

THE HOUSING DEVELOPMENT AGENCY



TERMS OF REFERENCE

BID NO.: HDA/FS/2019/001

**APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER
(CONSULTING ENGINEER) FOR SUPERVISION, MONITORING
AND SUCCESSFUL COMPLETION OF THE PROJECT:
INSTALLATION OF WATER, SEWER, ROADS AND STORM
WATER FOR BAKENPARK EXTENSION 6 AND 7 IN
BETHLEHEM, FREE STATE**

SUBMISSION DATE: 29 JULY 2019

TECHNICAL ENQUIRIES	BIDDING RELATED ENQUIRIES
HDA FREE STATE Mr. Mokhele Machongoane – Engineer: Free State THE HOUSING DEVELOPMENT AGENCY FIRST FLOOR, SPITSKOP BUILDING NO. 86 KELLNER STREET WESTDENE BLOEMFONTEIN 9300 Tel: (051) 409 0220	HDA HEAD OFFICE Ms. Jane Mahlangu – SCM Office THE HOUSING DEVELOPMENT AGENCY BLOCK A, RIVIERA OFFICE PARK 6 – 10 RIVIERA ROAD KILLARNEY JOHANNESBURG 2193 Tel: (011) 544 1000

NAME OF BIDDER (BIDDING ENTITY) : _____

TELEPHONE NUMBER : _____

E-MAIL ADDRESS : _____

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VERY IMPORTANT NOTICE ON DISQUALIFICATION

A Bid not complying with the peremptory requirements stated hereunder and in the Bid document, will be regarded as being a not “**Acceptable Bid**” and as such will be rejected.

“**Acceptable Bid**” means any bid which, in all respects, complies with the conditions of Bid and specifications as set out in the bid document, including conditions as specified in the Preferential Procurement Policy Framework Act No. 5 of 2000, revised Preferential Procurement Regulations (2017 Regulations) and related legislations.

1. Submit bid in the correct bid box;
2. Submit bid before closing date and time;
3. Complete all Forms/Schedules in ink. Do not use pencils or correction fluid to make corrections;
4. Make corrections, if necessary, only by placing a line across the words/numbers to be corrected and initial next to the amended text. Do not scratch out, write over rates, paint over rates or use correction fluid;
5. Attach to the bid document proof of registration with ECSA as Professional Engineering Technologist (Civil) or higher;

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

6. The bidder attempts to influence, or has in fact influenced the evaluation of the bid and/or the awarding of the contract;
7. The bidder during the last 5 years has failed to perform satisfactorily on a previous contract with any organ of state after written notice was given to that bidder that performance was unsatisfactory;
8. The bidder or any of his directors is listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector;

Irrespective of the procurement process followed, no award may be given to a person:

9. who is in the service of the state, or;
10. if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state, or;
11. who is an advisor or consultant contracted with the HDA in respect of contract that would cause a conflict of interest (if applicable).

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR
SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT:
INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK
EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

THE BID

- PART T1 Bid Procedures
 - T1.1 Bid Notice and Invitation to Bid
 - T1.2 Bid Data

- PART T2 Returnable Documents
 - T2.1 List of Returnable Schedules and Forms

- PART C1 Agreements and Contract Data
 - C1.1 Form of Offer and Acceptance
 - C1.2 Contract Data

- PART C2 Pricing Data
 - C2.1 Pricing Instructions
 - C2.2 Activity Schedule

- PART C3 Scope of Works
 - C3.1 Project Location

THE BID

PART T1: BID PROCEDURES

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

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EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

PART T1 BID PROCEDURES

T1.1 Bid Notice and Invitation to Bid

T1.2 Bid Data

T1.1 BID NOTICE AND INVITATION TO BID

The Housing Development Agency (HDA) is a national public development agency that promotes the development of sustainable communities by making well-located land and buildings available for the development of housing and human settlements. For more information about the HDA, please visit our website www.thehda.co.za.

The HDA hereby invites suitably qualified and reputable service providers to submit proposals for:

CONTRACT NO: HDA/FS/2019/001

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETLHEHEM, FREE STATE

Compulsory Briefing Session will be held on the 10th July 2019 from 11:00 at the Dihlabeng Municipality's Town Hall, located at corner of High and Muller Streets in Bethlehem, Free State.

NB: Failure to attend or late arrival (later than 11:00) at the Compulsory Briefing Session will result in automatic disqualification.

The tender documents may be obtainable from HDA Website (www.thehda.co.za/tenders) or National Treasury E-portal (<http://etenders.treasury.gov.za/>) from Monday 01 July 2019. Completed bids, together with supporting documents must be placed in a bid box located at:

The Housing Development Agency (HDA), First Floor, Spitskop Building, No. 86 Kellner Street, Westdene, Bloemfontein, 9300, not later than 11:00 on the 29th July 2019. Telegraphic, telephonic, telex, facsimile, e-mail and late proposal submissions will not be accepted.

PLEASE NOTE: The HDA will not be responsible to oversee that proposals sent by courier are placed in the Bid /Tender box.

The assessment and evaluation of submitted proposals will undergo a process of Pre-Qualification and Evaluation Phase. Pre-qualification will be in accordance with the 2017 PPPFA Regulations, which organs of state can apply in order to advance designated groups and transformation. Only tenderers who meet the Pre-qualification criteria stipulated in the tender document will be considered for the Evaluation Phase. A tenderer that fails to meet Pre-qualification criteria will be regarded as an unacceptable tender.

Pre-qualification criterion which a tenderer must meet in order to be considered:

- having a Level 1 – 3 status as a minimum B-BBEE Status Level of Contributor.

Technical queries relating to the tender may be addressed to Mokhele Machongoane on mokhele.machongoane@thehda.co.za or Tel: 051 409 0220 while SCM queries may be addressed to Jane Mahlangu on 011 544 1000 or Jane.Mahlangu@thehda.co.za

The HDA reserves the right to accept or reject any variation, deviation, tender offer or alternative tender offer and may cancel the tender process and reject all tender offers at any time before the formation of a contract. The HDA will not incur any liability to a tenderer for such cancellation and rejection, but will give written reasons for such action upon request to do so.

T1.2 BID DATA

The conditions of Bid are the Standard Conditions of Bid as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (see www.cidb.org.za).

The Standard Conditions of Bid makes several references to the Bid Data for details that apply specifically to this Bid. The Bid Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Bid. Each item of data provided below is cross-referenced to the clause in the Standard Conditions of Bid to which it mainly applies.

The additional Conditions of Bid are:

Clause Number	Bid Data
F1.1	The Employer is the Housing Development Agency
F1.2	Bid Documents

The Bid Document issued by the Employer comprises the following:

THE BID

Part T1	: Bid Procedures
T1.1	: Bid Notice and Invitation to Bid
T1.2	: Bid Data
Part T2	: Returnable Documents
T2.1	: List of Returnable Schedules and Forms

THE CONTRACT

Part C1	: Agreements and Contract Data
C1.1	: Form of Offer and Acceptance
C1.2	: Contract Data
Part C2	: Pricing Data
C2.1	: Pricing Instructions
C2.2	: Activity Schedule
Part C3	: Scope of Work
C3.1	: Project Location

The Bid Document shall be obtained from the Employer at the physical address stated in the Bid Notice, upon payment of the amount stated in the Bid Notice.

The following documents are relevant to this bid and Bidders are advised to obtain their own copies thereof:

- (a) "General Conditions of Contract for Construction Works – 3rd Edition 2015 issued by the South African Institution of Civil Engineering. (Short title "General Conditions of Contract 2015").
- (b) "Standardized Specifications for Civil Engineering Construction" SANS 1200.

- (c) The Occupational Health and Safety Act No 85 and Amendment Act No 181 of 1993, and the 2014 Construction Regulations.

In addition, Bidders are advised, in their own interest, to obtain their own copies of the following acts, regulations and standards referred to in this document as they are essential for the Bidder to get acquainted with the basics of construction management, the implementation of preferential construction procurement policies and participation of targeted enterprise and labour.

- (i) The Construction Industry Development Board Act No 38 of 2000 and its 2013 Regulations;
- (ii) The Guideline for defining the scope of services and for determining The Professional Fees for Persons Registered in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000), as published annually by the Engineering Council of South Africa (ECSA) in the Government Gazette;
- (iii) SANS 1921:2004 Construction and Management;
- (iv) Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and its 2017 Regulations.

F1.4 Communication and Employer's agent

Each communication between the Employer and a Bidder shall be to or from the Employer's agent only, and in a form that can be read, copied and recorded. Writing shall be in the English language. The Employer shall not take any responsibility for non-receipt of communications from or by a bidder.

The Employer's agent is:

Name : Mr. Mokhele Machongoane
Address : First Floor, Spitskop Building, No. 86 Kellner Street, Westdene, Bloemfontein, 9300
Tel. : 051 409 0220
E-mail : Mokhele.machongoane@thehda.co.za

F2.1 Only those Bidders who have in their employ management and supervisory staff satisfying the requirements of the Scope of Work for supervisory and management staff are eligible to submit bids.

The Bidder will not be eligible to submit a bid if:

- (a) the Bidder is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices;
- (b) the Bidder does not have the legal capacity to enter into the contract;
- (c) the Bidder submitting the bid is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;

- (d) the Bidder does not have, in their full-time employment, suitably registered Professional Engineering Technologist (Civil) registered in terms of the Engineering Profession Act, 2000 (Act No. 46 of 2000), with the relevant experience in the design, supervision and administration of Water, Sanitation, Roads and Storm Water Projects.
- (e) the Bidder does not comply with the legal requirements stated in the Employer's procurement policy;
- (f) the Bidder cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the contract.

F2.7 The arrangements for a compulsory clarification meeting are as stated in the Bid Notice and Invitation to Bid.

Bidders must sign the attendance list in the name of the Bidding entity. Addenda will be issued to and bids will be received only from those bidding entities appearing on the attendance list.

F2.8 A clarification with the Employer regarding the Bid Document may be requested in writing at least five working days before the closing time stated in the Bid Notice and Invitation to Bid.

F2.11 Do not make any alterations or additions to the Bid Document, except to comply with instructions issued by the Employer, or necessary to correct errors made by the bidder. All signatories to the Bid shall initial all such alterations. Erasures and the use of masking fluid are prohibited.

F2.12 No alternative bids will be considered.

F2.13.3 Parts of each Bid communicated on paper shall be submitted as original.

F2.13.5 The Employer's address for delivery of Bid offers and identification details to be shown on each Bid offer package are:

Location of Bid box : Tender Box, Housing Development Agency, Bloemfontein

Physical Address : First Floor, Spitskop Building, No. 86 Kellner Street,
Westdene, Bloemfontein, 9300

Identification details : Bid Number, title of Bid and the closing date and time of the Bid.

Postal Address : P.O. Box 3220, Bloemfontein, 9300

F2.14 Bid which does not provide all the data or information requested completely and in the form required, may be regarded by the Employer as non-responsive.

F2.15.1 The closing time for submission of Bids is as stated in the Bid Notice and Invitation to Bid.

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

F3.4 Bids will be opened immediately after the closing time for bids at the Housing Development Agency Office in Bloemfontein.

F3.11 EVALUATION OF BIDS

The bids will be evaluated in three (3) stages, namely:

- Stage 1: Pre-qualification
- Stage 2: Functionality
- Stage 3: Financial Offer and Preference Evaluation

STAGE 1: PRE-QUALIFICATION

Failure of the Bidder to submit the following will result in immediate disqualification:

- (i) Submission of proof of a bidder having a Level 1 – 3 Status as a minimum B-BBEE Status Level of Contributor. A Joint proof of B-BBEE Status Level of Contributor must be submitted for Joint Venture or Partnerships;
- (ii) Joint Venture Agreement and Power of attorney in case of Joint Ventures;
- (iii) Copy of valid Professional Indemnity Certificate;
- (iv) Proof of Registration with Engineering Council of South Africa (ECSA) as a Professional Engineering Technologist (Civil) or higher.

STAGE 2: FUNCTIONALITY

Functionality of responsive bids submitted will be evaluated according to the predetermined criteria described below, considering, among other factors, the quality, reliability, the technical capacity and ability of a Bidder. A Bid will not be evaluated further if it fails to meet the minimum threshold of total 70 points out of maximum 100 points for functionality as prescribed in the following table:

CATEGORY	FUNCTIONAL CRITERIA	POINTS ALLOCATION
I	Experience of the bidder (Company)	40
li	Key personnel qualifications	30
lii	Key personnel experience	30
TOTAL POINTS		100

EXPERIENCE OF THE BIDDER (COMPANY) (40 POINTS)

The Bidder must submit proof of successfully completed similar and comparative projects, **i.e. installation of water, sewer, roads and storm water network**. Copies of Appointment Letter and Contractor’s Completion Certificate or Employer’s Reference Letter must be attached for each project.

TARGETED GOALS	POINTS ALLOCATION
Bidder has submitted inadequate or no information to determine allocated points	0
Bidder has submitted proof of at least 1 successfully completed similar project	15
Bidder has submitted proof of at least 2 successfully completed similar projects	30
Bidder has submitted proof of at least 3 successfully completed similar projects	40

KEY PERSONNEL QUALIFICATIONS (30 POINTS)

The Bidder must submit Proposed Team Structure, identifying **Project Engineer, Project Manager, Resident Engineer and OHS Practitioner** as key personnel. Copies of CVs and certificates for each key personnel must be attached for determination of points to be allocated as per the table below:

KEY PERSONNEL	TARGETED GOALS	POINTS ALLOCATION
Project Engineer	Inadequate or no information submitted to determine points to be allocated or a CV of Project Engineer with no proof of registration (certificate from ECSA) as at least a Professional Engineering Technologist submitted	0
	A CV of Project Engineer with proof of registration (certificate from ECSA) as at least a Professional Engineering Technologist submitted	5
	A CV of Project Engineer with proof of registration (certificate from ECSA) as a Professional Engineer submitted	10
Project Manager	Inadequate or no information submitted to determine points to be allocated or a CV of Project Manager with no certificate of B. Tech or B. Degree in Civil Engineering submitted	0
	A CV of Project Manager with certificate of B. Tech or B. Degree in Civil Engineering submitted	5
	A CV of Project Manager with proof of registration (certificate from SACPCMP) as a Professional Construction Project Manager submitted	10
Resident Engineer	Inadequate or no information submitted to determine points to be allocated or a CV of Resident Engineer with no certificate of National Diploma in Civil Engineering submitted	0
	A CV of Resident Engineer with certificate of National Diploma in Civil Engineering submitted	3
	A CV of Resident Engineer with certificate of B. Tech or B. Degree in Civil Engineering submitted	5
OHS Practitioner	Inadequate or no information submitted to determine points to be allocated or a CV of OHS Practitioner with no certificate of NQF Level 4 in OHS Applications submitted	0
	A CV of OHS Practitioner with certificate of National Diploma in Safety Management submitted	3
	A CV of OHS Practitioner with proof of registration (certificate from SACPCMP) as a Construction Health and Safety Officer submitted	5

KEY PERSONNEL EXPERIENCE (30 POINTS)

The Bidder must submit Proposed Team Structure, identifying **Project Engineer, Project Manager, Resident Engineer and OHS Practitioner** as key personnel. Copies of CVs and certificates for each key personnel must be attached for determination of points to be allocated as per the table below:

KEY PERSONNEL	TARGETED GOALS	POINTS ALLOCATION
Project Engineer	Inadequate or no information submitted to determine points to be allocated or a CV of Project Engineer with less than 5 years of Civil Engineering experience submitted	0
	A CV of Project Engineer with 5 to 10 years of Civil Engineering experience submitted	5
	A CV of Project Engineer with more than 10 years of Civil Engineering experience submitted	10
Project Manager	Inadequate or no information submitted to determine points to be allocated or a CV of Project Manager with less than 5 years of relevant Project Management experience submitted	0
	A CV of Project Manager with 5 to 10 years of relevant Project Management experience submitted	5
	A CV of Project Manager with more than 10 years of relevant Project Management experience submitted	10
Resident Engineer	Inadequate or no information submitted to determine points to be allocated or a CV of Resident Engineer with less than 3 years of Civil Engineering experience submitted	0
	A CV of Resident Engineer with 3 to 5 years of Civil Engineering experience submitted	3
	A CV of Resident Engineer with more than 5 years of Civil Engineering experience submitted	5
OHS Practitioner	Inadequate or no information submitted to determine points to be allocated or a CV of OHS Practitioner with less than 3 years of Construction Health and Safety experience submitted	0
	A CV of OHS Practitioner with 3 to 5 years of Construction Health and Safety experience submitted	3
	A CV of OHS Practitioner with more than 5 years of Construction Health and Safety experience submitted	5

STAGE 3: FINANCIAL OFFER AND PREFERENCE EVALUATION

All responsive bids that qualify by meeting the minimum thresholds for functionality are then evaluated on the basis of price and preference in accordance with the 2017 Regulations of the Preferential Procurement Policy Framework Act No. 5 of 2000. The points scored for functionality are not carried over or considered in the calculation of the Financial and Preference evaluation.

- (1) The following formula will be used to calculate the points out of 80 for price in respect of a tender value, inclusive of all applicable taxes:

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

Where

P_s = Points scored for price of tender under consideration;
 P_t = Price of tender under consideration, and;
 P_{\min} = Price of lowest acceptable tender.

- (2) The following table must be used to calculate the score out of 20 for BBEE:

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

- (3) A tenderer must submit proof of its B-BBEE status level of contributor.
- (4) A tenderer failing to submit proof of B-BBEE status level of contributor or is a non-compliant contributor to B-BBEE may not be disqualified, but:
- (a) may only score points out of 80 for price, and;
 - (b) scores 0 points out of 20 for B-BBEE.
- (5) A tenderer may not be awarded points for B-BBEE status level of contributor if the tender documents indicate that the tenderer intends subcontracting more than 25% of the value of the contract to any other person not qualifying for at least the points that the tenderer qualifies for, unless the intended subcontractor is an EME that has the capability to execute the subcontract.
- (6) The points scored by a tenderer for B-BBEE in terms of sub-regulation (2) must be added to the points scored for price under sub-regulation (1).
- (7) The points scored must be rounded off to the nearest two decimal places.
- (8) Subject to sub-regulation (9) and regulation 11, the contract must be awarded to the tenderer scoring the highest points.

- (9) (a) If the price offered by a tenderer scoring the highest points is not market related, the organ of state may not award the contract to that tenderer.
- (b) The organs of state may
- (i) negotiate a market-related price with the tenderer scoring the highest points or cancel the tender;
 - (ii) if the tenderer does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the second highest points or cancel the tender;
 - (iii) if the tenderer scoring the second highest points does not agree to a market-related price, negotiate a market-related price with the tenderer scoring the third highest points or cancel the tender.
- (c) If a market-related price is not agreed as envisaged in paragraph (b)(iii), the organ of state must cancel the tender.

THE BID

PART T2: RETURNABLE DOCUMENTS

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

T2.1 LIST OF RETURNABLE SCHEDULES AND FORMS

The Bid Document must be submitted as a whole. All forms must be properly completed as required and the document shall not be taken apart or altered in any way whatsoever.

All forms must be duly completed in **black ink** as required.

The list of returnable documents, which consists of forms and schedules to be completed and company specific certificates and information pages to be attached, comprise the following:

- Schedule A : Certificate of Authority of Signatory
- Schedule B : Company Registration Details
- Schedule C : Invitation to Bid (SBD 1)
- Schedule D : Tax Clearance Certificate Requirements (SDB 2)
- Schedule E : Declaration of Interest (SBD4)
- Schedule F : Preference Points Claim Form in terms of Preferential Procurement Regulations, 2017 (SBD 6.1)
- Schedule G : Declaration of Bidder's past Supply Chain Management Practices (SBD 8)
- Schedule H : Certificate of Independent Bid Determination (SBD 9)
- Schedule I : Certificate of Registration with ECSA
- Schedule J : Functionality Evaluation
- Schedule K : BBB-EE Status Level Certification (For compliance with B-BBEE Act and not a disqualifying factor if not submitted)

SCHEDULE A: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Indicate the status of the Bidder by ticking the appropriate box hereunder. The Bidder must complete the certificate set out below for the relevant category.

(I) COMPANY	(II) CLOSE CORPORATION	(III) JOINT VENTURE	(IV) PARTNERSHIP	(V) SOLE PROPRIETOR

Signatories for Companies, Close Corporations, Partnerships, Joint Ventures or Sole Proprietors must establish their authority thereto by attaching a copy of the relevant resolution of their Board of Directors, Members or Partners duly signed and dated.

(I) CERTIFICATE FOR COMPANY

I, _____ chairperson of the Board of
Directors of _____,

hereby confirm that by resolution of the Board (copy attached) taken on _____ 20____,

Mr/Ms _____

acting in the capacity as _____,

is authorized to sign all documents in connection with the Bid No.: HDA/FS/2019/001, and any contract resulting from it, on behalf of the company.

Chairman : _____

Witness (1) : _____ Witness (2) : _____

(II) CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as

hereby authorise Mr/Ms _____,

acting in the capacity of _____

to sign all documents in connection with the Bid No.: HDA/FS/2019/001, and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

(III) CERTIFICATE JOINT VENTURE

We, the undersigned, are submitting this Bid in Joint Venture and hereby authorize

Mr/Ms _____,

authorized signatory of the Joint Venture _____

_____ ,
acting in the capacity of lead partner, to sign all documents in connection with the Bid No.: HDA/FS/2019/001 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	DULY AUTHORISED SIGNATORY
		Name
		Signature
Designation		
		Name
		Signature
Designation		
		Name
		Signature
Designation		

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.

(IV) CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as _____

_____ ,

hereby authorise Mr/Ms _____ ,

acting in the capacity of _____

to sign all documents in connection with the Bid No.: HDA/FS/2019/001 and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

(V) CERTIFICATE FOR SOLE PROPRIETOR

I, _____ ,

hereby confirm that I am the sole owner of the business trading as _____

Signature of Sole Owner : _____

Date : _____

Witness (1) : _____

Witness (2) : _____

SCHEDULE B: COMPANY REGISTRATION DETAILS

The Bidder must provide Company Registration details on the space provided below and attach Certificates as proof of Registration.

NAME OF COMPANY : _____

COMPANY REGISTRATION NUMBER : _____

NO. OF DIRECTORS/SHAREHOLDERS : _____

The space below must be used in the case of Joint Venture or partnership.

1. NAME OF COMPANY : _____

CO. REGISTRATION NUMBER : _____

NO. DIRECTORS/SHAREHOLDERS : _____

2. NAME OF COMPANY : _____

CO. REGISTRATION NUMBER : _____

NO. DIRECTORS/SHAREHOLDERS : _____

3. NAME OF COMPANY : _____

CO. REGISTRATION NUMBER : _____

NO. DIRECTORS/SHAREHOLDERS : _____

4. NAME OF COMPANY : _____

CO. REGISTRATION NUMBER : _____

NO. DIRECTORS/SHAREHOLDERS : _____

5. NAME OF COMPANY : _____

CO. REGISTRATION NUMBER : _____

NO. DIRECTORS/SHAREHOLDERS : _____

**SCHEDULE C
PART A
INVITATION TO BID**

SBD 1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (THE HOUSING DEVELOPMENT AGENCY (HDA))				
BID NUMBER:	HDA/FS/2019/001	CLOSING DATE:	29 JULY 2019	CLOSING TIME: 11H00
DESCRIPTION	APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE			
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)				
THE HOUSING DEVELOPMENT AGENCY (HDA), FIRST FLOOR, SPITSKOP BUILDING				
86 KELLNER STREET, WESTDENE, BLOEMFONTEIN				
SUPPLIER INFORMATION				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
	TCS PIN:		OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)		
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)		
	<input type="checkbox"/>	A REGISTERED AUDITOR		
	NAME:			
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
SIGNATURE OF BIDDER		DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)				
TOTAL NUMBER OF ITEMS OFFERED			TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY			CONTACT PERSON	
CONTACT PERSON			TELEPHONE NUMBER	
TELEPHONE NUMBER			FACSIMILE NUMBER	
FACSIMILE NUMBER			E-MAIL ADDRESS	
E-MAIL ADDRESS				

**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. THE BID BOX IS GENERALLY OPEN DURING OFFICE HOURS, MONDAY TO FRIDAY, FROM 08H00 TO 16H00.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED – (NOT TO BE RE-TYPED) OR ONLINE
1.3.	BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.4.	WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
1.5.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
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 TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	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 BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.2.	DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.3.	DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
3.4.	DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO
<p>IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.</p>	

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

SCHEDULE D: TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder **must** be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet these requirement bidders are required to complete in full form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 The original and valid Tax Clearance Certificate with Tax Compliance Status (SARS Pin) must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be acceptable.
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate original and valid Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form, are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

Signature of Bidder: _____

Date: _____

SCHEDULE E: DECLARATION OF INTEREST

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

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

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

- 2.1. Full Name of bidder or his or her representative:
- 2.2. Identity Number:
- 2.3. Position occupied in the Company (director, shareholder etc.):
- 2.4. Company Registration Number:
- 2.5. Tax Reference Number:
- 2.6. VAT Registration Number:

* "State" means –

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

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

2.7.1 If so, furnish the following particulars:

Name of person / director / shareholder/ member:

Name of state institution to which the person is connected:

Position occupied in the state institution:

Any other particulars:

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

2.8 Did you or your spouse, or any of the company's directors/ shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

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

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

2.9.1 If so, furnish particulars.

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

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

2.10.1 If so, furnish particulars.

.....
.....

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

2.11.1 If so, furnish particulars:

.....

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

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

4. DECLARATION

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

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2.1 TO 2.11.1 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
 Signature

.....
 Date

.....
 Position

.....
 Name of bidder

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 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;

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

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

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

2. DEFINITIONS

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

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

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

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration, and;

P_{\min} = Price of lowest acceptable tender.

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

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

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

5. BID DECLARATION

a. 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

a. B-BBEE Status Level of Contributor: = (maximum of 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

a. Will any portion of the contract be sub-contracted?

(Tick applicable box)

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

i. If yes, indicate

i) What percentage of the contract will be subcontracted%

ii) The name of the subcontractor

iii) The B-BBEE status level of the subcontractor

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:

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

- a. Name of Company/Firm:
- b. VAT Registration Number:
- c. Company Registration Number:

d. TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One Person Business/Sole Propriety
- Close Corporation
- Company
- (Pty) Limited

[TICK APPLICABLE BOX]

e. DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

f. COMPANY CLASSIFICATION

- Manufacturer
- Supplier
- Professional Service Provider
- Other Service Providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

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

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

WITNESSES

1.

 SIGNATURE(S) OF BIDDERS(S)

2.
 DATE

ADDRESS

.....

.....

SCHEDULE G: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This Standard Bidding Document must form part of all bids invited.
2. It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
3. The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
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>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		
4.2	<p>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)?</p> <p>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.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		

4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js365bW

SCHEDULE H: CERTIFICATE OF INDEPENDENT BID DETERMINATION

1. This Standard Bidding Document (SBD) must form part of all bids¹ invited.
2. Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging)². Collusive bidding is a pe se prohibition meaning that it cannot be justified under any grounds.
3. Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
4. This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging. 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

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

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

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 Institution)

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

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

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience, and;
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.

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.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation);
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid, or;
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

Js914w 2

SCHEDULE I: CERTIFICATE OF REGISTRATION WITH ECSA

The Bidder shall attach hereto the Proof of Professional Registration of an individual registered with Engineering Council of South Africa (ECSA) in terms of Engineering Profession Act No. 46 of 2000 as a Professional Engineering Technologist (Civil) or higher.

NAME OF REGISTERED PERSON : _____

ECSA REGISTRATION NUMBER : _____

ECSA REGISTRATION CATEGORY : _____

POSITION IN THE COMPANY : _____

SIGNATURE: _____ DATE: _____
(Authorised Person)

SCHEDULE J: FUNCTIONALITY EVALUATION RELATED EXPERIENCE OF BIDDER
(NB: This schedule is used in evaluating Functionality)

The Bidder shall list below or in a separate schedule a statement of those works/services of similar nature (water, sewer, roads and storm water) which they have satisfactorily completed in the past five years. Information must be provided in the format provided below. It is essential that telephone contact details of references be supplied.

Please Note : Copies of Appointment Letter and Contractor's Completion Certificate or the Employer's Reference Letter for each Project must also be attached as proof.

PROJECT NAME	PROJECT VALUE	COMPLETION DATE	CONTACT PERSON

NB: Please attach separate page if space provided is not sufficient

SIGNATURE: _____ DATE: _____
 (Authorised Person)

KEY PERSONNEL QUALIFICATION AND EXPERIENCE
(NB: This schedule is used in Evaluating Functionality)

The Bidder shall attach hereto a shortened CV (with copies of required certificates) for each key personnel available to work on the project in the Categories of Project Engineer, Project Manager, Resident Engineer and OHS Practitioner.

The Bidder shall list below the key personnel to be used on this project.

NAME	POSITION	QUALIFICATIONS	YEARS OF EXPERIENCE
	PROJECT ENGINEER		
	PROJECT MANAGER		
	RESIDENT ENGINEER		
	OHS PRACTITIONER		

SIGNATURE: _____ DATE: _____
(Authorised Person)

SCHEDULE K – BROAD-BASED BLACK ECONOMIC EMPOWERMENT (BBBEE) STATUS LEVEL CERTIFICATION

Please note that failure to submit the B-BBEE Status Level Certificates will not be a disqualifying factor for any bid to be appointed in the Free State Database of Service Providers, and no points will be claimed for any Status Level at this stage, but the bidder must demonstrate compliance with the Broad-Based Black Economic Empowerment Act No. 53 of 2003, and applicable amendments and regulations, by attaching hereto the B-BBEE Status Level Certificate of the Bidding Company and/or Joint Venture Partners.

Only B-BBEE status level certificates issued by the following are valid:

- Verification Agencies accredited by the South African National Accreditation System (SANAS), or;
- Registered Auditors approved by the Independent Regulatory Board of Auditors (IRBA) in accordance with the approval granted by the Department of Trade and Industry.

Please note that a Joint B-BBEE Status Level Certificate, issued by the above-mentioned institutions, must be submitted for Joint Venture or Partnerships.

THE CONTRACT

PART C1 : AGREEMENTS AND CONTRACT DATA

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR
SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT:
INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK
EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

PART C1 AGREEMENTS AND CONTRACT DATA

C1.1 Form of Offer and Acceptance

C1.2 Contract Data

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

C1.1 FORM OF OFFER AND ACCEPTANCE

(AGREEMENT)

OFFER

The Client, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of Professional services for **SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE.**

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

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

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

.....
..... Rands (in words);

R..... (in figures),

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

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

FOR THE BIDDER:

Name :

Capacity :

Name of Bidder :

Address :

:

Signature :

Date :

Witness (1)

Name :

Signature :

Date :

Witness (2)

Name :

Signature :

Date :

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Client identified below accepts the Bidder's Offer for the procurement of Professional services for **SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE**. In consideration thereof, the Client shall pay the Service Provider the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Bidder's Offer shall form an agreement, between the Client and the Bidder upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in

Part C1 Agreements and Contract Data, (which includes this Form of Offer and Acceptance)

Part C2 Pricing Data

Part C3 Scope of Work

Deviations from and amendments to the documents listed in the Bid Data and any addenda thereto as listed in the Bid Schedules as well as any changes to the terms of the bid offer agreed by the bidder and the client during the process of offer and acceptance, are contained in the Schedule of Deviations (if any) attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in the Schedule of Deviations.

The Bidder shall within two weeks after receiving a completed copy of this Agreement, contact the Client's agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

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

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

FOR THE CLIENT:

Name :

Capacity :

Name of Bidder :

Address :

:

Signature :

Date :

Witness (1)

Name :

Signature :

Date :

Witness (2)

Name :

Signature :

Date :

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

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APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

SCHEDULE OF DEVIATIONS AND ADDENDA TO BID DOCUMENTS

The extent of deviations from the bid documents issued by the Client before the closing date is limited to those permitted in terms of the conditions of bid. A bidder covering letter (if any) shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here. Any matter arising from the offer and acceptance either as a confirmation, clarification or change to the bid documents and which it is agreed in writing by the Parties becomes an obligation of the contract shall also be recorded and attached here. We confirm that the following written communication (if any) received from the Client before the submission of this Bid offer, has been taken into account in the Bid offer.

	Date	Title or Details
1		
2		
3		
4		
5		

Attach to the bid documents any written communication received from the Client (if any). Record such addenda in the above schedule.

Signed by the Bidder :

Date :

Name :

HOUSING DEVELOPMENT AGENCY

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C1.2 CONTRACT DATA

CONDITIONS OF CONTRACT

The Standard Professional Services Contract (Third Edition of CIDB Document 1015 of July 2009) published by the Construction Industry Development Board, are applicable to this Contract.

Copies of this Services Contract may be obtained from the Construction Industry Development Board's website www.cidb.org.za.

PART 1: DATA PROVIDED BY THE CLIENT

The following Contract Data and amendments are applicable to this Contract:

Clause	
	The Employer is the Housing Development Agency
3.4 and 4.3.2	The Authorised and Designated representative of the Employer is Name: Mr. Mokhele Machongoane The Employer's address for receipt of communications is: The Developmental Manager, Housing Development Agency, P.O. Box 3220, Bloemfontein, 9300. Telephone: 051 409 0220 E-mail: Mokhele.machongoane@thehda.co.za
1	The Bid is for the supervision, monitoring and successful completion of the project: installation of water, sewer, roads and storm water for Bakenpark Extension 6 and 7 in Bethlehem, Free State.
3.5	For location of the works and project data see Project Location in section C3.1.
5.11	The Service Provider shall deliver the Services mentioned hereunder within the time period given: <ul style="list-style-type: none">• Environmental Management Plan (EMP);• Contract Administration and Inspection;• Close Out;• Construction Monitoring, and;• Occupational Health and Safety.
3.12	Limit of penalties is Ten (10) % of Total 1 as stated in Activity Schedule Table A1.
3.15	A Programme for the performance of services shall be submitted within 7 days of the award of this contract.

Clause		
4.4	Delete and replace with “The Service Provider shall appoint, according to contract, and be paid for work done by its subcontractors (sub-consultants) according to the Pricing Data.”	
4.6	Add-Administer construction contract according to “General Conditions of Contract for Construction Work” as issued by the South African Institute of Civil Engineering as amended by Employer.	
4.7	Add new paragraph “The Employer reserves the right, by giving written notice to the Consultant, to stop the progress of a particular project/stage at any time. Should the Employer exercise this right, the Employer will pay the Consultant for work done and expenses incurred only up to the time that the notice was given.”	
5.2	Add the paragraph “The Service Provider shall keep strict control of expenditure on the construction contract and of its fee and motivate the reasons if additional funds are to be made available by the Employer. The Service Provider shall report in writing to the Employer in good time so as not to delay the progress of the Works. Financial regulations require that a report be submitted to the Board for approval of additional funds prior to any over-expenditure being incurred. The period required between the reporting of possible over-expenditure and getting approval for it is about 2 months.”	
5.4.1	The Service Provider is required to provide the following insurance:	
13.4	Insurance against	Risk in performing professional services (Professional Indemnity cover) and Public Liability insurance.
13.5	Limit of compensation	(i) For Professional Indemnity Insurance the amount equal to the total of the professional fee for the project as entered in the Offer and Acceptance form or the proceeds the consultant is entitled to receive under its insurance, whichever is higher. (ii) Minimum R 5 000 000 per occasion for public liability insurance
	Duration of professional indemnity Insurance and duration of liability.	For a period of 3 years after issue of the final report for the whole project.
5.5	The Service Provider is required to obtain the Employer’s prior approval in writing before taking any of the following actions: 1. Commencement of construction stage 2. Appointing Sub Consultants for the performance of any part of the Services	
9.1	Copyright of documents prepared by the Service Provider for any stage of the Project is vested with the Housing Development Agency.	
9.3	Change “shall have no right” to “shall have the right”.	
13.6	Delete this clause.	
14	Remuneration and reimbursement shall be as set out in the Pricing Data.	
15	Interest determined by applicable law.	

PART 2:DATA PROVIDED BY THE SERVICE PROVIDER

Clause		
5.1	The Service provider is	
5.3	The authorised and designated representative of the Service Provider is:	
	Name:	
	The Service Provider address for receipt of communications is	
	Physical address:	Postal address:
	Telephone:	
	Fax:	
E-mail:		

THE CONTRACT

PART C2 : PRICING DATA

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR
SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT:
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EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

PART C2 PRICING DATA

C2.1 Pricing Instructions

C2.2 Activity Schedule

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

C2.1 PRICING INSTRUCTIONS

The services to be provided, to a small extent, follow the Guideline Scope of Service and Tariff of Fees for Persons Registered in terms of the Engineering Profession Act published by the Engineering Council of South Africa in terms of the Engineering Profession Act. The Guidelines have been extensively amended by the Employer.

- The Bidder is to allocate a maximum lump sum bid to each item in the Activity Schedules.
- Activities must be completed to the satisfaction of the client and invoiced on completion of the activity.
- The bid and the total price for each activity may not be exceeded.
- The amounts inserted in the Activity Schedules are deemed to include for all expenses, costs, profit, general obligations etc., necessary to carry out the professional services described in the various documents.
- **The bidder must include the price for Ownership and Responsibility take-up of the designs of internal services for both Ext. 6 and 7 when pricing for Contract Administration and Inspection Item.**
- Amounts due to the Service Provider shall be paid by the client within thirty (30) days of receipt of correct or corrected relevant invoices.
- The Client does not guarantee that the projects will be completed in one continuous stage.
- The Client reserves the right, by giving written notice to the Bidder, to stop the progress of a particular project stage at any time. Should the Client exercise this right, the client will pay the Bidder for work done and expenses incurred only up to the time that the notice was given.
- The lump sum fees for civil engineering services for each item must not exceed the percentage of Total 1 as stated. In case of discrepancies between the lump sums bid and the percentages stated, the lump sums will be adjusted to the percentages stated.
- The lump sums for the construction stages will be paid based on the percentage paid to the contractor for that stage. If for example at a particular time and for the first construction stage the contractor claims and is paid a cumulative total of 73% of the contract price, the Bidder may claim a cumulative total of 73% of his lump sum fee for that stage.
- The lump sums bid are deemed to include for the Bidder to act as the lead Consulting Engineer and Principal Agent of the client.

- The Lump Sum total fee bid is the maximum total fee payable for Construction Monitoring for services rendered in terms of the Scope of Work.
- Monthly payments for construction monitoring shall be calculated by dividing the total bid fee by the total number of months of construction period (cumulative of all stages).
- The client reserves the right to change the total number of months given if it considers it to be unreasonable. Lump sum bid however shall not change.

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C2.2 ACTIVITY SCHEDULE

The activity schedules must be completed in full and all expected costs must be reflected including all costs, expenses and disbursements all as described in the pricing instructions. Please refer to the Scope of Works when completing the schedule.

Project Name	Supervision, monitoring and successful completion of the project: Installation of water, sewer, roads and storm water at Bakenpark Ext. 6&7 in Bethlehem, Free State.
---------------------	---

ITEM	DESCRIPTION	LUMP SUM RAND
1	Environmental Management Plan	
2	Contract Administration and Inspection	
3	Close-Out	
4	Level 3 Construction Monitoring	
5	Occupational Health and Safety	
Sub –Total 1		
5% Contingencies		
Sub-Total 2		
Vat @ 15%		
GRAND TOTAL		

NAME OF BIDDER : _____

AUTHORIZED SIGNATURE : _____

DATE : _____

THE CONTRACT

PART C3 : SCOPE OF WORKS

HOUSING DEVELOPMENT AGENCY

BID NUMBER: HDA/FS/2019/001

BID DOCUMENT

APPOINTMENT OF A PROFESSIONAL SERVICE PROVIDER (CONSULTING ENGINEER) FOR SUPERVISION, MONITORING AND SUCCESSFUL COMPLETION OF THE PROJECT: INSTALLATION OF WATER, SEWER, ROADS AND STORM WATER FOR BAKENPARK EXTENSION 6 AND 7 IN BETHLEHEM, FREE STATE

C3 SCOPE OF WORK

The HDA has been appointed as an Implementing Agent for the Free State Province Integrated Human Settlements Programme by the National Department of Human Settlements (NDoHS), the Free State Department of Human Settlements (FSDoHS) by means of a Memorandum of Agreement and Implementation Protocol. The Free State Integrated Human Settlements (FSIHS) Support Programme has been identified as a Programme in which all 3 Spheres of Government will efficiently and expediently work together to overcome systematic and social challenges impacting negatively on the human settlements' service delivery within the Free State Province.

HDA intends to appoint a Professional Service Provider (Consulting Engineer) for supervision, monitoring and successful completion of the Project: Installation of Water, Sewer, Roads and Storm Water at Bakenpark Ext. 6&7 in Bethlehem, Free State. The following stages have already been completed and all relevant documentation is available:

- Inception;
- Concept and Viability (also termed Preliminary Design);
- Design Development (also termed Detailed Designs), and;
- Documentation and Procurement.

Documents and reports available are as follows:

- Inception Report;
- Preliminary Design Report;
- Engineering Survey Reports;
- Geotechnical Investigations Report (Phase I and Phase II);
- Detailed Designs Report;
- Detailed Designs Drawings;
- Bill of Quantities, and;
- Tender Drawings.

The proposed services to be carried out by the Service Provider will entail the following:

- Environmental Management Plan (EMP);
- Contract Administration and Inspection;
- Close Out;
- Construction Monitoring, and;
- Occupational Health and Safety.

The provision of Professional Engineering Services is requested for the construction supervision, construction monitoring and successful completion of the project: Installation of water, sewer, roads and storm water at Bakenpark Ext. 6&7 in Bethlehem, Free State. The extent of infrastructure to be constructed will include the following and in Phases:

PHASE 1

- About 2 300m Internal Water and about 2 300m Sewer Network for 181 sites in Ext. 6;
- About 2.7km Internal Paved Roads and about 2 200m Storm Water Network for 181 sites in Ext. 6.

PHASE 2

- About 17 500m Internal Water and about 17 500m Sewer Network for 1 284 sites in Ext. 7;
- About 22km Internal Paved Roads and about 12 770m Storm Water Network for 1 284 sites in Ext. 7.

SERVICES TO BE PROVIDED BY THE SERVICE PROVIDER

The services to be provided by the Service Provider are detailed as follows:

1. ENVIRONMENTAL MANAGEMENT PLAN

An “Environmental Management Plan” is a plan or programme that seeks to achieve a required end state and describes how activities, that have or could have an adverse impact on the environment, will be mitigated, controlled, and monitored. The EMP will address the environmental impacts during the design, construction and operational phases of a project. Due regard must be given to environmental protection during the entire project.

In order to achieve this several environmental specifications/recommendations are made. These are aimed at ensuring that the contractor maintains adequate control over the project in order to:

- Minimise the extent of impact during construction;
- Ensure appropriate restoration of areas affected by construction, and;
- Prevent long term environmental degradation.

The contractor must be made aware of the environmental obligations that are stipulated in this document and declares himself/herself to be conversant of all relevant environmental legislation. The contractor should also be aware that the Environmental Control Officer will monitor the implementation of the procedures.

OBJECTIVES OF THE ENVIRONMENTAL MANAGEMENT PLAN

The EMP has the following goals:

- Identifying those construction activities that may have a detrimental impact on the environment;
- Detailing the mitigation measures that will need to be taken, and the procedures for their implementation;
- Establishing the reporting system to be undertaken during the construction.

The EMP also serves to highlight specific requirements that will be monitored during the development and should the environmental impacts not have been satisfactory prevented or mitigated, corrective action will have to be taken. The document should, therefore, be seen as a guideline that will assist in minimising the potential environmental impact of activities.

Mitigation seeks to find better ways of doing things, by the implementation of practical measures to reduce, limit, and eliminate adverse impacts or enhance project benefits and protect public and individual rights. The EMP also defines the arrangements that will be put in place to ensure that the mitigation measures are implemented by including recommendations of the roles and responsibilities of the project proponent, environmental management team and contractors.

2. CONTRACT ADMINISTRATION AND INSPECTION

This is defined as managing, administering and monitoring the construction contracts and processes including preparation and coordination of procedures and documentation to facilitate practical completion of the works. The following project stages have already been completed and all relevant documentation is available:

- Inception;
- Concept and Viability (also termed Preliminary Design);
- Design Development (also termed Detailed Designs), and;
- Documentation and Procurement.

Documents and reports available are as follows:

- Inception Report;
- Preliminary Design Report;
- Engineering Survey Reports;
- Geotechnical Investigations Report (Phase I and Phase II);
- Detailed Designs Report;
- Detailed Designs Drawings;
- Bill of Quantities, and;
- Tender Drawings.

NB: The bidder must include the price for Ownership and Responsibility take-up of the designs of internal services for both Ext. 6 and 7 when pricing for Contract Administration and Inspection Stage.

Activities under this stage of the project includes:

- Attend site handover;
- Issue construction documentation in accordance with the documentation schedule including, in the case of structural engineering, reinforcing bending schedules and detailing and specifications of structural steel sections and connections;
- Carry out contract administration procedures in terms of the contract;
- Prepare schedules of predicted cash flow;
- Prepare pro-active estimates of proposed variations for client decision making;
- Attend regular site, technical and progress meetings;
- Review the Contractor's quality control programme and advise and develop a quality assurance plan;
- Inspect the works for quality and conformity to contract documentation, on average, at least once, every 2 weeks during, the course of the project;
- Review the outputs of quality assurance procedures and advise the contractor and client on the adequacy and need for additional controls, inspections and testing;
- Adjudicate and resolve financial claims by contractor(s);
- Assist in the resolution of contractual claims by the contractor;
- Establish and maintain a financial control system;
- Clarify details and descriptions during construction as required;

- Prepare valuations for payment certificates;
- Progress Payment (monthly) evaluations and certification of work for payment purposes;
- Instruct witness and review all tests and mock ups carried out both on and off site;
- Check and approve contractor drawings for design intent;
- Update and issue drawings register;
- Issue contract instructions as and when required.;
- Review and comment on operation and maintenance manuals, guarantee certificates and warranties;
- Inspect the works and issue practical completion and defects lists, and;
- Arrange for the delivery of all test certificates, statutory (regulatory) and other approvals, as built drawings and operating manuals.

Deliverables at this stage will include:

- Schedules of predicted cash flow;
- Construction documentation;
- Drawings register;
- Estimates for proposed variations;
- Contract instructions;
- Financial control reports;
- Progressive and draft final account(s);
- Practical completion and defects list, and;
- All statutory certification and certificates of compliance as required by the Local and other Statutory Authorities.

3. CLOSE-OUT

This is defined as fulfilling and completing the project close-out including necessary documentation to facilitate effective completion, handover and operation of the project. Activities under this stage of the project includes:

- Inspect and verify the rectification of defects;
- Receive, comment and approve relevant payment valuations and completion certificates;
- Facilitate and/or procure final operations and maintenance manuals, guarantees and warranties;
- Prepare and/or procure as-built drawings and documentation;
- Conclude the final accounts where relevant.

Deliverables will include:

- Valuations for payment certificates;
- Works and final completion lists;
- Operations and maintenance manuals, guarantees and warranties;
- As-built drawings and documentation, and;
- Final accounts.

4. CONSTRUCTION MONITORING

Quality Assurance (QA) during construction refers to, engineering activities that are implemented to assure the client that works are highly likely to meet the requirements. This is achieved through a combination of quality control processes that are put in place by the contractor to control its output, and the inspection and acceptance testing that is carried out by the consulting engineer to confirm conformance prior to certification. While the contractor takes the ultimate responsibility for quality and meeting the design requirements, the purpose of quality assurance plan and related

construction monitoring, is to inspect and satisfy the client and the consulting engineer that the risk of these requirements not being met, is acceptable.

Construction monitoring means that the client and consulting engineer should agree on a satisfactory arrangement in respect of construction monitoring that suits the type of work, the project location and the duration of the critical aspects of the works. Disagreement regarding the required level of construction monitoring should not be taken lightly and the parties should carefully consider the consequences of non-compliances and related responsibilities, bearing in mind that the consulting engineer has a duty of care, while the client should strive to ensure quality and minimise life-cycle costs.

The level of construction monitoring and the frequency and duration of the site visits must be agreed with the client prior to commencement of the works and should be recorded in the agreement with the client. The level of construction monitoring and activities related to the quality assurance plan, may change during the course of the works to reduce quality related risks and this will require an amendment of the agreement.

Based on the type and discipline of work to be done, the competency and reputation of the contractor required to carry out the work to be done, and the consequence of any non-compliance in implementing this project as one of the Catalytic Projects, a Level 3 (Full-Time) Construction Monitoring is recommended, and it is defined and described below:

A Full-time staff (Resident Engineer) must be seconded to the project by the Service Provider for the duration of the project. The full-time construction monitoring staff shall:

- Maintain a full-time presence on site to constantly review samples of materials and work procedures, for conformity to contract documentation, and review completed work prior to covering up, or on completion, as appropriate;
- Assist with the preparation of as-built records and drawings to the extent required in the agreement with the client, and;
- Where necessary, carry out administration of the project on behalf of the client.

5. OCCUPATIONAL HEALTH AND SAFETY

The Consulting Engineer will be required to undertake duties falling under the Occupational Health and Safety Act No. 85 of 1993 and its 2014 Construction Regulations, on behalf of the client. The services required will include the following:

- Arranging, formally and in writing, for the contractor to provide documentary evidence of compliance with all the requirements of the above Occupational Health and Safety Act, and;
- Execution of the duties of the client, as his appointed agent, as contemplated in the 2014 Construction Regulations of the Occupational Health and Safety Act.

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C3.1 PROJECT LOCATION

Bakenpark is located in Bethlehem, north of the CBD, under the jurisdiction of the Dihlabeng Local Municipality in the Free State Province. The township of Bakenpark falls within the Riemland corridor.

The Bakenpark development is easily accessible from a number of major roads, including the N5, R26, R76 and R714. The N5 National Route connects Bloemfontein to the South-West of Bethlehem to Harrismith in the East and then to Durban via the N3 National Route. The R26 connects Bethlehem to Reitz in the North and to Fouriesburg in the south of the town. These major routes also link residential developments of Bakenpark with Bohlokong. In addition, Bethlehem town is traversed by the railway line from Cape Town to Johannesburg and Durban.

The Central Co-ordinates of the project location are as follows:

S 28° 12' 53.06"

E 28° 20' 53.50"

Below is the layout of Bakenpark location.

