professional fees above exclude the travelling and subsistence disbursement which will be paid in accordance with the ECSA guidelines.

The successful individual professional service provider will enter into a performance contract with TLM and the payment will be linked to milestones specified in the agreement.

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11. Required documentation for submission

The following documents will constitute a valid tender

- o Certified Copy of the Identity Document
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the requirement
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist /Architect / Projects Manager**
- o Minimum 6 years' post qualification experience
- o Adequately detailed CV's of key personnel.
- o Company Profile indicating similar works performed in the past 3 years
- o Methodology and Approach – a detailed outline of how the PSP intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- o Central Supplier Database (CSD) Report not older than 3 months Joint Venture agreement where applicable

12. Project duration

Successful tenders will be registered in the panel of Service Providers for a period of three (3) years and will be used on and as and when required rotational basis.

Annual projects will be allocated based on the needs of the TLM.

Appointment will be based on projects for the following financial years:-

Year of appointment	Financial Year
Year 1	2022/23
Year 2	2023/24
Year 3	2024/25



13. Service providers contact details

The prospective Service Provider is:

Postal Address:
.....

Physical Address:
.....

Telephone: Cell:

Email:.....@.....

Contact Person:..... Signature:

Position in Company:.....

14. TLM Contact Details

All enquiries regarding this tender should be directed to

<u>Technical</u>	<u>Procurement</u>
Mr. SE Tlhabadira	Me B Monyeki
Acting Director	Acting Manager Supply Chain
Technical Services TLM	Management TLM
Tel: 066 488 3161	Tel: 066 008 3752 / 073 919 4602
Email: billytlhaba@gmail.com	Email: beatricemonyeki5@gmail.com

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WORK PACKAGE D

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - ELECTRICAL ENGINEERING COMPANIES FOR INSTALLATION OF HIGH MAST LIGHTS



THABAZIMBI LOCAL MUNICIPALITY

Terms of Reference

F O R T H E

Appointment of suitably qualified Engineering Consultants

And Related Service Providers

To the

Thabazimbi Local Municipality

(Community Lighting)

T E N D E R R E F:

TECH/12/2022-23

Client	THABAZIMBI Local Municipality
Contract Type	Term Contract for a period of 3 years. (36 months)
Project	Appointment of Electrical Engineering Consultants for Planning, Design and Construction Monitoring of high mast lights

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THABAZIMBI LOCAL MUNICIPALITY

1. INTRODUCTION

The Thabazimbi Local Municipality is a Category B municipality located within the Waterberg District in the south-western part of the Limpopo Province.

THABAZIMBI Local Municipality is bordered by:

- Madibeng Local Municipality
- Lephhalale Local Municipality
- Bela Bela Local Municipality
- Modimolle-Mookgophong Local Municipality
- Botswana

The Thabazimbi Local Municipality is located in the Limpopo Province and extends to the Botswana border. It is one of six municipalities in the Waterberg District area of jurisdiction. Neighboring municipalities include Lephhalale Local Municipality to the north, Modimolle Mookgophong Local Municipality to the east and Bela-Bela Local Municipality to the south-east. The Northwest and Gauteng Provinces border the Municipality to the south, and Botswana to the west. Thabazimbi Town is the municipal capital and one of four major towns in the District, together with Modimolle, Mokopane, Lephhalale, and Bela Bela. Routes R511, R510 and R516 are the only regional roads that traverse the western parts of the District, linking Thabazimbi, Bela-Bela, Mookgophong and Mokopane with the provincial capital, Polokwane.

The Municipality covers an area of approximately 11 190 km² and is mostly rural in nature, comprising of 4 x Urban Settlements, 5 x Rural Settlements and 12 x Informal Settlements. The N4 Corridor which is the east-west bound road connecting Rustenburg and Pretoria runs to the south of THABAZIMBI local municipality. According to Stats SA, the 2021 projection shows that there are ± 104 781 people residing within the area of the Municipality, which amounts to ± 38 175 households

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2. Problem Statement

The TLM undertook a diagnostic exercise during the 2020/21 financial year and identified a myriad of gaps impacting on provisioning of infrastructure and basic services to communities. This exercise culminated in the prioritization of projects which are due to be implemented in the next three financial years through grant, sectorial and municipal funded mechanisms (e.g. MIG, DWS, RBIG, PIG) by the Municipality.

The following challenges have been identified;

a) Infrastructure Planning

- Inability to plan, develop and manage infrastructure projects;
- Outdated or non-existent sector plans

b) Infrastructure Asset Management

- Ageing infrastructure
- Poor Infrastructure Asset Management
- Poor rate of cost recovery for infrastructure services
- High water and electricity losses due to illegal connections, dilapidated infrastructure, poor distribution systems, lack of demand management systems etc
- Lack of capacity, systems and procedures to operate and maintain infrastructure

c) Bulk Infrastructure Provision

- Insufficient water resources to serve all communities
- Inadequate bulk infrastructure, with most treatment works not functioning optimally

d) Access to Basic Services

- High backlogs in terms of access to water and sanitation.
- Inadequate tracking of backlog eradication has meant that the backlog status is not known definitively.

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e) *Project & Contract Management*

- Lack of contract management capacity;
- Inability to effectively plan for delivery of infrastructure projects;
- Incapacity to manage the execution of projects to ensure highest quality of delivery, aligned with set standards, procedures and set outcomes;
- Under-spending on capital budgets and overspending on operational budgets as well as inappropriate use of conditional infrastructure grants for purposes other than those intended.
- Appointment of related support services and suppliers without following due processes in terms of the Municipal Finance Management Act,

From this exercise, the TLM hereby responds accordingly by requesting the services of professional and related infrastructure service providers to offer technical support in engineering, and related services towards improving the management of their infrastructure development, operations & maintenance, and PM Unit.

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3. Objectives

This Terms of Reference (ToR) therefore seeks to outline the services required of suitable qualified Professional Services Providers (PSP's) as well as other related services to the TLM Panel to provide support in Engineering and related services to the THABAZIMBI Local Municipality for a period of 3 (three) years.

The Service Providers must have the **capacity** and **capabilities** to primarily deal with the challenges identified in the municipality, based on grant funded capital projects. The Service Providers should be able to propose solutions and execute them in a practical and hands-on manner. In addition to this, there should be a focus on building the internal capacity of the municipality as well as transferring knowledge and skills to appropriate municipal employees where possible.

The overall objective is therefore to support municipalities thus ensuring effective scoping and delivery of multiple infrastructure projects as set out within the Integrated Development Plans (IDP's) of the municipality. It will be the responsibility of the PSP to collect and collate the base information required to allow them to discharge their obligations in terms of the agreements to be entered into between the municipality and the PSP. In awarding these contracts, TLM intends to enter into an individual specific contract or Service Level Agreement (SLA) with each successful Service Provider.

Please Note:

PSP is defined as an Engineering Consultancy firm, as registered with CESA, SABTACO, ECSA (as applicable), who will provide services as defined in this Terms of Reference.

The decision on the number of consulting firms appointed will remain firmly with the Municipality, based on its needs.

Related Services Provider is defined as a supplier of a service or goods that facilitates the execution of the Infrastructure project and categorized as a secondary or support service to the project. This will include Surveyors; Geohydrologists, Geotechnologist, Environmentalists, Training academies, OHS Specialist

Providers for Related Services must have the applicable minimum qualifications and experience as per their related field of work.

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4. Scope Of Work

4.1 Engineering (REF: CE)

The successful **PSP** will undertake the following activities and any other activities related to **engineering** services to the TLM as follows:-

- a) Delivering **Engineering Services** diligently in accordance with South African Policies, Acts, Regulations and Industry Guidelines following TLM and Municipal Norms and Practices;
- b) Assessment of **Engineering** Infrastructure planning, development, implementation and Operation & Maintenance requirement of municipality in consultation with relevant municipal leadership and/ or officials and sectoral stakeholders and municipal Infrastructure Development Plan (IDP), Sector Development Framework (SDF), District, Provincial and National Policies and Strategies.
- c) Supporting/assisting municipalities in preparing Project Business Plans in accordance to government and/ or non-government Funders conditions and securing necessary Funds as applicable.
- d) Supporting/assisting municipality in managing **Engineering** Infrastructure Life Cycle covering Pre-feasibility and Feasibility Studies, Design and Development, Implementation and Operation and Maintenance including procurement of various services providers and emanated contract management; and projects cost, quality and time management.
- e) Supporting/assisting municipality in implementation and management of infrastructure in compliance with various organizational and funders progress reporting, monitoring and evaluation requirements.
- f) Supporting/assisting municipality in reviewing and / or developing and implementing sector master plans.
- g) Complete any other assignment, as and when required, according to the TLM representatives' request.
- h) Provide construction monitoring services for projects the PSP is involved

The stages for professional fees will be in accordance with the Engineering Council of SA (ECSA) as follows:-



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Stage	Percentage
Inception 5%	5%
Concept and Viability 25%	25%
Design Development 25%	25%
Documentation and Procurement 15%	15%
Contract Administration and Inspection 25%	25%
Close Out	5%

i) Fees paid will be as prescribed by the prevailing guidelines as gazette annually by ECSA However, tenderers who offer discounts off primary fees will score favorably during evaluation.

4.2 Related support services for Infrastructure projects

The service provider should in addition appoint service providers for additional **infrastructure –related support services**, who will undertake the following activities to the TLM as follows for a period of 3 years;-

- a) Environmental Services (REF: ES)
- b) Geotechnical Services (REF: GS)
- c) Surveying Services (REF: SS)
- d) Electrical Engineering Services (REF: EES)
- e) Building & Architectural Services (REF: BAS)
- f) Mechanical Engineering Services (REF: MES)
- g) Occupational Health and Safety Services (REF: OHS)
- h) Accredited Training Services (REF: ATS)
- i) Geo-hydrologist Services (REF: GES)
- j) Plant and Equipment Hire Services (REF: PES)
- k) Material Supply Services (REF : MAT)

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- l) Project Funding Services (REF: PFS)
- m) Risk Management Services (REF: RMS)
- n) Energy Demand/Alternative Energy Services (REF: EDS)
- o) Other Infrastructure-related services (REF: OIS)

The intention hereof, is to appoint suitably vetted service providers who will facilitate the implementation of the Infrastructure projects by providing services and goods at discounted rates. This will ultimately assist the execution of the projects as Service Providers will be recommended for use with appointed Contractors.

All services provided under the abovementioned list of ancillary service providers, must also submit the complete list of requirements (as applicable), in order to be considered for appointment.

These Service providers must list all of the services offered, together with corresponding pricing or value proposition for each consecutive year. These will be considered based on the need, merit, pricing and applicability. Submission of your tender does not automatically imply that your services will be utilized on Infrastructure projects during this period. Your appointment under this section will be governed on needs as identified by the Municipality.

All conditions as set out for the appointment of the Engineering Service Providers, will also apply for the support services as listed above (as applicable). Tenderers must indicate the applicable reference number on the cover sheet of the tender.

The “Value Proposition” to be submitted under this section, must be detailed and properly articulated to display the advantages and benefit to the Municipality. It must also be valid for a period of 3 years after the closing date of this tender.

4.3. Engineering Services

The Engineering PSP will be expected to conduct the following:-

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- a) Feasibility studies to estimate materials, time and labour costs
- b) Visit construction sites to monitor progress.
- c) Preparing tender and contract documents, including bills of quantities with the architect and/or the client;
- d) Preparation of project specifications;
- e) Undertaking costs analysis for repair and maintenance project work;
- f) Assisting in establishing the client's requirements and undertaking feasibility studies;
- g) Performing risk and value management and cost control;
- h) Preparing and analyzing costings for tenders;
- i) Advising on procurement strategy;
- j) Identifying, analyzing and developing responses to commercial risks;
- k) Providing advice on contractual claims;
- l) Analyzing outcomes and writing detailed progress reports;
- m) Valuing completed work and arranging payments;
- n) Preparations of As-Built drawings and issuing of O&M Manuals
- o) Prepare specifications for existing municipal building for maintenance/refurbishment work to be done on as and when required basis.

4.4. Capacity Building and Skills Transfer

- (a) In undertaking the tasks above, capacity building of existing or identified municipal employees will be critical. Evidently the PSP must build capacity building initiatives into their proposals to bridge the skills gaps experienced by municipalities;
- (b) The PSP is required to strengthen the overall capacity of the Infrastructure/Planning/Engineering/PMU's by timeously providing professional advice on matters regarding the projects in which they are involved in.

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4.5 Procurement Processes

The PSP's should provide support, guidance and facilitation to enable the municipality to manage procurement processes carried out in the targeted municipality for the purpose of implementing approved projects, **as and when required to do so.**

- a) Such procurement will be managed and implemented within the existing supply chain policies and mandate of the targeted municipality, provincial government, national government, relevant legislation and professional good practice guidelines.

5 COMPETENCY REQUIREMENTS FROM PSP's and related service providers (Individuals)

Engineering – Proof of Professional Registration as a Professional Engineer/Technologist with ECSA is a prerequisite for main members of the firm, with the following expertise:

- a) Must have a minimum of a Tertiary qualification (not less than a Degree) in Engineering from a recognized institution. Please note that the academic qualifications will undergo a verification check. A post graduate qualification will be an added advantage
- b) Must have a minimum of 6 years post-graduation experience including 3 years programme and project management experience, with at least 3 years' experience in South African local government environment and infrastructure development projects.
- c) Ability to interact with respective stakeholders (especially executive management) in all three spheres of government.
- d) A clear understanding of methodologies used for municipal project planning, implementation, coordination, monitoring and evaluation phases, and be able to give feedback to project stakeholders.
- e) Must have excellent problem solving and mediation skills.
- f) Must have excellent communication and negotiating skills
- g) Ability to absorb complex information and assess the requirements readily.
- h) Understanding of the basic legal framework governing the local government sector.



6 Expected Outputs and Outcomes

The overall expected outcomes of the TLM are as follows;

- 6.3.1 To have more realistic project cost planning during municipal budgeting process
- 6.3.2 To significantly reduce service delivery backlogs.
- 6.3.3 To have more control in terms of project cost management at municipal level
- 6.3.4 To improve efficiency and value for money during implementation of municipal project
- 6.3.5 To reduce a lengthy procurement duration by cutting down time on producing specifications and tender documents.
- 6.3.6 To have a support unit at the departmental level that can assist the municipality on approval issues that forms a core center of project implementation challenges.
- 6.3.7 To enable the municipalities and sector departments to realize the increased spending on their allocations.

7 PSP's and related service providers

The TLM hereby invites interested and suitable qualified PSP's and related service providers to provide support to the municipality for the following services:

Tender Reference No.	Project Name
TECH/12/2022-23	Appointment of suitably qualified Professional Service Provider for the Design and Construction of High Mats Lights

All tenders and supporting documents must be sealed and clearly marked as indicated above and should be deposited in the tender box of Municipality by no later than 8 December 2022. Technical enquiries shall be directed to Acting Director Technical Services, Mr SE Tlhabadira on email billytlhaba@gmail.com before the 8 December 2022 at 12h00.



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The TLM does not bind itself to accept the lowest or any tender and no reason for the acceptance or rejection of a tender will be given. Tenderers, once appointed are to form a part of TLM Panel of technical / engineering professionals and other related service providers for a period of three years with effect from tender closing date.



8 Selection of psp's and related service providers

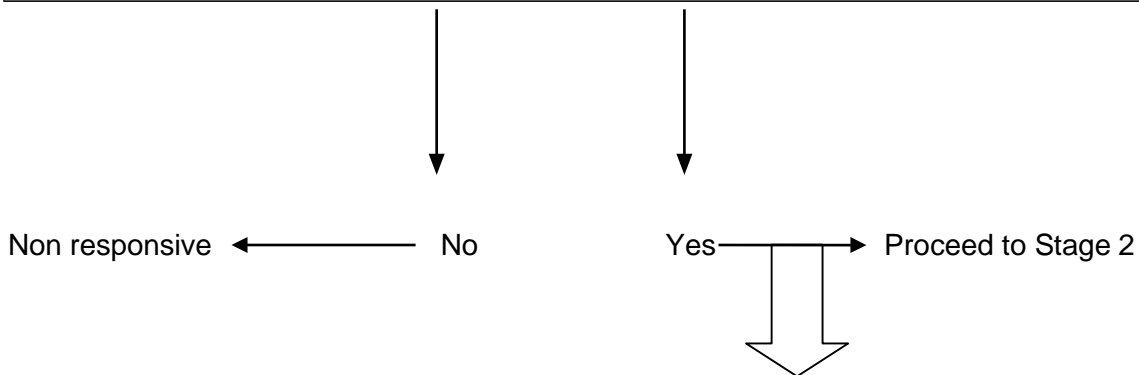
Evaluation Flow Diagram - Responsiveness of Tender

First Stage: Legal Compliance Evaluation

The Tenderer must comply with the submission of ALL of the following requirements to be regarded as responsive:

Submission of the following documents:

- o Certified Copy of the Identity Document
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the require field of interest
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA)**
- o Minimum 6 years' post qualification experience
- o Adequately detailed CV's of key personnel.
- o Company Profile indicating similar works performed in the past 3 years – With clear referral
- o Methodology and Approach – a detailed outline of how the PSP's intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- o Central Supplier Database (CSD) Report not older than 3 months Joint Venture agreement where applicable





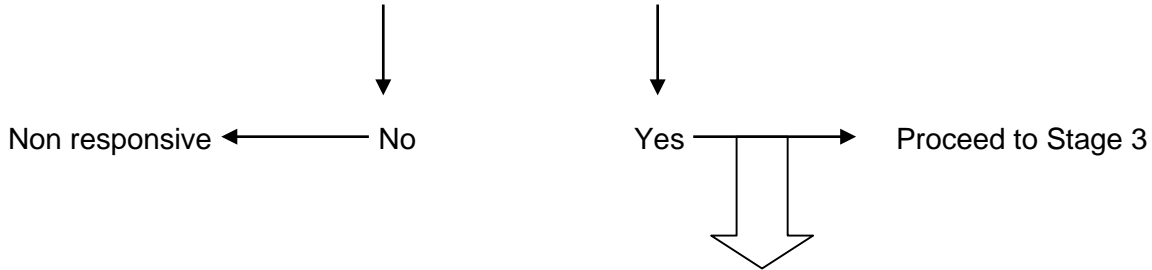
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Second Stage: Functionality Evaluation

The Tenderer that complies with **ALL** of the requirement on the first stage will be tested for functionality.



The criteria will be used to determine functionality and minimum points of 70 out of 100 points must be achieved to be regarded as responsive. All tenderers that meet the above requirements will then be evaluated against criteria as set in stage 3. All tenders that fail to achieve minimum of 70 points for functionality assessments will be regarded as non-responsive.



Stage 3 – Registration to the Panel of Service Providers

Registration in the Panel of Service Providers ranked according to the rate and HDI (functionality will take pre-eminence where necessary).

The selection of Service Providers for inclusion on the TLM Panel is solely at the discretion of the Municipality with strategic advice and input from other stakeholders. TLM will base the selection of its Service Providers based mainly on the following consideration points amongst others:

- (a) Previously demonstrated relevant technical experience and competence in Engineering, infrastructure field programmes and project delivery;
- (b) Methodology: The proposed method of undertaking the programme and project management function;
- (c) Quality: Focus on quality in terms of programme and project management as well as evaluation of work by other service providers forming part of the project delivery;
- (d) Value Added Proposition: Innovation with regard to the methodology for the delivery of Engineering and related infrastructure services across municipalities with an aim to add value with less cost or leverage resources collectively;
- (e) Propensity and innovations in terms of capacity building on a municipal level with low capacity for skill absorption.

Applications will be scored according to the evaluation criteria as indicated below. Applicants that score less than 70% in respect of functionality will be regarded as submitting a non-responsive application and will be disqualified.

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The applicants need to score minimum of targeted 70 points to be considered for placement on TLM Panel

9 Reporting

It will be required from successful PSP's and related Service Providers to submit monthly reports in accordance to TLM reporting framework which will be made available after appointment.

10 PROFESSIONAL FEES

Engineering PSP

Excerpt from ECSA scale of fees: Jan 2015

4.3.1 Project Types

The following tables categorize projects according to the typical range of fees that are appropriate.

Table 4-1: Work Types and Fee Categories for Civil, Agricultural and Structural Engineering Services Project Type

Project Type	Fee Category
General Agricultural Engineering	D
Pipelines	
Pipelines - Water	A
Pipelines - hazardous substances, submarine pipelines	D
Transport Infrastructure	
Airport Runways, Taxiways and Aprons	A
New and improved unpaved roads	C
New and Improved Urban Roads	C
New Paved Rural Roads	A
New Rural Freeways	B
New Urban Freeways	D
Railway Trackwork	A
Railways (Excluding Cost of Track)	A
Road Rehabilitation	A
Rural Road Expansion	B
Water	
Large Earth Dams	B
Large Concrete Dams	C
Small Dams	D
Stormwater Pipes (Pre-cast Units)	A
Irrigation – Centre Pivot., lateral move and similar	B
Irrigation – Sprinklers and similar	C
Irrigation – Micro, drip and similar	D
Municipal and Building Civils	
Building civils	C
Municipal Services	C
Parking lots	A
Water and Sewage Treatment works	F
Geotechnical	
Underground Structures and Dredging	A
Reinforced Concrete and Structural Steel	
Complex Load Bearing Structures, Quay Walls and Jetties	F
Minor structures	C
Overpasses and Freeway Bridges	E
Powerstation Civil and Buildings	C



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River Bridges	F
Stormwater structures, Breakwaters and canals (Designed)	C
Unique structures	E
Water Retaining Structures	D
Water Towers	E
Building Structural	
Iconic and Unique Buildings and Structural Alterations	G
Hospitals, Hotels, Airports, Stadia, Exhibition Halls and Retail Shopping Centres	F
Residential, Offices, Educational and Industrial	E

Mechanical Services

Green building design and energy management	F
Specialised fire protection systems such as gas, foam extinguishing, etc.	D
Hazardous material systems	F
HVAC systems	D
Industrial process, piping and instrumentation	E
Mechanical plant and equipment	C
Pressure vessel design	F
Pumping and pipeline systems	D
Refrigeration and cold storage	C
Vertical transportation systems and materials handling	D

Building Services

Industrial building services and utilities	E
General - Commercial, retail, offices, schools, hostels, clinics, hotels and resorts	E
Specialised - Airport buildings, museums, theatres, libraries, public entertainment, hospitals, research facilities, universities, laboratories, conference facilities, institutional buildings and facilities.	F
Residential – individual luxury housing units and apartment buildings	F
Residential – multiple (>50) standard housing units	C
Wet Services	G

Table 4-4: Work Types and Fee Categories for Miscellaneous Services Project Type

Fee Category

Electronic Engineering	G
Engineering Management	M
Industrial Engineering	N*

Note: Fee category N projects are not appropriate to determine fees based on the **cost of the works** and fees will be based on value delivered or time and cost as agreed between the **client** and **consulting engineer**.



4.3.2 Fee Range for Project Categories

The fee expressed as a percentage of the **cost of the works** will differ for different types of work due to different amounts of effort and engineering input required of the same **cost of the works**. For some types of projects the input can be high relative to the **cost of the works** while for other project types the input and corresponding percentage can be lower. The fees for a specific type of work can also vary considerably depending on the amount of effort required for a particular project relative to other projects of a similar type. However, an appropriate fee for full consultancy services, as set out in Section 3.2 above, should generally lie within the range shown below with the middle of the range representing the norm.

It is convenient to express the guideline professional fee in relation to a fixed works cost to establish a common reference point and to subsequently adjust this fee depending on the **cost of the works**. The Table below shows the typical range of fees appropriate for different categories of **works** with a works cost of R10 million, expressed as a percentage of the **cost of the works**. The table must be read in conjunction with Fig 4-1 in Clause 4.3.4.

Table 4-5: Guideline Fee for different Project Categories for a R10million works value

Table 4-5: Guideline Fee for different Project Categories for a R10million works value Fee Category	Typical Lower Limit	Typical Upper Limit
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Based on a R10 million works value

A	6.0%	to	8.0%
B	7.0%	to	9.0%
C	8.0%	to	10.0%
D	9.0%	to	11.0%
E	10.0%	to	13.0%
F	11.0%	to	14.0%
G	12.0%	to	15.0%
M	2.0%	to	4.0%
N	Not appropriate to estimate fees based on cost of works		

Discount applicable.

Indicate discount applicable as a percentage to primary fees.....%

NOTE!!!!

ALL FEES PAYABLE WILL BE IN ACCORDANCE WITH THE APPLICABLE PREVAILING ECSA GUIDELINES WHICH ARE REVIEWABLE ANNUALLY.



THABAZIMBI LOCAL MUNICIPALITY

The Professional Fees includes operational and administration expenditure required for the effective undertaking of the assigned tasks. This includes but not limited to Accommodation, Telephone, Printer, 3G, Computer, ICT Equipment, etc.

The TLM reserves the right to appoint the PSP based on any preference type, based on its needs.

Note that the above professional fees above exclude the travelling and subsistence disbursement which will be paid in accordance with the ECSA guidelines.

The successful individual professional service provider will enter into a performance contract with TLM and the payment will be linked to milestones specified in the agreement.

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11 Required documentation for submission

The following documents will constitute a valid tender

- Certified Copy of the Identity Document
- Tax pin/Tax clearance certificate
- Certified Copies of the original Qualifications – As per the requirement
- **Certified Proof of Professional Registration as a Professional Engineer/Technologist /Architect / Projects Manager**
- Minimum 6 years’ post qualification experience
- Adequately detailed CV’s of key personnel.
- Company Profile indicating similar works performed in the past 3 years
- Methodology and Approach – a detailed outline of how the PSP intends to undertake tasks of this nature;
- Completed supplier information form (Attached)
- Completed and signed Terms of Reference.
- Proof of professional Indemnity Insurance
- Municipality Rates and Taxes – Business
- Municipality Rates and Taxes – Company Directors
- Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
- Central Supplier Database (CSD) Report not older than 3 months Joint Venture agreement where applicable

12 Project DURATION

Successful tenders will be registered in the panel of Service Providers for a period of three (3) years and will be used on and as and when required rotational basis.

Annual projects will be allocated based on the needs of the TLM.

Appointment will be based on projects for the following financial years:-

Year of appointment	Financial Year
Year 1	2022/23
Year 2	2023/24
Year 3	2024/25



13 service providers CONTACT DETAILS

The prospective Service Provider is:

Postal Address:

.....

Physical Address:

.....

Telephone: Cell:

Email:.....@.....

Contact Person:..... Signature:

Position in Company:.....

14 TLM Contact Details

All enquiries regarding this tender should be directed to

<u>Technical</u>	<u>Procurement</u>
Mr. J Khuabo	Me B Monyeki
Electrical Services	Acting Manager Supply Chain
TLM	Management
Tel: 079 826 0523	TLM
Email:	Tel: 066 008 3752
khuaboj@thabazimbi.gov.za	Email: beatricemonyeki5@gmail.com

THABAZIMBI LOCAL MUNICIPALITY



WORK PACKAGE E

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS - CIVIL/STRUCTURAL ENGINEERING COMPANIES FOR CONSTRUCTION OF SANITATION PROGRAMME

Terms of Reference



THABAZIMBI LOCAL MUNICIPALITY

F O R T H E

Appointment of suitably qualified Engineering Consultants

And Related Service Providers

To the

Thabazimbi Local Municipality

(Sanitation Programmes)

T E N D E R R E F:

TECH/12/2022-23

Client	THABAZIMBI Local Municipality
Contract Type	Term Contract for a period of 3 years. (36 months)
Project	Appointment of Civil Engineering Consultants for Planning, Design and Construction Monitoring of Sanitation Programmes

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THABAZIMBI LOCAL MUNICIPALITY

1. INTRODUCTION

The Thabazimbi Local Municipality is a Category B municipality located within the Waterberg District in the south-western part of the Limpopo Province.

THABAZIMBI Local Municipality is bordered by:

- Madibeng Local Municipality
- Lephalale Local Municipality
- Bela Bela Local Municipality
- Modimolle-Mookgophong Local Municipality
- Botswana

The Thabazimbi Local Municipality is located in the Limpopo Province and extends to the Botswana border. It is one of six municipalities in the Waterberg District area of jurisdiction. Neighboring municipalities include Lephalale Local Municipality to the north, Modimolle Mookgophong Local Municipality to the east and Bela-Bela Local Municipality to the south-east. The Northwest and Gauteng Provinces border the Municipality to the south, and Botswana to the west. Thabazimbi Town is the municipal capital and one of four major towns in the District, together with Modimolle, Mokopane, Lephalale, and Bela Bela. Routes R511, R510 and R516 are the only regional roads that traverse the western parts of the District, linking Thabazimbi, Bela-Bela, Mookgophong and Mokopane with the provincial capital, Polokwane.

The Municipality covers an area of approximately 11 190 km² and is mostly rural in nature, comprising of 4 x Urban Settlements, 5 x Rural Settlements and 12 x Informal Settlements. The N4 Corridor which is the east-west bound road connecting Rustenburg and Pretoria runs to the south of THABAZIMBI local municipality. According to Stats SA, the 2021 projection shows that there are ± 104 781 people residing within the area of the Municipality, which amounts to ± 38 175 households

2. Problem Statement

The TLM undertook a diagnostic exercise during the 2020/21 financial year and identified a myriad of gaps impacting on provisioning of infrastructure and basic services to communities. This exercise culminated in the prioritization of projects which are due to be implemented in the next three financial years through grant, sectorial and municipal funded mechanisms (e.g. MIG, DWS, RBIG and WSIG) by the Municipality.

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THABAZIMBI LOCAL MUNICIPALITY

The following challenges have been identified;

a) *Infrastructure Planning*

- Inability to plan, develop and manage infrastructure projects;
- Outdated or non-existent sector plans

b) *Infrastructure Asset Management*

- Ageing infrastructure
- Poor Infrastructure Asset Management
- Poor rate of cost recovery for infrastructure services
- High water and electricity losses due to illegal connections, dilapidated infrastructure, poor distribution systems, lack of demand management systems etc
- Lack of capacity, systems and procedures to operate and maintain infrastructure

c) *Bulk Infrastructure Provision*

- Insufficient water resources to serve all communities
- Inadequate bulk infrastructure, with most treatment works not functioning optimally

d) *Access to Basic Services*

- High backlogs in terms of access to water and sanitation.
- Inadequate tracking of backlog eradication has meant that the backlog status is not known definitively.

e) *Project & Contract Management*

- Lack of contract management capacity;
- Inability to effectively plan for delivery of infrastructure projects;
- Incapacity to manage the execution of projects to ensure highest quality of delivery, aligned with set standards, procedures and set outcomes;
- Under-spending on capital budgets and overspending on operational budgets as well as inappropriate use of conditional infrastructure grants for purposes other than those intended.
- Appointment of related support services and suppliers without following due processes in terms of the Municipal Finance Management Act,

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From this exercise, the TLM hereby responds accordingly by requesting the services of professional and related infrastructure service providers to offer technical support in engineering, and related services towards improving the management of their infrastructure development, operations & maintenance, and PM Unit.

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THABAZIMBI LOCAL MUNICIPALITY

3. Objectives

This Terms of Reference (ToR) therefore seeks to outline the services required of suitable qualified Professional Services Providers (PSP's) as well as other related services to the TLM Panel to provide support in Engineering and related services to the THABAZIMBI Local Municipality for a period of 3 (three) years.

The Service Providers must have the **capacity** and **capabilities** to primarily deal with the challenges identified in the municipality, based on grant funded capital projects. The Service Providers should be able to propose solutions and execute them in a practical and hands-on manner. In addition to this, there should be a focus on building the internal capacity of the municipality as well as transferring knowledge and skills to appropriate municipal employees where possible.

The overall objective is therefore to support municipalities thus ensuring effective scoping and delivery of multiple infrastructure projects as set out within the Integrated Development Plans (IDP's) of the municipality. It will be the responsibility of the PSP to collect and collate the base information required to allow them to discharge their obligations in terms of the agreements to be entered into between the municipality and the PSP. In awarding these contracts, TLM intends to enter into an individual specific contract or Service Level Agreement (SLA) with each successful Service Provider.

Please Note:

PSP is defined as an Engineering Consultancy firm, as registered with CESA, SABBACO, ECSA (as applicable), who will provide services as defined in this Terms of Reference.

The decision on the number of consulting firms appointed will remain firmly with the Municipality, based on its needs.

Related Services Provider is defined as a supplier of a service or goods that facilitates the execution of the Infrastructure project and categorized as a secondary or support service to the Project. This will include Surveyors; Geohydrologists, Geotechnologist, Environmentalists, Training academies, OHS Specialist



Providers for Related Services must have the applicable minimum qualifications and experience as per their related field of work.

4. Scope Of Work

4.1 Engineering (REF: CE)

The successful **PSP** will undertake the following activities and any other activities related to **engineering** services to the TLM as follows:-

- a) Delivering **Engineering Services** diligently in accordance with South African Policies, Acts, Regulations and Industry Guidelines following TLM and Municipal Norms and Practices;
- b) Assessment of **Engineering** Infrastructure planning, development, implementation and Operation & Maintenance requirement of municipality in consultation with relevant municipal leadership and/ or officials and sectoral stakeholders and municipal Infrastructure Development Plan (IDP), Sector Development Framework (SDF), District, Provincial and National Policies and Strategies.
- c) Supporting/assisting municipalities in preparing Project Business Plans in accordance to government and/ or non-government Funders conditions and securing necessary Funds as applicable.
- d) Supporting/assisting municipality in managing **Engineering** Infrastructure Life Cycle covering Pre-feasibility and Feasibility Studies, Design and Development, Implementation and Operation and Maintenance including procurement of various services providers and emanated contract management; and projects cost, quality and time management.
- e) Supporting/assisting municipality in implementation and management of infrastructure in compliance with various organizational and funders progress reporting, monitoring and evaluation requirements.
- f) Supporting/assisting municipality in reviewing and / or developing and implementing sector master plans.
- g) Complete any other assignment, as and when required, according to the TLM representatives' request.
- h) Provide construction monitoring services for projects the PSP is involved

The stages for professional fees will be in accordance with the Engineering Council of SA (ECSA) as follows:-

Stage	Percentage
Inception 5%	5%
Concept and Viability 25%	25%
Design Development 25%	25%

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Documentation and Procurement 15%	15%
Contract Administration and Inspection 25%	25%
Close Out	5%

i) Fees paid will be as prescribed by the prevailing guidelines as gazette annually by ECSA However, tenderers who offer discounts off primary fees will score favorably during evaluation.

4.2 Related support services for Infrastructure projects

The service provider should in addition appoint service providers for additional **infrastructure –related support services**, who will undertake the following activities to the TLM as follows for a period of 3 years;-

- a) Environmental Services (REF: ES)
- b) Geotechnical Services (REF: GS)
- c) Surveying Services (REF: SS)
- d) Electrical Engineering Services (REF: EES)
- e) Building & Architectural Services (REF: BAS)
- f) Mechanical Engineering Services (REF: MES)
- g) Occupational Health and Safety Services (REF: OHS)
- h) Accredited Training Services (REF: ATS)
- i) Geo-hydrologist Services (REF: GES)
- j) Plant and Equipment Hire Services (REF: PES)
- k) Material Supply Services (REF : MAT)
- l) Project Funding Services (REF: PFS)
- m) Risk Management Services (REF: RMS)
- n) Energy Demand/Alternative Energy Services (REF: EDS)

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- o) Other Infrastructure-related services (REF: OIS)
- p) Asset Management Services (REF: AMS)
- q) Operation and Maintenance Services (REF: OMS)

The intention hereof, is to appoint suitably vetted service providers who will facilitate the implementation of the Infrastructure projects by providing services and goods at discounted rates. This will ultimately assist the execution of the projects as Service Providers will be recommended for use with appointed Contractors.

All services provided under the abovementioned list of ancillary service providers, must also submit the complete list of requirements (as applicable), in order to be considered for appointment.

These Service providers must list all of the services offered, together with corresponding pricing or value proposition for each consecutive year. These will be considered based on the need, merit, pricing and applicability. Submission of your tender does not automatically imply that your services will be utilized on Infrastructure projects during this period. Your appointment under this section will be governed on needs as identified by the Municipality.

All conditions as set out for the appointment of the Engineering Service Providers, will also apply for the support services as listed above (as applicable). Tenderers must indicate the applicable reference number on the cover sheet of the tender.

The “Value Proposition” to be submitted under this section, must be detailed and properly articulated to display the advantages and benefit to the Municipality. It must also be valid for a period of 3 years after the closing date of this tender.

4.3. Engineering Services

The Engineering PSP will be expected to conduct the following:-

- a) Feasibility studies to estimate materials, time and labour costs
- b) Visit construction sites to monitor progress.
- c) Preparing tender and contract documents, including bills of quantities with the architect and/or the client;



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- d) Preparation of project specifications;
- e) Undertaking costs analysis for repair and maintenance project work;
- f) Assisting in establishing the client's requirements and undertaking feasibility studies;
- g) Performing risk and value management and cost control;
- h) Preparing and analyzing costings for tenders;
- i) Advising on procurement strategy;
- j) Identifying, analyzing and developing responses to commercial risks;
- k) Providing advice on contractual claims;
- l) Analyzing outcomes and writing detailed progress reports;
- m) Valuing completed work and arranging payments;
- n) Preparations of As-Built drawings and issuing of O&M Manuals
- o) Prepare specifications for existing municipal building for maintenance/refurbishment work to be done on as and when required basis.

4.4. Capacity Building and Skills Transfer

- (c) In undertaking the tasks above, capacity building of existing or identified municipal employees will be critical. Evidently the PSP must build capacity building initiatives into their proposals to bridge the skills gaps experienced by municipalities;
- (d) The PSP is required to strengthen the overall capacity of the Infrastructure/Planning/Engineering/PMU's by timeously providing professional advice on matters regarding the projects in which they are involved in.

4.5. Procurement Processes

The PSP's should provide support, guidance and facilitation to enable the municipality to manage procurement processes carried out in the targeted municipality for the purpose of implementing approved projects, **as and when required to do so.**

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- b) Such procurement will be managed and implemented within the existing supply chain policies and mandate of the targeted municipality, provincial government, national government, relevant legislation and professional good practice guidelines.

5 COMPETENCY REQUIREMENTS FROM PSP's and related service providers (Individuals)

Engineering – Proof of Professional Registration as a Professional Engineer/Technologist with ECSA is a prerequisite for main members of the firm, with the following expertise:

- a) Must have a minimum of a Tertiary qualification (not less than a Degree) in Engineering from a recognized institution. Please note that the academic qualifications will undergo a verification check. A post graduate qualification will be an added advantage
- b) Must have a minimum of 6 years post-graduation experience including 3 years programme and project management experience, with at least 3 years' experience in South African local government environment and infrastructure development projects.
- c) Ability to interact with respective stakeholders (especially executive management) in all three spheres of government.
- d) A clear understanding of methodologies used for municipal project planning, implementation, coordination, monitoring and evaluation phases, and be able to give feedback to project stakeholders.
- e) Must have excellent problem solving and mediation skills.
- f) Must have excellent communication and negotiating skills
- g) Ability to absorb complex information and assess the requirements readily.
- h) Understanding of the basic legal framework governing the local government sector.

6 Expected Outputs and Outcomes

The overall expected outcomes of the TLM are as follows;

- 6.3.1 To have more realistic project cost planning during municipal budgeting process
- 6.3.2 To significantly reduce service delivery backlogs.
- 6.3.3 To have more control in terms of project cost management at municipal level
- 6.3.4 To improve efficiency and value for money during implementation of municipal project

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- 6.3.5 To reduce a lengthy procurement duration by cutting down time on producing specifications and tender documents.
- 6.3.6 To have a support unit at the departmental level that can assist the municipality on approval issues that forms a core center of project implementation challenges.
- 6.3.7 To enable the municipalities and sector departments to realize the increased spending on their allocations.

7 PSP's and related service providers

The TLM hereby invites interested and suitable qualified PSP's and related service providers to provide support to the municipality for the following services:

Tender Reference No.	Project Name
TECH/12/2022-23	Appointment of suitably qualified Professional Service Provider for the Design and Construction of Sanitation Programme.

All tenders and supporting documents must be sealed and clearly marked as indicated above and should be deposited in the tender box of Municipality by no later than 8 December 2022 Technical enquiries shall be directed to Acting Director Technical Services, Mr. SE Tlhabadira on email billytlhaba@gmail.com before the 8 December 2022 at 12h00.

The TLM does not bind itself to accept the lowest or any tender and no reason for the acceptance or rejection of a tender will be given. Tenderers, once appointed are to form a part of TLM Panel of technical / engineering professionals and other related service providers for a period of three years with effect from tender closing date.



8 Selection of psp's and related service providers

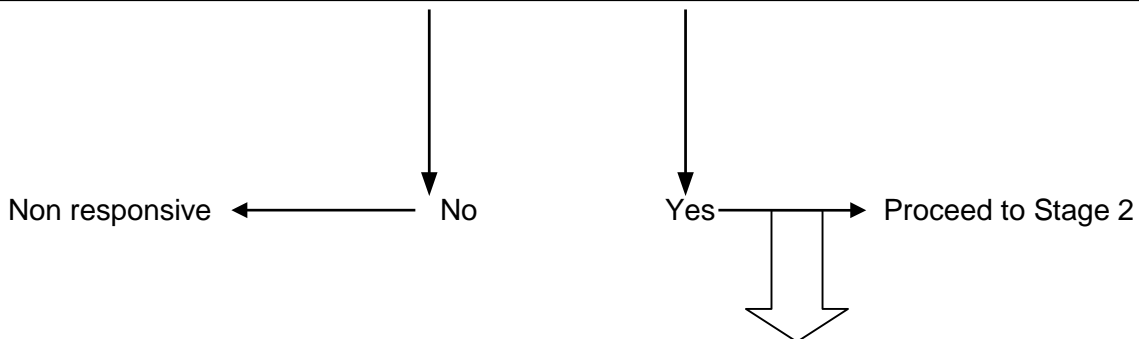
Evaluation Flow Diagram - Responsiveness of Tender

First Stage: Legal Compliance Evaluation

The Tenderer must comply with the submission of **ALL** of the following requirements to be regarded as responsive:

Submission of the following documents:

- o Certified Copy of the Identity Document
- o Tax pin/Tax clearance certificate
- o Certified Copies of the original Qualifications – As per the require field of interest
- o **Certified Proof of Professional Registration as a Professional Engineer/Technologist (ECSA)**
- o Minimum 6 years' post qualification experience
- o Adequately detailed CV's of key personnel.
- o Company Profile indicating similar works performed in the past 3 years – With clear referral
- o Methodology and Approach – a detailed outline of how the PSP's intends to undertake tasks of this nature;
- o Completed supplier information form (Attached)
- o Completed and signed Terms of Reference.
- o Proof of professional Indemnity Insurance
- o Municipality Rates and Taxes – Business
- o Municipality Rates and Taxes – Company Directors
- o Proof of municipal account/lease agreement or proof of residential address by Traditional Authority, not older than 3 months (Must not be in arrears for over 90 days)
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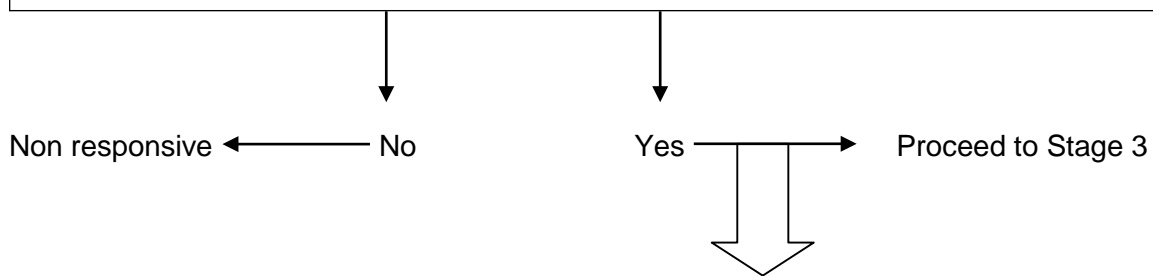


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Second Stage: Functionality Evaluation

The Tenderer that complies with **ALL** of the requirement on the first stage will be tested for functionality.

The criteria will be used to determine functionality and minimum points of 70 out of 100 points must be achieved to be regarded as responsive. All tenderers that meet the above requirements will then be evaluated against criteria as set in stage 3. All tenders that fail to achieve minimum of 70 points for functionality assessments will be regarded as non-responsive.





Stage 3 – Registration to the Panel of Service Providers

Registration in the Panel of Service Providers ranked according to the rate and HDI (functionality will take pre-eminence where necessary).

The selection of Service Providers for inclusion on the TLM Panel is solely at the discretion of the Municipality with strategic advice and input from other stakeholders. TLM will base the selection of its Service Providers based mainly on the following consideration points amongst others:

- (a) Previously demonstrated relevant technical experience and competence in Engineering, infrastructure field programmes and project delivery;
- (b) Methodology: The proposed method of undertaking the programme and project management function;
- (c) Quality: Focus on quality in terms of programme and project management as well as evaluation of work by other service providers forming part of the project delivery;
- (d) Value Added Proposition: Innovation with regard to the methodology for the delivery of Engineering and related infrastructure services across municipalities with an aim to add value with less cost or leverage resources collectively;
- (e) Propensity and innovations in terms of capacity building on a municipal level with low capacity for skill absorption.

Applications will be scored according to the evaluation criteria as indicated below. Applicants that score less than 70% in respect of functionality will be regarded as submitting a non-responsive application and will be disqualified.

The applicants need to score minimum of targeted 70 points to be considered for placement on TLM Panel

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9 Reporting

It will be required from successful PSP's and related Service Providers to submit monthly reports in accordance to TLM reporting framework which will be made available after appointment.

10 PROFESSIONAL FEES

Engineering PSP

Excerpt from ECSA scale of fees: Jan 2015

4.3.1 Project Types

The following tables categorize projects according to the typical range of fees that are appropriate.

Table 4-1: Work Types and Fee Categories **Fee Category**
for Civil, Agricultural and Structural
Engineering Services Project Type



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General Agricultural Engineering	D
Pipelines	
Pipelines - Water	A
Pipelines - hazardous substances, submarine pipelines	D
Transport Infrastructure	
Airport Runways, Taxiways and Aprons	A
New and improved unpaved roads	C
New and Improved Urban Roads	C
New Paved Rural Roads	A
New Rural Freeways	B
New Urban Freeways	D
Railway Trackwork	A
Railways (Excluding Cost of Track)	A
Road Rehabilitation	A
Rural Road Expansion	B
Water	
Large Earth Dams	B
Large Concrete Dams	C
Small Dams	D
Stormwater Pipes (Pre-cast Units)	A
Irrigation – Centre Pivot., lateral move and similar	B
Irrigation – Sprinklers and similar	C
Irrigation – Micro, drip and similar	D
Municipal and Building Civils	
Building civils	C
Municipal Services	C
Parking lots	A
Water and Sewage Treatment works	F
Geotechnical	
Underground Structures and Dredging	A
Reinforced Concrete and Structural Steel	
Complex Load Bearing Structures, Quay Walls and Jetties	F
Minor structures	C
Overpasses and Freeway Bridges	E
Powerstation Civil and Buildings	C
River Bridges	F
Stormwater structures, Breakwaters and canals (Designed)	C
Unique structures	E
Water Retaining Structures	D
Water Towers	E
Building Structural	
Iconic and Unique Buildings and Structural Alterations	G
Hospitals, Hotels, Airports, Stadia, Exhibition Halls and Retail Shopping Centres	F
Residential, Offices, Educational and Industrial	E
Mechanical Services	
Green building design and energy management	F
Specialised fire protection systems such as gas, foam extinguishing, etc.	D
Hazardous material systems	F
HVAC systems	D
Industrial process, piping and instrumentation	E
Mechanical plant and equipment	C
Pressure vessel design	F
Pumping and pipeline systems	D
Refrigeration and cold storage	C
Vertical transportation systems and materials handling	D



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A	6.0%	to	8.0%
B	7.0%	to	9.0%
C	8.0%	to	10.0%
-D	9.0%	to	11.0%
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Indicate discount applicable as a percentage to primary fees.....%

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Year 2	2023/24
Year 3	2024/25

13 service providers CONTACT DETAILS

The prospective Service Provider is:

Postal Address:

.....

Physical Address:.....

.....

Telephone: Cell:

Email:.....@.....

Contact Person:..... Signature:

Position in Company:.....

14 TLM Contact Details

All enquiries regarding this tender should be directed to

<u>Technical</u>	<u>Procurement</u>
Mr. J.Khuabo	Me B Monyeki
Manager Electrical	Acting Manager Supply Chain
Services	Management
TLM	TLM
Tel: 066 488 3161	Tel: 066 008 3752
Email: khuabo@gmail.com	Email: beatricemonyeki5@gmail.com

THABAZIMBI LOCAL MUNICIPALITY



PART K

REQUIRED DOCUMENTS



REQUIRED DOCUMENTS

SUBMISSION OF REQUIRED DOCUMENTS

You are required to submit the following documents:

N O	DOCUMENTS REQUIRED	SOLE PROPRIETOR	CCS AND PRIVATE COMPANIES	PARTNERSHIPS	PUBLIC COMPANIES	BUSINESS TRUST	NON- PROFIT ORGANISATIONA	JOINT VENTURES	WHERE TO OBTAIN THE DOCUMENT
1.	COMPANY REGISTRATION CERTIFICATE	N/A	Certificate of Incorporation CK 1/ CK 2	Partnership Agreement	Certificate of Incorporation CM3	Trust Agreement	Certificate of Incorporation Section 21	N/A	Registrar Of Companies and CC's
2.	TAX CLEARANCE CERTIFICATE/TAX PIN	For the Owner or the business	For the company/CC	For Individual Shareholders	For the company	For the Trust	For the NPO	For the JV	SARS
3.	CERTIFIED COPY OF GREEN BAR CODED ID/SMART CARD FOR ALL ACTIVE DIRECTORS	For the owner	Directors/members	Partners	Directors	Trustees	Directors	For all Parties to the JV(Directors/Members)	
4.	RATES AND TAXES FOR THE OWNER/SHAREHOLDERS/DIRECTORS	For the owner	Directors/Members	Partners	Directors	Trustees	Directors	For all Parties to the JV(Directors/Members)	Municipality where they reside.
5.	RATES AND TAXES FOR THE ENTITY(Attach Affidavit if working from home)	For the sole proprietor	For the company/CC	For the Partnership	For the company	For the Trust	For the Company	For All the Companies /CCs to the JV	Municipality where the entity is situated
6.	VALID BB-BEE/SWORN AFFIDAVIT FOR EME AND QSE	For the sole proprietor	For the Company/CC	For the Partnership	For the Company	For the Trust	For The Company	For the JV	SANAS Accredited Accountant/Agency
7.	MBD 1 (INVITATION TO BID)	YES	YES	YES	YES	YES	YES	YES	Tender document
8.	MBD 4 (DECLARATION OF INTEREST)	YES	YES	YES	YES	YES	YES	YES	Tender document
9.	MBD 5 (DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED) Attach audited annual financial statements for the past three years or since the date of establishment if established during the past three years (if applicable)	YES	YES	YES	YES	YES	YES	YES	Tender document
10.	MBD 6.1 (PREFERENCE POINTS CLAIM FORM)	YES	YES	YES	YES	YES	YES	YES	Tender document
11.	MBD 6.2 (DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT) if applicable	YES	YES	YES	YES	YES	YES	YES	Tender document
12.	MBD 7.1 (CONTRACT FORM – PURCHASE OF GOODS AND SERVICES) – Successful service provider	YES	YES	YES	YES	YES	YES	YES	Tender document
13.	MBD 7.2 (CONTRACT FORM - RENDERING OF SERVICES) Successful service provider	YES	YES	YES	YES	YES	YES	YES	Tender document
14.	MBD 8 (DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES)	YES	YES	YES	YES	YES	YES	YES	Tender document
15.	MBD 9 (CERTIFICATE OF INDEPENDENT BID DETERMINATION)	YES	YES	YES	YES	YES	YES	YES	Tender document
16.	SCM 5 (MUNICIPAL RATES & CHARGES CLEARANCE CERTIFICATE) if applicable	YES	YES	YES	YES	YES	YES	YES	Tender document

THABAZIMBI LOCAL MUNICIPALITY



17	SECTION 37(2) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, NO 85 OF 1993 VALID COIDA CERTIFICATE WITH RELEVANT NATURE OF BUSINESS (CONSULTING ENGINEER)	YES	YES	YES	YES	YES	YES	YES	Tender document
18	AUTHORITY TO SIGN	YES	YES	YES	YES	YES	YES	YES	Tender document
19	PRICING SCHEDULE/BILL OF QUANTITIES	YES	YES	YES	YES	YES	YES	YES	Tender document
20	FORM OF OFFER	YES	YES	YES	YES	YES	YES	YES	Tender document
21	JV AGREEMENT (if applicable)	YES	YES	YES	YES	YES	YES	YES	Entities
22	PROOF OF PURCHASE FOR THE TENDER DOCUMENT	YES	YES	YES	YES	YES	YES	YES	Rates hall
23	VALID CIDB GRADING CERTIFICATE	YES	YES	YES	YES	YES	YES	YES	CIDB
24	COMPANY MUST BE REGISTERED WITH CESA OR SBTACO (Attach certified copy)	YES	YES	YES	YES	YES	YES	YES	YES
25	CERTIFIED PROOF OF PROFESSIONAL REGISTRATION (ECSA)								
26	REGISTERED WITH THE CSD	YES	YES	YES	YES	YES	YES	YES	SELF REGISTRATION ON WWW.CSD.GOV.ZA

NB: Not submitting any of the abovementioned documents will render your tender non-responsive and as a result invalidate your offer.

- 1. Current Rates and taxes certificate/Statement for the company (bidder) not in arrears for more than three months/ lease agreement if the property is rented, clearly stipulating who is responsible for the municipal rates and taxes/affidavit if working from home together with the home rates and taxes statements.**
- 2. Proof of residence & affidavit if residing in a village (clearly state on the affidavit that you don't pay rates and taxes, you reside and run business in the same address.**
- 3. Copy of a certified copy will not be accepted.**

NB: THESE DOCUMENTS MUST BE SCANNED AND SUBMITTED ON A COMPACT DISC TOGETHER WITH THE HARD COPY DOCUMENTS (FOUR COPIES OF THE CD MUST BE SUBMITTED WRITTEN ORIGINAL, COPY 01 OF 3, COPY 02 OF 3, ETC.)

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LIST OF PROJECTS/ WORK/SERVICE PREVIOUSLY COMPLETED/PERFORMED
RENDERED

NAME OF INSTITUTION	NATURE OF WORK	DURATI ON OF CONTR ACT	TENDERD AMOUNT	CONTACT DETAILS	
				Person :	Tel:
				Capacity:	email
				Person	Tel;
				capacity	Email:
				Person :	Tel:
				Capacity:	email
				Person :	Tel:
				Capacity:	email
				Person :	Tel:
				Capacity:	email
				Person :	Tel:
				Capacity:	Email
				Person :	Tel:
				Capacity:	Email
				Person :	Tel:
				Capacity:	Email

SIGNATURE OF TENDERER		DATE:	
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THABAZIMBI LOCAL MUNICIPALITY



PART L

CONTRACT TERM



THABAZIMBI LOCAL MUNICIPALITY

TECH/12/2022-23
APPOINTMENT OF PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR
INFRASTRUCTURE PROJECTS FOR A PERIOD OF 3 YEARS

CONTRACT TERM

This is a contract for a period of 36 months, no representation regarding a renewal or continuation of contract after the termination date of this contract shall be valid unless recorded in writing in a new contract and signed by both parties.

No renewal or continuation of the contract shall give rise to any expectation of further renewals or continuation of the contract.

SIGNATURE TENDERER	OF		DATE	
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PART M

PRICING SCHEDULES

**PRICING SCHEDULE – FIRMPRICES****OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID**

Name of Bidder		Bid Number	TECH/12/2022-23
Closing Time	12H00	Closing Date	8 December 2022

AS GUIDED BY THE GUIDELING FOR SERVICES AND PROCESSES FOR ESTIMATING FEES FOR PERSONS REGISTERED IN TERMS OF THE ENGINEERING PROFESSIONS ACT, 200 (ACT NO.46 OF 2000) PLEASE COMPLETE THE TABLE THAT FOLLOWS:

ITEM NO	FEE CATEGORY	% BASED ON A R10 MILLION WORKS VALUE
1.	A	
2.	B	
3.	C	
4.	D	
5.	E	
6.	F	
7.	G	
8.	M	
9.	N	

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Scope of Work

Indicate the type of engineering work you prefer to be involved in.

E.g. (Community facilities, Roads and storm water, Water supply schemes, High mast lights, Sanitation programme, Other)

Preference	Preferred Type of Municipal Engineering
1	
2	
3	
4	
5	

If "other" is chosen, please provide further details.

.....
.....

..... The Professional Fees includes operational and administration expenditure required for the effective undertaking of the assigned tasks. This includes but not limited to Accommodation, Telephone, Printer, 3G, Computer, ICT Equipment, etc.

The TLM reserves the right to appoint the PSP based on any preference type, based on its needs.

Note that the above professional fees above exclude the travelling and subsistence disbursement which will be paid in accordance with the ECSA guidelines.

The successful individual professional service provider will enter into a performance contract with TLM and the payment will be linked to milestones specified in the agreement.

Required by:	THABAZIMBI LOCAL MUNICIPALITY
At:	07 RIETBOK STREET THABAZIMBI 0380
CESA NO.	
SABTACO NO.	
ECSA REG NO.	



THABAZIMBI LOCAL MUNICIPALITY

Does the offer comply with the specification(s)?		YES	NO
If not to specification, indicate deviation(s)			
Period required for delivery			
Delivery basis			

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

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

Period required for commencement with project after acceptance of bid	
---	--

Are the rates quoted firm for the full period of contract?	YES	NO
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Any enquiries regarding bidding procedures may be directed to:

Any Enquiries Regarding The Bidding Procedure May Be Directed To					
Thabazimbi Local Municipality					
Department	Supply Chain Management	Contact Person	Me B Monyeki	Tel	066 008 3752 / 073 919 4602

Any enquiries regarding Technical Information May Be Directed To					
Department	Infrastructure	Contact Person	Mr. SE Tlhabadira	Tel	066 488 3161

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SIGNATURE OF TENDERER		DATE:	
NAME OF SIGNATORY		CAPACITY	
NAME OF FIRM (COMPANY)			

THABAZIMBI LOCAL MUNICIPALITY



PART N

FORM OF OFFER

NB: COMPLETE AND SIGN THE OFFER PAGES.



THABAZIMBI LOCAL MUNICIPALITY

FORM OF OFFER

FORM OF OFFER

TENDER NO: TECH/12/2022-23

APPOINTMENT OF PANEL OF VARIOUS PROFESSIONAL SERVICE PROVIDERS FOR INFRASTRUCTURE PROJECTS FOR A PERIOD OF 3 YEARS

The Purchaser has solicited offers to enter into a contract for the appointment of panel of professional service providers for infrastructure projects for the period of 3 years.

The tenderer, identified in the offer signature block, has examined the documents listed in the tender Document and addenda thereto as listed in the tender document table of contents, and by submitting this offer has accepted the conditions of tender.

By the representative of the tenderer, deemed to be duly authorized, signing this part of this form of offer, the tenderer offers to perform all of the obligations and liabilities of the Supplier 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 Tender document.

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

Fee Category	%	In words
A		
B		
C		
D		
E		
F		
G		
M		
N		

Enter an amount above only if the total of the Prices column in the Price List includes all the work included in the offer.

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FORM OF OFFER

This offer may be accepted by the Purchaser by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the Supplier in the conditions of contract identified in the Contract Data.

SIGNATURE(S)		NAME(S)	
CAPACITY		NAME OF ORGANIZATION/COMPANY AND ADDRESS	
NAME OF WITNESS		SIGNATURE OF WITNESS	

THABAZIMBI LOCAL MUNICIPALITY



PART O

EVALUATION CRITERIA



EVALUATION CRITERIA AND METHODOLOGY

1. FUNCTIONALITY:

Criteria	Maximum points	Description of requirements	Maximum Attainable Points
<p>Profile of key staff</p> <p>Attach Certified Qualification and Pr registration of own staff, Only submit Qualification for the relevant Engineering Service ticked (certified id and qualifications)</p> <p>Disclaimer: Attach an organogram for the key staff, their CV's should be on the company CV template (not a personal CV) and be not more than three (3) pages. All CV's should be on the same format</p>	30	Project Director/ Engineer	10
		BSC/B Eng/ B.Tech (Prof Reg. Engineer/Tech): value 10	
		BSC/B Eng/ B.Tech (Candidate Engineer/Tech): value 6	
		BSC/B Eng./ B.Tech: value 4	
		Project Manager/Resident Engineer	10
		BSC/B Eng./ B.Tech (Prof Reg. Engineer/Tech): value 10	
		BSC/B Eng./ B.Tech (Candidate Engineer/Tech): value 6	
		BSC/B Eng/B.Tech/N.Dip: value 4	
		Assistant Project Manager / Assistant Resident Engineer	5
		BSC/B Eng/B.Tech/N.Dip (Prof Reg. Engineer/Tech/Techni) : value 5	
		BSC/B Eng/B.Tech/N.Dip (Candidate Engineer/Tech/Techni): value 2.5	
		BSC/B Eng/B.Tech/N.Dip: value 1	
		EPWP (LABOUR INTENSIVE CONSTRUCTION)	5
NQF level 7 accreditation (Develop and Promote Labour-Intensive Construction Strategies), (Any of the above-mentioned personnel, Project Director/ Engineer, Project Manager/Resident Engineer, Assistant Project Manager/Assistant Resident Engineer): value 5			



THABAZIMBI LOCAL MUNICIPALITY

EVALUATION CRITERIA

		NQF level 5 accreditation (Manage Labour-Intensive Construction Projects), (Any of the above-mentioned personnel, Project Director/ Engineer, Project Manager/Resident Engineer, Assistant Project Manager/Assistant Resident Engineer): value 2	
Relevant company experience, competence, capacity and capability to deliver	60	Relevant experience in similar projects for in the public sector (Attach signed reference letters from previous clients on the company letterhead with official stamp, and appointment letter/s with completion certificate from the client), Only submit experience for the relevant Engineering Service scored.	60
		R13M Construction value and above: 10 points for each project completed	
		R6-R12M Construction value: 6 points for each project completed	
		R1-R5M Construction value: 3 points for each project completed	
Skills Transfer to municipalities	10	Demonstrate Training Capabilities to Transfer skills to municipal officials and development of training programme or framework as part of capacity development	10
TOTAL			100 points
The bidder need to score minimum of targeted 70 points to be considered for placement on TLM panel.			

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EVALUATION CRITERIA

2. PRICE AND BBBEE

Price will not be a determining factor, however evaluation shall be based on the 80/20 PPPFA principle and the points for evaluation criteria are as follows on each bid.

Evaluation Criteria		Points
2.	Black Economic Empowerment	20

THABAZIMBI LOCAL MUNICIPALITY



PART P

COMPACT DISC (CD) REQUIREMENTS



THABAZIMBI LOCAL MUNICIPALITY

CD REQUIREMENTS

EXAMPLE DISC



Bidders must scan the entire document together with all the attachments, and burn that information in a non-rewritable disc.

The following documents must be ensured that are scanned:

- All returnable documents, including and not limited to Tax clearance certificate, BB-BEE certificates, registration documents, Certified ID Copies.

Bidders must make four copies of the same CDs and attach them to the hardcopy documents.

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PART Q

CHECKLIST



THABAZIMBI LOCAL MUNICIPALITY

CHECKLIST

Checklist of documents to be submitted:

Please tick in the relevant block below

YES NO

- | | | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Company registration documents listing all members with percentages, in case of a CC/PTY LTD |
| <input type="checkbox"/> | <input type="checkbox"/> | Proof of ownership i.e. Shareholding CK1/CK2, Partnership agreement, Shareholding CM3 |
| <input type="checkbox"/> | <input type="checkbox"/> | Original valid Tax Clearance certificate. |
| <input type="checkbox"/> | <input type="checkbox"/> | Latest Certified copies (Copy with original stamp of not more than 3 months) of all share certificates (i.e. copy with original stamp), in case of a company. |
| <input type="checkbox"/> | <input type="checkbox"/> | Updated rates and taxes certificate (SCM 5) not older than three months for the company, proof of residence / affidavit from SAPS if working from home. |
| <input type="checkbox"/> | <input type="checkbox"/> | Updated rates and taxes certificate (Municipal Accounts) for Directors/Members of the company not older than three months. |
| <input type="checkbox"/> | <input type="checkbox"/> | Proof of residence and affidavit from SAPS if working from home, clearly stating under oath that the company works from home. |
| <input type="checkbox"/> | <input type="checkbox"/> | Proof of residence and affidavit from SAPS if the place you reside in is not paying rates and taxes, clearly stating under oath that the people residing there, do not pay for rates and taxes. |

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CHECKLIST

- | | | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Updated BEE rating certificate issued by a SANAS Accredited BEE verification agency |
| <input type="checkbox"/> | <input type="checkbox"/> | Proof of purchase of tender document/Receipt (Original Copy) |
| <input type="checkbox"/> | <input type="checkbox"/> | Joint Venture Certificate (Only in Case of a Joint Venture) |
| <input type="checkbox"/> | <input type="checkbox"/> | List of references of past and present clients (name of institution, Nature of work, Duration of contract, tendered amount, contact person with office telephone number) |
| <input type="checkbox"/> | <input type="checkbox"/> | Authority to sign in the company letterhead |

Please ensure that the following documents are completed:

- | YES | NO | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Completed specifications |
| <input type="checkbox"/> | <input type="checkbox"/> | Completed Bid Conditions |
| <input type="checkbox"/> | <input type="checkbox"/> | Completed Economic Empowerment |
| <input type="checkbox"/> | <input type="checkbox"/> | Completed Price Schedule with detailed breakdown |
| <input type="checkbox"/> | <input type="checkbox"/> | All pages of the tender and supporting documents are initialed |

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THABAZIMBI LOCAL MUNICIPALITY

CHECKLIST

The tender document completed in black ink

All relevant forms signed

The tender document has not been tempered with, it is in the same order and not part there of removed or omitted.

One original tender document with four soft copies in CDs (clearly marked as original and copy 1 of 4, 2 of 4, 3 of 4, 4etc)

Kindly take note that:

1. **Should all of these documents not be included, the bidder may be disqualified on the basis of non-compliance.**
2. **The same documents must be submitted for all other companies that are involved in the tender in case of a consortium.**

SIGNATURE		DATE	
NAME OF SIGNATORY			
POSITION			
NAME OF BIDDER(COMPANY)			