

EXPRESSION OF INTEREST

**APPLICATION FOR REGISTRATION AS A PROFESSIONAL
SERVICE PROVIDER ON THE MVULA TRUST INFRASTRUCTURE
FRAMEWORK AGREEMENT SUPPLIER DATABASE FOR
MPUMALANGA PROVINCE**

Expression of Interest No: IFA/PSP/MP/2018/1

SUMMARY OF RESPONDENTS INFORMATION

The Respondent must complete in full the information tabled below.

| | |
|---|------------------------|
| Closing date | 15 October 2018 |
| Closing time | 12:00 |
| Name of Respondent and each entity in Joint Venture or Consortium (if JV or Consortium) | |
| Postal address | |
| Street address | |
| Details of contact person (Full name) | |
| E-mail Address | |
| Contact Number (Office number) | |
| Cell phone Number | |
| Fax number | |
| Respondents' Company registration number OR registration number of each entity in consortium or JV | |
| Respondents VAT Registration number OR VAT registration number of each entity in consortium or JV | |
| Full name of authorised representative | |
| Capacity in which authorised representative signs | |
| Signature of authorised representative | |
| Date of signature | |
| Respondents' Stamp or Signature | |

Table of Contents

| Number | Heading |
|---|---|
| Part E1 - Submission procedures | |
| E1.1 | Notice and invitation to submit an expression of interest |
| E1.2 | Submission data |
| Part E2 - Returnable documents | |
| E2.1 | List of returnable documents |
| E2.2 | Submission schedules |
| Part E3 - Indicative scope of work (where appropriate) | |
| E3 | Indicative scope of work |

PART E1 – E1.1 - NOTICE AND INVITATION TO SUBMIT AN EXPRESSION OF INTEREST

RESPONDENTS ARE INVITED TO SUBMIT AN EXPRESSION OF INTEREST FROM BUILT ENVIRONMENT PROFESSIONALS TO REGISTER FOR THE MVULA TRUST INFRASTRUCTURE FRAMEWORK AGREEMENT FOR A PERIOD OF THREE (3) YEARS.

| Expression of Interest (EOI) number | IFA/PSP/MP/2018/1 |
|--|---|
| Description of EOI | <p>The Mvula Trust calls for Expression of Interest from Built Environment Professionals, to be registered on The Mvula Trust's Infrastructure Framework Agreement.</p> <p>The Mvula Trust implements water, sanitation and building projects throughout the country and requires Professional Service Providers to manage and assist with the implementation of the projects.</p> |
| Closing date | 15 October 2018 |
| Closing time | 12:00 |
| Obtain Expression of Interest document | <p>The Expression of Interest documents will be available from 10 September 2018.</p> <p>Expression of Interest (EOI) documents are available in electronic format (PDF) and hard copy.</p> |
| Download EOI documents | The electronic EOI documents, may be downloaded free of charge on The Mvula Trust website (www.themvulatrust.org.za) |
| Collect EOI documents | <p>Hard copies may be purchased for a non-refundable cash fee of R 150.00, from The Mvula Trust Mpumalanga Regional Office as follows:</p> <p>Number 16 Brander Street Suite 103 Nelspruit</p> <p>The documents can be collected between 08:00 and 16:00, on weekdays.</p> <p>Please note: The Respondents must complete the EOI Collection Register at The Mvula Trust Offices to purchase a hard copy</p> |
| Contact information | <p>All enquiries regarding this EOI must be forwarded to procurement@themvulatrust.org.za with the applicable EOI Reference Number as the subject.</p> |

Respondents should ensure that EOI documents are delivered timeously and to the correct address, specified above. Late submissions will not be considered.

Correspondence will be limited to successful applicants only.

| Office | Contact person | Physical Address for Collection |
|------------|--|--|
| Mpumalanga | Neo Thebe Tel: +27 11 403 3425 Email: procurement@themvulatruster.org.za | Number 16 Brander Street Suite 103 Nelspruit |

PART E1 – E1.2 - SUBMISSION DATA

The Standard Conditions for the calling for Expressions of Interest as contained in Annexure H of the *CIDB's Standard for Uniformity in Construction Procurement – July 2015*, apply.

See the CIDB website (www.cidb.org.za).

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

| Clause number | Condition with description |
|---------------|--|
| H.1 | General |
| H.1.1 | Actions |
| H1.1.1 | The Mvula Trust as the Employer and each respondent submitting an expression of interest shall comply with these conditions for calling for expressions of interest. In their dealings with each other, they shall discharge their duties and obligations as set out in H.2 and H.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anti-competitive practices. |
| H.1.1.2 | The employer and the respondent and all their employees involved in the submission process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Respondents shall declare any potential conflict of interest in their submissions. Employees and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate. |
| H.1.1.3 | The respondent shall not make a submission without having a firm intention and the capacity to proceed with the next stage of the procurement process. |
| H.1.2 | Supporting documents The documents issued by the employer for the purpose of obtaining expressions of interest are listed in the submission data. |
| H.1.3 | Interpretation |
| H.1.3.1 | The submission data and additional requirements contained in the submission schedules that are included in the returnable documents are deemed to be part of these conditions for the calling for expressions of interest. |
| H.1.3.2 | For the purposes of these conditions for the calling for expressions of interest, the following definitions apply: <ul style="list-style-type: none"> a) conflict of interest means any situation in which: <ul style="list-style-type: none"> i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially. ii) an individual or organisation is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit. |

| Clause number | Condition with description |
|----------------|--|
| | <p>iii) incompatibility or contradictory interests exist between an employee and the organisation which employs that employee.</p> <p>b) corrupt practice means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or representatives in the tender process; and</p> <p>c) fraudulent practice means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels</p> |
| H.1.4.1 | <p>Communication and employer ‘representative</p> <p>Each communication between the employer and a respondent shall be to or from the employer representative only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a respondent. The name and contact details of the employers ‘representative is stated in the submission data.</p> |
| H1.4.2 | The name and contact details of the employer’s representative are stated in the Standard Notice and Invitation to submit an Expression of Interest. |
| H.1.5 | <p>Confidentiality and copyright of documents</p> <p>Treat as confidential all matters arising in connection with the EOI. Use and copy the documents issued by the employer only for the purpose of preparing the submission in response to the invitation.</p> |
| H.1.6 | <p>Alterations to documents</p> <p>Do not make any alterations or additions to the submission documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the respondent. All signatories to the submission shall initial all such alterations.</p> |
| H.2 | Respondent’s obligations |
| H.2.1.1 | <p>Eligibility</p> <p>Submit an expression of interest only if the respondent complies with the criteria stated in the submission data and the respondent, or any of his principals, is not under any restriction to do business with the employer.</p> |
| H.2.1.2 | This clause does not apply. |
| H.2.1.3 | This clause does not apply. |
| H.2.1.4 | This clause does not apply. |
| H.2.2 | <p>Cost of submissions</p> <p>Accept that the employer will not compensate the respondent for any costs incurred in the preparation and delivery of a submission</p> |
| H.2.3 | <p>Check documents</p> <p>Check the submission documents on receipt, including pages within them, and notify</p> <ul style="list-style-type: none"> • Ms. Neo Thebe • Email: procurement@themvulatruster.org.za <p>of any discrepancy, error or omission.</p> <p>The Respondent must promptly notify the TMT in writing of such discrepancy, error or omission. TMT will consider what corrective action is necessary (if any) and inform all</p> |

| Clause number | Condition with description |
|------------------|---|
| | Respondents on corrective action without attribution to the Respondent who provided the written notice. |
| H.2.4 | <p>Acknowledge addenda</p> <p>Acknowledge receipt of addenda to the submission documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the submission data, in order to take the addenda into account.</p> |
| H.2.5 | <p>Clarification meeting</p> <p>A clarification meeting for this EOI will not be held.</p> |
| H.2.6.1 | <p>Seek clarification</p> <p>Request clarification of the submission documents, if necessary, by notifying the employer at least five working days before the closing time stated in the submission data.</p> |
| H.2.6.2 | The Respondent must request clarification in writing. |
| H.2.7.1.1 | <p>Making a submission</p> <p>Return all returnable documents to the employer after completing them in their entirety, in writing legibly in non-erasable ink. The completed EOI documents must be deposited in the Tender Box, at the relevant Mvula Trust offices.</p> |
| H.2.7.1.2 | Submit all documents, either as a single tendering entity, a member of a Consortium or as a member in a joint venture to provide the whole of the works, services or supply and described in the scope of works, unless stated otherwise in the submission data. An EOI document must be returned for each Entity, Consortium or Joint Venture. |
| H.2.7.1.3 | The Mvula Trust will not accept telephonic, telegraphic, telex, facsimile or e-mailed submissions. |
| H.2.7.1.4 | <p>Hand deliver the submission in the Tender Box at The Mvula Trust Mpumalanga Regional Office as follows:</p> <p>Number 16 Brander Street Suite 103 Nelspruit</p> |
| H.2.7.1.5 | <p>Access to Tender Box</p> <p>The Tender Box is situated in the reception area at The Mvula Trust Mpumalanga Regional Offices as follows:</p> <p>Number 16 Brander Street Suite 103 Nelspruit</p> <p>Notice and Invitation to Submit an Expression of Interest for delivery address details. Deliver between 08:00 and 16:00, on week days and on the closing date the tender box will be available until 12.00</p> |
| H.2.7.2.2 | <p>The package consisting of three (3) copies (1 Original and 2 copies) must be sealed and submitted together as one (1) package, clearly marked with the following information:</p> <ul style="list-style-type: none"> • The Mvula Trust • EOI Ref. No. EOI Ref No: TMT/PSP/MP/2018/1 |

| Clause number | Condition with description |
|---------------|---|
| | <p>Physical Address Number 16 Brander Street Suite 103 Nelspruit</p> <ul style="list-style-type: none"> • Name of Respondent, including the “trading as” name. |
| H.2.7.2.3 | Sign the original and all copies where required in terms of the submission data. The employer will hold all authorized signatories liable on behalf of the respondent. Signatories to a joint venture, shall state which of the signatories is the lead partner whom the employer shall invite for tender offers. |
| H.2.7.3 | Accept that the employer shall not assume any responsibility for the misplacement or premature opening of the submission if the outer package is not sealed and marked as stated in clause H2.7.2.2. |
| H.2.8 | <p>Information and data to be completed in all respects</p> <p>Accept that incomplete submissions or responses submitted in a different form or format than specified in this EOI, shall be regarded by the employer as non-responsive.</p> |
| H.2.9.1 | <p>Closing time</p> <p>Ensure that the employer receives the submissions at the addresses specified in the submission data, not later than the closing time stated in the submission data.</p> |
| H.2.9.2 | The employer shall not accept submissions submitted by telegraph, post, telex, facsimile or e-mail, unless stated otherwise in the submission data. |
| H.2.9.3 | Accept that, if the employer extends the closing time stated in the submission data for any reason, the requirements of these conditions for expressions of interest apply equally to the extended deadline. |
| H.2.10 | <p>Clarification of submission</p> <p>Provide clarification of a submission, in writing, in response to a request to do so by the employer during the evaluation of submissions, within 24 hours of submission of such a request.</p> |
| H.2.11.1 | <p>List of Returnable documents</p> <p>The Respondent must return the documents specified in Part E2 - Returnable documents and the Annexures. The Annexures must be labeled and returned as per the sequence specified on the E2.1 list.</p> |
| H.2.11.2 | Include in the submission or provide the employer with any certificates as stated in the submission data. |
| H.2.12 | <p>EOI Collection Register</p> <p>A representative of the Respondent shall complete the EOI Collection Register in full on collection of the EOI document.</p> |
| H.3 | Employer’s undertakings |
| H.3.1 | Respond to clarification |
| H.3.1.1 | Respond to requests for clarification received in writing from the Respondent. |
| H.3.1.2 | Respond to a request for clarification received up to five working days before the submission closing time stated in the submission data. |

| Clause number | Condition with description |
|----------------------|--|
| H.3.1.3 | Notify all respondents who obtained copies of the EOI documents, if any, of those responses. |
| H.3.2.1 | Issue Addenda If necessary, issue addenda that may amend or amplify the submission documents to each respondent during the period from the date of the calling for expressions of interest until five days before the closing time for submissions stated in the submission data. |
| H.3.2.2 | If, as a result, a respondent applies for an extension to the closing time stated in the submission data, the employer may grant such extension and, shall then notify all respondents who obtained a copy of the EOI documents. |
| H.3.3 | Late submissions Late submissions shall not be returned to the respondent concerned. |
| H.3.4.1 | Opening of submissions Submissions will not be opened in public. |
| H.3.4.2 | This clause shall not apply. |
| H.3.5 | Non-disclosure Not disclose to respondents, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of submissions until after the Bid Adjudication Committee approved the evaluation results. |
| H.3.6 | Grounds for rejection and disqualification Determine whether there has been any effort by a respondent to influence the processing of submissions and instantly disqualify a respondent if it is established that he engaged in corrupt or fraudulent practices. |
| H.3.7.1 | Test for responsiveness Determine, on opening and before detailed evaluation, whether each submission received: a) meets the requirements of these conditions for the calling for expressions of interest; b) has all the substantive provisions properly and fully completed and signed, and c) is responsive to the other requirements of the call for expressions of interest. |
| H.3.8 | Non-responsive submissions Reject all non-responsive submissions. |
| H.3.9.1 | Evaluation of responsive submissions Appoint an evaluation panel of not less than three persons. |

| H.3.9.2 | <p>Evaluate and score submissions using the following evaluation criteria and weighting:</p> <table border="1" data-bbox="325 383 1382 748"> <thead> <tr> <th data-bbox="325 383 1203 465">Criteria</th> <th data-bbox="1203 383 1382 465">Maximum number of points</th> </tr> </thead> <tbody> <tr> <td data-bbox="325 465 1203 510">Entity registered with a relevant Professional Institution</td> <td data-bbox="1203 465 1382 510">10</td> </tr> <tr> <td data-bbox="325 510 1203 555">Registration and experience for Nominated Professional</td> <td data-bbox="1203 510 1382 555">40</td> </tr> <tr> <td data-bbox="325 555 1203 600">Reviewed or Audited Financial statements</td> <td data-bbox="1203 555 1382 600">10</td> </tr> <tr> <td data-bbox="325 600 1203 645">Reference Letters from Previous Employers</td> <td data-bbox="1203 600 1382 645">30</td> </tr> <tr> <td data-bbox="325 645 1203 689">Company operating and having office/s based in Mpumalanga Province</td> <td data-bbox="1203 645 1382 689">10</td> </tr> <tr> <td data-bbox="325 689 1203 734">Maximum possible score for evaluation criteria</td> <td data-bbox="1203 689 1382 734">100</td> </tr> <tr> <td data-bbox="325 734 1203 748"></td> <td data-bbox="1203 734 1382 748"></td> </tr> </tbody> </table> | Criteria | Maximum number of points | Entity registered with a relevant Professional Institution | 10 | Registration and experience for Nominated Professional | 40 | Reviewed or Audited Financial statements | 10 | Reference Letters from Previous Employers | 30 | Company operating and having office/s based in Mpumalanga Province | 10 | Maximum possible score for evaluation criteria | 100 | | |
|--|--|----------|--------------------------|--|----|--|----|--|----|---|----|--|----|---|------------|--|--|
| Criteria | Maximum number of points | | | | | | | | | | | | | | | | |
| Entity registered with a relevant Professional Institution | 10 | | | | | | | | | | | | | | | | |
| Registration and experience for Nominated Professional | 40 | | | | | | | | | | | | | | | | |
| Reviewed or Audited Financial statements | 10 | | | | | | | | | | | | | | | | |
| Reference Letters from Previous Employers | 30 | | | | | | | | | | | | | | | | |
| Company operating and having office/s based in Mpumalanga Province | 10 | | | | | | | | | | | | | | | | |
| Maximum possible score for evaluation criteria | 100 | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | |
| H.3.9.3 | <p>Evaluate the following submission schedules interdependently. 'Each Evaluators score shall be averaged and weighted to determine the final evaluation score.</p> <ol style="list-style-type: none"> Entity registered with a Professional Institution Registration and experience of Nominated Professional within specific discipline Reviewed or Audited Financial statements Reference letters from previous Employers Company operating and having office/s based in Mpumalanga Province | | | | | | | | | | | | | | | | |
| H.3.9.4 | <p>Scoring functionality / quality Score each of the criteria and sub criteria for functionality / quality in accordance with the provisions of the Submission Data. Calculate the total number of evaluation points for quality using the following formula: $WQ = W2 \times SO/MS$ where: SO is the score for quality allocated to the submission under consideration; MS is the maximum possible score for quality in respect of a submission; and W2 is the maximum possible number of tender evaluation points awarded for the quality as stated in the tender data</p> | | | | | | | | | | | | | | | | |
| H.3.9.5 | <p>Respondents who scored 60 and more points for quality/functionality may be registered on The Mvula Trust Infrastructure Framework Agreement.</p> | | | | | | | | | | | | | | | | |
| H.3.9.6 | <p>Respondents who submit responsive submissions and</p> <ol style="list-style-type: none"> <ol style="list-style-type: none"> a valid Tax Clearance Certificate issued by the South African Revenue Services or have made arrangements to meet outstanding tax obligations; are registered with the relevant Built Environment Professional Institution; do not have any of their directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; have not abused the Employer's Supply Chain Management System or failed to perform on any previous contract and have been given a written notice to this effect; completed the Compulsory Enterprise Questionnaire and who are considered by the Employer not to have any conflicts of interest which may impact on their ability to perform the proposed contract in the best interests of the Employer or potentially compromise the procurement process and are free of persons in the state who are not permitted to submit tenders or to participate in the contract; and are registered and in good standing with the compensation fund or with a licensed compensation insurer; Professional indemnity; and in the opinion of the Employer can as necessary demonstrate that they possess the necessary professional and technical qualifications, professional and | | | | | | | | | | | | | | | | |

| | |
|---------------|--|
| | <p>technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel to perform the contract; will have their submissions scored for functionality.</p> |
| H.3.9.6 | <p>Notify the respondents of the outcome of the evaluation process after the evaluation report is being accepted by the employer</p> |
| H.3.10 | <p>Provide written reasons for actions taken Provide upon request written reasons to respondents for any action that is taken in applying these conditions, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of respondents or might prejudice fair competition between respondents.</p> |

PART 2 - E2.1 - LIST OF RETURNABLE DOCUMENTS

Please adhere to the following instructions

1. Tick in the relevant block below, to confirm that the relevant document is included in the submission.
2. Ensure each document listed is completed and signed where applicable.
3. Use the prescribed sequence in attaching the annexes that complete the Expression of Interest documents:

PLEASE NOTE: Should ALL these documents not be complete in full and/or included in the submission.

| Description | | Yes | No |
|--|--|-----|----|
| One original EOI document with two (2) copies | | | |
| Cover Page - Summary of respondents' information | | | |
| Part E1 - Submission procedures | | | |
| E1.1 Notice and invitation to submit an expression of interest | | | |
| E1.2 Submission data | | | |
| Part E2 - Returnable documents | | | |
| E2.1 List of returnable documents | | | |
| E2.2 Submission schedules | | | |
| Annexure A | Valid Tax Clearance Certificate and Tax Status Pin | | |
| Annexure B | Compulsory Enterprise questionnaire | | |
| Annexure C | SBD 4 - Declaration of Interest | | |
| Annexure D | Certified copy of B-BBEE status level certificate | | |
| Annexure E | SBD8: Declaration of Bidder's Past Supply Chain Practices | | |
| Annexure F | SBD9: Certificate of Independent Bid Determination | | |
| Annexure G | Copies of CIPC company registration documents listing all members with percentages, in case of a close corporation | | |
| Annexure H | Copies of latest share certificates, in case of a company | | |
| Annexure I | Record of Addenda | | |
| Annexure J | Certificate of Authority for Joint Ventures | | |
| Annexure K | Letter of Good Standing from the Compensation Fund | | |
| Annexure L | Letter from a Bank (To be used for evaluation) | | |
| Annexure M | Proof of office address (To be used for evaluation) | | |
| Annexure N | CSD Registration Summary Report | | |
| | | | |

| | | | |
|----------------------------|--|--|--|
| Submission Schedule | E2.2.1 Nominated Professional Registration Details and CV (To be used for evaluation) | | |
| Submission Schedule | E2.2.2. Service Category and Location of Nominated Professional | | |
| Submission Schedule | E2.2.3 – Reviewed or Audited Financial Statements (To be used for evaluation) | | |
| Submission Schedule | E2.2.4. - Reference Letters from Previous Employers (To be used for evaluation) | | |

**PART E2 - RETURNABLE DOCUMENTS
Submission Schedules**

Please Note:

The Respondent must submit these schedules as per the prescribed sequence and format outlined in the EOI.

The Submission Schedules is required for evaluation and/or compliance purposes.

Annexure A –Tax Clearance Certificate and Tax Status Pin Requirement

Please Note:

The valid Tax Clearance Certificate and Tax Status Pin must be inserted in this section and submitted as Annexure A.

Annexure B – E 2.2.2 - Compulsory Enterprise questionnaire

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

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: Particulars of sole proprietors and partners in partnerships

| Name* | Identity number* | Personal income tax number* |
|-------|------------------|-----------------------------|
| | | |
| | | |
| | | |

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

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: The attached SBD4 must be completed for each submission and attached as Annexure C as a returnable document.

Section 7: The attached SBD8 must be completed for each tender and be attached as Annexure E as a returnable document.

Section 8: The attached SBD9 must be completed for each tender and be attached as Annexure F as a returnable document.

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

- a) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- b) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- c) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- d) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- e) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct

Signed _____ Date _____
Name _____ Position _____
Enterprise _____
name _____

ANNEXURE C – DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-
 - the bidder is employed by the state; and/or
 - the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

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

- 2.1 Full Name of bidder or his or her representative.....
- 2.2 Identity Number.....
- 2.3 Position occupied in the Company (director, trustee, shareholder²)
- 2.4 Company Registration Number.....
- 2.5 Tax Reference Number.....
- 2.6 VAT Registration Number:
- 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹“State” means –

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

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

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

If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member

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

Position occupied in the state institution:
.....

Any other particulars
.....
.....

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

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

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

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

.....
.....

2.8 Did you or your spouse, or any of the company's directors / trustees / 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 any other 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 / trustees / 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 tax reference number | State employee number / persal number |
|-----------|-----------------|-------------------------------|---------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

4 DECLARATION

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

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

ANNEXURE D- VALID B-BBEE CERTIFICATE

Please Note:

Respondents who will claim points in respect of B-BBEE Status Level of Contribution, must attach a CERTIFIED COPY of the B-BBEE certificate, issued by a Verification Agency accredited by SANAS or an approved registered body or an Accounting Officer as contemplated in the CCA. DTI Affidavit certified by SAPS / Commissioner of Oaths.

ANNEXURE E - 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 | Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied). | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register, enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445. | 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 outside of the Republic of South Africa) for fraud or corruption during the past five years? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | 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

ANNEXURE F - 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 per 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. disregards 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.
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.
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.

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 Respondent

ANNEXURE G – COPIES OF CIPC COMPANY REGISTRATION DOCUMENTS

Please Note:

Respondents are required to include copies of all relevant CIPC registration documents. Each member with percentages, in the case of a close corporation must be listed.

ANNEXURE H- COPIES SHARE CERTIFICATES (IN CASE OF A COMPANY)

Please Note:

Respondents are required to attach copies of latest share certificates, in case of an entity with copies of members Identification Document.

ANNEXURE I – RECORD OF ADDENDA TO SUBMISSION DOCUMENTS

We confirm that the following communications received from the Employer, amending the submission documents, have been taken into account in this submission.

| | Date | Title or Details |
|-----|------|------------------|
| 1. | | |
| 2. | | |
| 3. | | |
| 4. | | |
| 5. | | |
| 6. | | |
| 7. | | |
| 8. | | |
| 9. | | |
| 10. | | |

Attach additional pages if more space is required.

Signed _____ Date _____
 Name _____ Position _____
 Enterprise name _____

ANNEXURE J – CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This document is to be prepared and submitted by the Respondent in the event of a Joint Venture submission.

This Returnable Schedule is to be completed Enterprises whom submit a EOI as joint ventures.

We, the undersigned, are submitting this EOI in Joint Venture and hereby authorise Mr/Ms

....., authorised signatory of the company

....., acting in the capacity of lead partner, to

sign all documents in connection with submission on our behalf.

| Name of Enterprise | Address | Duly authorised signatory |
|---------------------------|---------|--|
| Lead partner | | Signature. Name Designation |
| | | Signature. Name Designation |
| | | Signature. Name Designation |
| | | Signature. Name Designation |

ANNEXURE K - LETTER OF GOOD STANDING FROM THE COMPENSATION FUND

Please Note:

A letter from the Compensation Fund or licenced accredited body, confirming good standing with the Fund must be inserted in this section and submitted as Annexure K.

ANNEXURE L - LETTER FROM THE BANK

Please Note:

A letter from your Bank, with confirmation of an account with the bank must be inserted in this section and submitted as Annexure L.

ANNEXURE M - PROOF OF OFFICE ADDRESS

Please Note:

Provide proof of address of offices in Mpumalanga Province where the service will be rendered. CSD report to be used to verify address indicated on the documentation shown below.

Any of the following documents constitutes an example of proof of address:

- 1. Utility bill**
- 2. Lease agreement**
- 3. Telkom landline statement**
- 4. Letter from the municipality or tribal authority**

The document must be inserted in this section and submitted as Annexure M.

Point scoring for evaluation of proof of office /residence (Max. 10 points)

| Evaluation Criteria | Weighting |
|---|------------------|
| Non submission of valid proof of address/residence in Mpumalanga Province | 0 |
| Submission of valid proof of address/residence in Mpumalanga Province | 10 |

**ANNEXURE N - PROOF OF CENTRAL SUPPLIER DATABASE SUMMARY
REPORT**

Please attach - CSD Registration Summary Report

E2.2 SUBMISSION SCHEDULES

Please Note:

Evaluators will evaluate the Submission Schedules and allocate scores for functionality based on the information provided in the submission schedules.

SUBMISSION SCHEDULE – E2.2.1 Registration Details and CV of Nominated Professional(s)

Please Note:

1. If the Entity is registered with a Professional Institute, the certified copies of such registration must be attached to this Submission Schedule.
2. A certified copy of the Nominated Professional's qualifications and registration with a Professional Institution must be attached to this Submission Schedule.
3. The Nominated Professional must complete the CV template below and each CV will be evaluated individually. Evaluation scores for each Professional will be averaged to determine a score for the Entity/Respondent.

Point scoring for evaluation of an Entity registered with a Professional Institution (Max. 10 points)

| Evaluation Criteria | Weighting |
|--|-----------|
| Non submission of an Entity's registration with a Professional Institutions | 0 |
| Proof of Entity's registration with a Professional Institution as. (e.g. CESA, ASAQS, SAIA, APMSA etc) | 10 |

Point scoring for evaluation of registration and experience for Nominated Professional within the discipline to be registered for (Max. 40 points)

| Evaluation Criteria | Weighting |
|--|-----------|
| Non submission of registration and/or qualification as a registered Professional. | 0 |
| Up to 2 years' experience after registration as a professional in the discipline to be registered for. | 15 |
| At least 3 to 5 years' experience after registration as a professional in the discipline to be registered for. | 25 |
| More than 5 years' experience after registration as a professional in the discipline to be registered for. | 40 |

1. CV Details of Nominated Professional

| | | | |
|---|--|--------------------|--|
| Professionals' first names | | | |
| Professionals' surname | | | |
| Professionals' date of birth (yyyy-mm-dd, e.g. 2010-03-04) | | | |
| Professionals' Nationality | | | |
| Professionals' ID number or Passport number (Only Non-residents) | | | |
| Name of respondent (Enterprise / Consortium or JV) | | | |
| Full time employee | | Part time employee | |
| Years at Enterprise | | | |

1.1. Education and/or Qualifications

| Institution | From date (yyyy-mm-dd) | To Date (yyyy-mm-dd) | Qualification obtained (Include the discipline e.g. BSc Mechanical Engineering) |
|-------------|---------------------------|-------------------------|--|
| | | | |
| | | | |
| | | | |
| | | | |

1.2. Registration with Professional Institutions

| Registered Professional (Yes / No / N/A) | Professional Institute name | Professional Registration number | Years' experience in this discipline |
|--|-----------------------------|-------------------------------------|---|
| | | | |
| | | | |
| | | | |
| | | | |

1.3. Other Skills (e.g. computer literacy, etc.)

1.4. Pen Portrait

Describe below, in a maximum of 50 words, significant highlights of your professional experience and achievements.

1.5. Project 1 - Experience (Current or latest Project)

| | | | |
|--|--|--|--|
| Name of Entity: | | | |
| Description of Contract: | | | |
| Value of Contract R | | | |
| Start date of contract (Month and year) | | End date of contract (Month and year) | |

1.6. Project 2 - Experience (Project within past 5 years)

| | | | |
|--|--|--|--|
| Name of Entity: | | | |
| Description of Contract: | | | |
| Value of Contract R | | | |
| Start date of contract (Month and year) | | End date of contract (Month and year) | |

1.7. Project 3 - Experience (Project within past 5 years)

| | | | |
|---------------------------------|--|--|--|
| Name of Entity: | | | |
| Description of Contract: | | | |

| | | | |
|--|--|--|--|
| Value of Contract R | | | |
| Start date of contract (Month and year) | | End date of contract (Month and year) | |

1.8. Project 4 - Experience (Project within past 5 years)

| | | | |
|--|--|--|--|
| Name of Entity: | | | |
| Description of Contract: | | | |
| Value of Contract R | | | |
| Start date of contract (Month and year) | | End date of contract (Month and year) | |

1.9. Complete Contact Details of References for Each of the above Projects

| Full Name | Position | Company/ Organisation | Telephone no. (include country and area code) | Cell Phone no. (include country code) |
|-----------|----------|--------------------------|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

1.10. Area of Specialisation

| |
|--|
| |
|--|

| |
|--|
| |
|--|

1.11. Other Relevant Information (e.g. publications)

| |
|--|
| |
| |
| |
| |

1.12. Declaration by the Nominated in this CV

I declare that the above information is accurate and can be supported by documents and references on request. I also declare that I will be available to work on projects should this Entity, Consortium or JV be appointed.

| Name | Signature | Date |
|------|-----------|------|
| | | |

SUBMISSION SCHEDULE – E2.2.2 Service Category and Location of Nominated Professional

Please Note:

Each Professional Service Provider must depict the type of professional service (discipline) and geographical area where the service will be provided.

| Profession | Please tick the relevant profession |
|--|--|
| Architectural Service | |
| Civil Engineering Service | |
| Construction Management Service (Supervision and Monitoring) | |
| Geohydrology or Hydrogeological Service | |
| Electrical Engineering Services | |
| Environmental Management Service | |
| Geotechnical Engineering Service | |
| Land Surveying Services | |
| Occupational Health and Safety Service | |
| Project Management Services | |
| Quantity Surveying Services | |
| Structural Engineering Service | |

E2.2 SUBMISSION SCHEDULE - E2.2.3 – FINANCIAL STATEMENTS

Please Note:

1. This schedule will be **evaluated** on the functionality criteria specified in the Submission Data.
2. The Respondent must attach reviewed or Audited Financial Statements.

Point scoring for evaluation of – Reviewed or Audited Financial Statement (Max. 10 points)

| Evaluation Criteria | Weighting |
|--|------------------|
| Non submission of reviewed or Audited Financial Statement | 0 |
| Submission of reviewed or Audited Financial Statement for the past two years | 5 |
| Submission of reviewed or Audited Financial Statement for the past three years | 10 |

E2.2 SUBMISSION SCHEDULE - E2.2.4 – Reference Letters from Previous Employers

Please Note:

1. This schedule will be **evaluated** on the functionality criteria specified in the Submission Data.
2. The Respondent must attach Reference Letters from previous Employers for water, sanitation and building projects to confirm quality, performance and works completed to this submission schedule.

Point scoring for evaluation of – Reference Letters from Previous Employers for water sanitation and building related projects (Max. 30 points)

| Evaluation Criteria | Weighting |
|---|------------------|
| No submission of Reference letters, related to water, sanitation and building projects. | 0 |
| Up to two reference letters provided for projects not related to water, sanitation and building | 15 |
| Three to four reference letters for water, sanitation and building related projects | 20 |
| Five or more reference letters for water, sanitation and building related projects. | 30 |

PART E3 - INDICATIVE SCOPE OF WORK/ TERMS OF REFERENCE

1. Background

The Mvula Trust is a Non-Government Organisation and a leader as Development Organisation in South Africa's. The Trust specialises and focuses on developing and implementing services and capacity in the building sector. Through the years TMT played a significant role in improving the health and wellbeing of rural and peri-urban communities.

TMT is an Implementing Agent and Project Manager for various public and private institutions.

2. Purpose of Document

The Mvula Trust requires the services of Built Environment Professionals to implement water, sanitation and building projects. As the processes of procuring and appointing service providers are lengthy, TMT decided to implement an Infrastructure Framework Agreement (IFA). The Framework Agreement describe the required services without a defined scope of works and guarantee on the quantum of goods, service or works to be procured.

The Framework Agreement provides the means to allow The Mvula Trust to invite quotations/tenders from service providers registered on the Framework Agreement, on an instruction basis.

This Infrastructure Framework Agreement will operate for a period of three years and The Mvula Trust reserves the right to amalgamate the agreement during this period. These submissions will be vetted to ensure service providers are capable and have the capacity to implement the projects according to TMT standards and practises. The Mvula Trust will inform the successful Professional Service Providers of registration on the IFA.

As and when services are required, The Mvula Trust will invite registered service providers from the Infrastructure Framework Agreement Supplier Database, to submit offers. A detailed scope of work will be provided for costing purposes. Depending on the project complexity, these quotations will be evaluated on either price and preference or price, preference and functionality.

Successful service providers will sign a contract with TMT for implementation of projects as per the detailed scope. The Mvula Trust may cluster or batch projects for implementation purposes.

3. Scope of Work

Detailed scope of works for each specific water, sanitation or building project will be provided during phase 2 of the procurement process. The following is an indication of what the scope of work may entail:

Water projects

- Water reticulation from existing municipal water reticulation networks;
- Borehole drilling;
- Rain water harvesting coupled with tanker supply;
- Testing of boreholes and
- Regular tanker supply

Sanitation Projects

- Construction of ablution blocks
- Installation of Envirolloo's
- Provision of VIP, if no existing waterborne sanitation networks exists.

Infrastructure Projects

Building Projects