



**O.R. TAMBO
DISTRICT MUNICIPALITY**

TENDER NO: ORTDM SCMU 37-20/21

**DESCRIPTION: PROVISION OF SCIENTIFIC SERVICES FOR MANAGEMENT OF WATER
QUALITY FOR A PERIOD OF 36 MONTHS**

NOVEMBER 2020

Issued By:

The Municipal Manager
O. R Tambo District Municipality
Private Bag X 6043
MTHATHA
5100

Tel No: (047) 501 64000

Prepared By:

Supply Chain Management Unit
O. R. Tambo District Municipality
Private Bag X 6043
MTHATHA
5100

Tel No: (047) 501 6400

NAME OF BIDDER: _____

CSD SUPPLIER NUMBER: _____

EMAIL ADDRESS: _____

TENDER AMOUNT: _____

TENDER ARE HEREBY INVITED FOR:

To ensure that your Tender is not exposed to invalidation, documents are to be completed in accordance with the conditions and Tender rules contained in the Tender documents. Supporting documents must be sealed and externally endorsed **CONTRACT: PROVISION OF SCIENTIFIC SERVICES FOR MANAGEMENT OF WATER QUALITY FOR A PERIOD OF 36 MONTHS** and be submitted in the tender box, Ground Floor, OR Tambo District Municipality, Nelson Mandela Drive, OR Tambo House, Myezo, Mthatha, not later than the closing date and time as stated.

The lowest or any Bid will not necessarily be accepted and the OR Tambo District Municipality reserves the right not to consider any tender not suitably endorsed or comprehensively completed as well as the right to accept a Tender in whole or part. Tenders will be adjudicated in accordance with the Supply Chain Management Policy of the OR Tambo District Municipality. The following documents must be completed, signed (where applicable) and submitted as a complete set:

| Document | | Colour of pages |
|----------|---|-----------------|
| Number | Heading | |
| T1.1 | Tender Notice and Invitation to Tender | White |
| T1.2 | Tender Data | Pink |
| T2.1 | List of Returnable Documents | Yellow |
| T2.2 | Returnable Documents for tender evaluation purposes | Yellow |
| C1.1 | Form of Offer and Acceptance | Yellow |
| C1.2 | Contract Data | Yellow |
| C1.3 | Operational Health & Safety Specification | Yellow |
| C1.4 | ORTDM Supply Chain Management Policy | Yellow |
| C2.1 | Pricing Instructions | Yellow |
| C2.2 | Activity Schedule | Yellow |
| C3 | Scope of Work | Blue |
| C4 | Site Information | Green |
| C5 | Additional Relevant Documents | White |

T2.2.2

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

T1.1 TENDER NOTICE AND INVITATION TO TENDER

Tenders are hereby invited from suitably qualified and experienced contractors who are registered with CIDB for the **Call down and retainer scientific support services for the water and wastewater treatment plants and revival of water testing laboratories of the OR Tambo District Municipality**

| Project Number | Name and Description | Contract period |
|---------------------|---|-----------------|
| ORTDM SCMU 37-20/21 | PROVISION OF SCIENTIFIC SERVICES FOR MANAGEMENT OF WATER QUALITY FOR A PERIOD OF 36 MONTHS | 36 Months |

A compulsory clarification meeting with representatives of the client will take place at 10H00 on Friday, 11 December 2020 at the OR Tambo DM Municipal Offices, Myezo Park, Mthatha before proceeding to sites.

The municipality will not repeat any matters already covered in the compulsory briefing meeting to the bidders who arrive more than 10 minutes late to the meeting, nor will it allow such bidders to complete the attendance register. Any bid received from a bidder who did not attend the briefing meeting and sign the attendance register will not be considered and will be returned to the bidder unopened.

Bid documents may be downloaded on the e-Tender website (www.etenders.gov.za), or on the O.R Tambo District Municipality website (www.ortambodm.gov.za) at no Cost.

Bids must be completed tenders in black ink, enclosed in a sealed envelope and clearly marked with the “**Project number, project name and description**” must be placed in the tender box, Ground Floor, O. R. Tambo District Municipality Building, Nelson Mandela Drive, Myezo Park, Mthatha, Eastern Cape, not later than 12H00 Friday, 12 February 2021.

It must be expressly understood that the Municipality does not accept no responsibility for ensuring that bid submissions sent by courier or post, or delivered in any other way, are deposited in the Tender Box. It is therefore preferable for the bidder to ensure that its bid submission is placed in the Tender Box by its own staff or representative(s).

Tender submissions will be opened in public at **12H00 Friday, 12 February 2021**. Bids will be opened at the Ground Floor, O.R. Tambo House, Myezo, Mthatha. The Municipality reserves the right not to accept the only or lowest priced tender or any tender at all, or to accept the whole or part of any tender.

T2.2.3

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

RETURNABLE DOCUMENTS TO BE SUBMITTED WITH THE BID:

- Original or certified copy of BBBEE certificate, or sworn affidavit confirming annual total revenue and level of black ownership, if bidder is an Exempted Micro Enterprise (EME) or Qualified Small Enterprise (QSE);
- Certified copies of business registration documents, as issued by CIPC;
- Certified copy of identity documents of directors/ shareholders/ partners/ members, as the case may be.

INVALID OR NON-SUBMISSION OF THE FOLLOWING RETURNABLE DOCUMENTS WILL DISQUALIFY A BID SUBMISSION:

- CSD supplier number;
- Proof of latest municipal rates and taxes statement indicating that rates and taxes are not in arrears for more than 3 months for the company and its directors;
- Proof of registration with CIDB
- Audited annual financial statements of the bidding entity (for projects in excess of R10 million);
- Unaudited financial statements for close corporations, as required by the close corporation Act (if applicable);
- Joint Venture agreement or consortium, signed and initialled in each page (where applicable).

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT NO 5, 2000 (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS:-

THE BIDS WILL BE EVALUATED IN THREE STAGES, NAMELY:

- *Stage 1 - Prequalification criteria*
- *Stage 2- Functionality*
- *Stage 3- Price and BBBEE Points*

T2.2.4

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

STAGE 1 – PRE-QUALIFICATION CRITERIA

Mandatory compliance returnable documents.

- a) Tax Clearance Certificate or pin issued by SARS;
- b) Company registration documents
- c) Certified copies of the IDs of the member directors;
- d) A Central Suppliers Database (CSD) proof of registration;
- e) Certificate of good standing with rates and taxes of local authority for the company and directors (if leased, a letter from the landlord explaining who is responsible for paying municipal rates and taxes);

Failure to meet the pre-qualification criteria will render a bid non-responsive, and such bid will be disqualified and not proceed to be evaluated further.

STAGE 2 – FUNCTIONALITY

| Item | Weight |
|---|------------|
| Stage 2 of Evaluation-Functionality | 100 |
| • Company Experience with respect to similar projects | 30 |
| • Experience of key staff assigned to the contract | 25 |
| • Professional Registration of key staff | 15 |
| • Training of Laboratory QMS and Internal Auditing in accordance with ISO 17025 and 19011 | 10 |
| • Locality and Indemnity | 10 |
| • Methodology | 10 |
| Stage 3 of Evaluation- Price & B-BBEE | 100 |
| • B-BBEE | 20 |
| • Price | 80 |

Tenders may only be submitted on tender documentation issued. No late, faxed, e-mailed, or other form of tender will be accepted.

Technical enquiries: Mr S Nqiwa 047 5016509, or email: sinawo2014@gmail.com All **Supply Chain Management enquiries** may be directed to Mr. S. Hopa, telephone number 047 501 6448 / 6449 or email: sakhiwoh@ortambodm.gov.za during office hours: Monday to Friday 08H00-13H00 and 13H30-16H30.

Tenders will be evaluated in terms of the Supply Chain Management policy of the O. R. Tambo District Municipality and the lowest tender will not necessarily be and the right to accept the whole or part of any tender or not to consider any tender not suitably endorsed is fully accepted reserved by the O. R. Tambo

T2.2.5

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

District Municipality. A 80/20 point system shall apply where 80 points is for the price and 20 points is in terms of B-BBEE status level of contributor as follows:

| B-BBEE status level of contributor | Number of points |
|------------------------------------|------------------|
| 1 | 20 |
| 2 | 18 |
| 3 | 14 |
| 4 | 12 |
| 5 | 8 |
| 6 | 6 |
| 7 | 4 |
| 8 | 2 |
| Non-compliant contributor | 0 |

Joint Ventures will qualify for points for their BBBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such BBBEE scorecard is prepared for every separate tender.

F. Mphako
Acting Municipal Manager

T2.2.6

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

T1.2 TENDER DATA

The conditions of tender are the **Standard Conditions of Tender** as contained in Annexure F of the 30 January 2009 edition of the **CIDB Standard for Uniformity in Construction Procurement**. The Standard Conditions of Tender Procurements make several references to the Tender Data for details that apply specifically to the Tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of Tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

Please note that the word “Client” is used in this document and referred to as “Employer” in the Standard Conditions of Tender document.

| | |
|---------------|---|
| Clause Number | |
| F.1 | General |
| F.1.1 | The Client is: O. R. Tambo District Municipality Private Bag x 6043 Mthatha 5100 |
| F.1.2 | The Tender documents issued by the Client comprise: Tender T1.1 Tender Notice and invitation to tender T1.2 Tender Data T2.1 List of Returnable Documents T2.2 Returnable Documents for tender evaluation purposes T2.3 Returnable Documents to be incorporated into the contract |
| | Contract Part 1 : Agreements and Contract data C1.1 Forms of Offer and Acceptance C1.2 Contract Data C1.3 Occupational health and safety specification C1.4 O.R. Tambo District Municipality's Health and Safety Specification Part 2 : Pricing Data C2.1 Pricing Instructions C2.2 Bill of Quantities Part 3 : Scope of Work C3.1 Description of the Works C3.2 Applicable Standardised Specifications Part 4: Site Information Part 5: Additional Relevant Documents Part 6: Contract Drawings |
| F1.3 | Interpretation The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these tender conditions. |

T2.2.7

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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| F.1.4 | Communication: Communication with all stakeholders shall be through the O. R. Tambo Municipality's District representative. Communication's shall be in the English language. The Employer shall not take any responsibility for non-receipt of communications from or by a tenderer | |
| | Contact person: <u>Mr. Sinawo Nqiwa</u> Tel: 047 501 6509 | |
| F.1.5 | The employer's right to accept or reject any tender offer | |
| F.1.5.1 | Reject or accept The employer may 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 employer shall not accept or incur any liability to a tenderer for such a cancellation and rejection, but will give written reasons for such action upon written request to do so. | |
| F.1.6 | Procurement procedures | |
| F.1.6.1 | a contract will, subject to F.3.13, be concluded with the tenderer who in terms of F.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders. | |
| F.2 | Tenderer's obligations | |
| F.2.1.1 | Eligibility Only tenders who are registered with scientific professional body and/or have in their employ management and supervisory staff who are registered with a relevant scientific professional bod and have qualifications satisfying the requirement of the scope of work competencies for supervisory and management staff, undertake scientific support services and respond to call down are eligible to submit tenders. | |
| F.2.1.2 | CIDB Grading Not Applicable | |
| F.2.2 | Cost of tendering Accept that the Employer will not compensate the tenderers for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer satisfy requirements. | |
| F.2.3 | Check documents Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission. | |
| F.2.4 | Confidentiality and copyright Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation. | |
| F.2.5 | Reference documents Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference. | |
| F2.6 | Acknowledge Addenda Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension of the closing time stated in the tender data, in order to take the addenda into account. | |
| F.2.7 | The arrangements for a compulsory clarification meeting are: | |
| | Date: Friday, 11 December 2020 | Location: OR Tambo DM Municipal Offices, Myezo Park, Mthatha. |

T2.2.8

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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| | Starting time: 10h00 |
| F.2.8 | Seek clarification Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data. |
| F2.10 | Pricing the tender |
| F.2.10.1 | Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data. |
| F.2.10.2 | Show VAT payable by the employer separately as an addition to the tendered total of the prices. |
| F.2.10.3 | Provide rates and prices that are fixed for the duration of the Contract, and not subject to adjustment except as provided for in the conditions of contract identified in the contract data. |
| F.2.10.4 | State the rates and prices in South African Rand |
| F2.11 | Alterations to documents Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations. Erasures and the use of masking fluid are prohibited. |
| F.2.12 | Alternative tender offers Alternative offers may be submitted only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender documents with the alternative requirements the tenderer proposes. |
| F.2.13.5 | The Client's address for delivery of Tender offers and identification details to be shown on each Tender offer package are: Location of Tender box: Tender Box, Ground Floor, O. R. Tambo District Municipality Building, Nelson Mandela Drive, Myezo Park, Mthatha, Eastern Cape. Physical address: O. R. Tambo House, Nelson Mandela Drive, Mthatha |
| F.2.14 | Information and data to be completed in all respects Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive. |
| F.2.15 | Closing time The closing times for submission of Tenders are 12H00 on Friday, 12 February 2021. |
| F.2.15 | Telephonic, telegraphic, telex, facsimile or e-mailed Bid offers will not be accepted. |
| F.2.16 | Tender offer validity The Tender offer validity period is 90 Days as stated in the tender data. |
| F.2.17 | Clarification of tender offer after submission The tenderer shall provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted. |
| F.2.18 | Provide other material The tenderer shall, when requested by the Employer to do so, Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive. |

T2.2.9

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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| F2.20 | Submit securities, bonds, policies Submit to the employer before formation of the contract, certificates of insurance required in terms of the conditions of contract identified in the contract data. |
| F.2.23 | The tenderer is required to submit with his tender: (1) An original Tax Verification Pin issued by the South African Revenue Services; and (2) Certified copy of the original of all the Companies / CC Registration documents. (3) Joint Venture Agreement where applicable in CIDB format (signed and initialled on each page). (4) Certified copies of the original green bar-coded ID copies of Members of the companies. |
| F.3 | The employer's undertakings |
| F.3.1 | Respond to requests from the tenderer |
| F.3.1.1 | Respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents. |
| F.3.2 | Issue Addenda If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents. |
| F.3.4 | Opening of tender submissions |
| F.3.4.1 | The employer shall open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened. |
| F.3.4.2 | Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened and, where applicable, the total of his prices, preferences claimed and time for completion for the main tender offer only. |
| F.3.4.3 | The client shall not be obliged to make available the record outlined in F.3.4.2 to any tenderer who fail to attend the tender opening. |
| F.3.6 | Non-disclosure The client shall not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer. |
| F.3.7 | Grounds for rejection and disqualification Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices. |
| F3.9 | Arithmetical errors, omissions and discrepancies |
| F.3.9.1 | Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern. |
| F.3.9.2 | Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with F.3.11 for: a) the gross misplacement of the decimal point in any unit rate; b) omissions made in completing the pricing schedule or bills of quantities; or |

T2.2.10

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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| | <p>c) arithmetic errors in:</p> <p>i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or</p> <p>ii) The summation of the prices.</p> |
| F.3.9.3 | Notify the tenderer of all errors or omissions that are identified in the tender offer and invite the tenderer to either confirm the tender offer as tendered or accept the corrected total of prices. |
| F.3.9.4 | <p>Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:</p> <p>a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.</p> <p>b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.</p> |
| F.3.10 | <p>Clarification of a tender offer</p> <p>Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.</p> |
| F3.11 | <p>Evaluation of tender offers</p> <p><i>Replace the contents of the entire sub-clause with the following:</i></p> <p>The procedure for evaluation of responsive tender offers will be method 2 of table F.1 of SANS 294: 2004. Financial offer & Preferences. The bid will be awarded to the bidder who has scored the highest points for price and preferences combined BUT the prerequisite will be to obtain at least 70 points for quality (functionality), which will be explained in Stage 2 below.</p> <p>Nevertheless, O. R. Tambo District Municipality retains the right to accept any bid.</p> <p>C. First stage in evaluation: Compliance with Bid Rules and other Requirements</p> <p>The bids will be checked to ensure that they comply with the bid rules and all other requirements of the project document. In particular the following documentation must be completed and/or included within the bid.</p> <ul style="list-style-type: none"> ● The form of Offer and acceptance ● Audited financial statements for any tender price over R10million ● Certified company registration documents and ID of members ● Form C: Compulsory Enterprise Questionnaire ● Form D: Certificate of Authority for Signature ● Form E: Amendments, Qualifications and Alternatives ● Form H: Certificate of Good Standing ● Form I: Relevant experience ● Form J: Details of key staff and CVs ● Form M: Preference Points Claim Form in Terms of the Preferential Procurement Regulations 2011 <p>Note:</p> <ul style="list-style-type: none"> ● All information supporting the above forms such as Curricula Vitae of staff who will work on the project and their functions, details of ownership, relevant experience etc. ● Addenda issued during the bid period, if any. ● The pricing schedule <p>Failure to supply the required information will compromise the bid</p> <p>D. Next Stage in Evaluation: Pre-qualification; Quality / Functionality; Price & BBBEE Status Level</p> <p>The next state in the evaluation process will consist of three stages, as follows:</p> |

T2.2.11

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

STAGE 1: PRE-QUALIFICATION CRITERIA
BIDDERS MUST SUBMIT THE FOLLOWING DOCUMENTS:

- a) Tax Clearance Certificate or pin issued by SARS;
- b) Company registration documents
- c) Certified copies of the IDs of the member directors;
- d) A Central Suppliers Database (CSD) proof of registration;
- e) Certificate of good standing with rates and taxes of local authority for the company and directors (if leased, a letter from the landlord explaining who is responsible for paying municipal rates and taxes);

Failure to submit the required documentation listed in (a) to (e) above **WILL** lead to disqualification.

STAGE 2: FUNCTIONALITY/QUALITY EVALUATION
PROPOSED APPROACH, CONSULTANTS RATES AND PROGRAMME

The bidder is required to develop a detailed methodology responding to the scope of works, implementation approach and resources allocation, a proposed consultants rates as per pricing schedule. Disbursements claims will be assessed against costs incurred by the service provider per instruction being executed

It is envisaged that consultant/s will demonstrate a comprehensive understanding of water services.

The following experience and expertise are required for these tasks:

- (a) Experience in the water sector
 - i. Water quality compliance
 - ii. Green drop certification system
 - iii. Water quality assessments and monitoring
 - iv. Blue and Green Drop certification requirements
 - v. National Water Act and Water Services Act
 - vi. Water By-laws
- (b) Freshwater ecology
- (c) Integrated water quality management
- (d) Environmental management
- (e) Experience in working with local government
- (f) Thorough understanding of all water services policy and legislation

REQUIRED CAPACITY, QUALIFICATIONS, EXPERIENCE AND TRACK RECORD

It is important that the bidder demonstrates that they have suitable capacity, qualifications, experience and track record to undertake the project. The project team must demonstrate capacity/expertise in economic and social research. Specifically:

- Capacity: Bidders must demonstrate that they have adequate human and other resources to dedicate to the project – **3 to 5 personnel (Lead scientist should have a PhD in Water Science or related field, Lead Inspector should have MSc degree with PhD added advantage and Scientist with PhD and all should be registered with SACNASP);**
- Qualifications & Professional Experience: Bidders must demonstrate that

T2.2.12

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

their team members or managers assigned to this project have the necessary qualifications and experience to undertake such a project. **(Team leader at least MSc Water Science qualification)**

- Experience & Track Records: Bidders must demonstrate that they have more than **3 years'** previous relevant experience as a bidder, alternatively that the team members have such experience; and have a track record of more than **5 years** and above in similar projects.
- Locality – Preferential points will be given to suppliers residing in the Eastern Cape.
- Please provide at least 3 contactable references for the similar work undertaken.

| ITEM | WEIGHT |
|---|------------|
| Functionality (see detailed criteria below) | 100 |
| • Experience with respect to similar projects | 30 |
| • Experience of key staff assigned to the contract | 25 |
| • Professional Registration of key staff | 15 |
| • Training of Laboratory QMS and Internal Auditing in accordance with ISO 17025 and 19011 | 10 |
| • Locality and Indemnity | 10 |
| • Methodology | 10 |

Only bidders who score **70 points or more** on stage 2 will be evaluated further and therefore eligible for award.

The maximum score for functionality shall be 100, distributed as follows:

Tender functionality / quality claimed

| | Category of Quality / Functionality | Maximum tender evaluation points Provided |
|-------------|---|---|
| B1.1 | Company Experience on Similar Projects | 10 max |
| | Bidders to submit proof of experience which must entail the following detail: Signed Appointment and/or Recommendation letter of previous contracts held – Detail, Duration, Contact details of references. (signed list of projects showing relevant experience over a period with a bidder company stamp) | |
| | Company demonstrate 5 years or greater track record in conducting projects of this nature | 10 |
| | Company demonstrate a greater than 2 year but less than 4 years track record in conducting projects of this nature | 5 |
| | Company demonstrate 1 to 2 year track record in conducting projects of this nature | 1 |
| | Company have no previous track record in conducting projects of this nature | 0 |
| | Experience of the entity in water quality management with relevance to blue/green drop management and water laboratory support Appointment letters and/or Recommendation letters related to Blue/Green Drop projects | 10 max |
| | 5 or higher Projects | 10 |
| | 4 Projects | 5 |
| | 2 -3 Projects | 1 |
| | 1 Projects | 0 |

T2.2.13

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

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| | <p>Experience of the entity in water quality management with relevance to call down/emergency response for similar call. Appointment letters related to Water Services Call down/emergency support (1 letter per project)</p> | 10 max |
| | 3 or higher Projects | 10 |
| | 2 Projects | 5 |
| | 1 Projects | 1 |
| | 0 Projects | 0 |
| | | |
| B1.2 | Experience of Key Staff Assigned to the Contract | 25 max |
| | <p>Experience of key personnel (NB no key personnel member may be assigned more than one duty on the Contract, i.e. different personnel must be assigned for each of the following key positions) Attach CVs with Certified Copies of Qualifications:</p> | |
| | Lead Scientist with 8 years or more experience (PhD - 15 points; MSc - 8 points; other - 3 point; no degree – 0 point) | 15 |
| | Lead Inspector with 8 years or more experience (PhD/ MSc - 5 points; other - 3 points; no degree – 0 points) | 5 |
| | Laboratory Scientist with 8 years or more experience (PhD/MSc - 5 points; Other - 3 points) | 5 |
| | <p>Professional Registration of key staff SACNASP (Pr.Sci.Nat - 5 points; Can.Sci.Nat and Cert.Sci.Nat - 0 points)</p> | |
| | Lead Scientist | 5 |
| | Lead Inspector | 5 |
| | Laboratory Scientist | 5 |
| B1.3 | Training of Laboratory QMS and Internal Auditing in accordance with ISO 17025 and 19011 | 10 max |
| | Possess either Lab QMS ISO 17025 or Internal Audit ISO 19011 | 5 |
| | Possess both Lab QMS ISO 17025 and Internal Audit ISO 19011 | 10 |
| B1.4 | Locality and Indemnity | 10 max |
| | Professional Indemnity of R2 Million or higher | 5 |
| | Professional Indemnity Lower than R2 Million | 0 |
| | <p>Locality: Resides within the Eastern Cape province (Certified copy proof of address attached). Address to correspond to the CK certificate address</p> | 5 |
| B1.5 | Methodology | 10 max |
| | A clear step by step process with Response to scope of works, clear timelines, clear deliverables and a Gantt Chart. | 10 |
| | A step by step process with Response to scope of works, timelines, clear deliverables and a Gantt Chart but lacking organisational detail | 5 |
| | No clear step by step process with Response to scope of works, no clear timelines, and a Gantt Chart. | 0 |

T2.2.14

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

| | |
|--------------|------------|
| TOTAL | 100 |
|--------------|------------|

STAGE 3: EVALUATION FOR PRICE AND PREFERENCE (80/20)

The procedure for Stage 3 of evaluation of responsive tenders is **Method 2**

a) PRICE:..... 80

a) B-BBEE STATUS LEVEL OF CONTRIBUTION:..... 20

Points Awarded for Price (Ps)

A total of 80 points will be awarded to the Tenderer with the lowest balanced price. The **other tenders will be awarded points on the ratio to bench mark price as follows:**

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

Where

Ps = Points scored for price of bid under consideration

Pt = Rand value of bid under consideration

Pmin = Rand value of lowest acceptable bid

b) Points awarded for B-BBEE Status Level of Contribution

In terms of Regulation 5 (2) and 6 (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 |

The total calculated points will be rounded to the second decimal place.

| | |
|---------|---|
| F.3.13 | Acceptance of tender offer |
| F3.13.1 | <p>Accept the tender offer, if in the opinion of the employer, it does not present any unacceptable commercial risk and only if the tenderer:</p> <ul style="list-style-type: none"> a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement, b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract, c) has the legal capacity to enter into the contract, d) is not 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 any of the foregoing, e) complies with the legal requirements, if any, stated in the tender data, and f) Is able, in the opinion of the employer, to perform the contract free of conflicts of interest. |
| `` | Notify the successful tenderer of the employer's acceptance of his tender offer by completing and |

T2.2.15

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

| | |
|--------|---|
| | returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful tenderer as described in the form of offer and acceptance. |
| F.3.14 | <p>Notice to unsuccessful tenderers</p> <p>After the successful tenderer has acknowledged the employer's notice of acceptance, after written request, the employer will notify the tenderers that their tender offers have not been accepted in O.R Tambo District Municipality's website: www.ortambodm.org.za by listing the successful tender.</p> |
| F.3.15 | <p>Prepare contract documents</p> <p>If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:</p> <ul style="list-style-type: none"> a) addenda issued during the tender period, b) inclusion of some of the returnable documents, c) other revisions agreed between the employer and the successful tenderer, and d) The schedule of deviations attached to the form of offer and acceptance, if any. |
| F.3.16 | <p>Issue final contract</p> <p>Prepare and issue the final draft of the contract to the successful tenderer for acceptance as soon as possible after the date of the employer's signing of the form of offer and acceptance (including the schedule of deviations, if any).</p> |

T2.2.16

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

T2.1 LIST OF RETURNABLE DOCUMENTS

The Tenderer must complete the following returnable documents:

| T2.2 Returnable Documents required for Tender evaluation purposes | | |
|--|-------------|--|
| 1 | Form 2.2.1 | General Information of the Tenderer |
| 2 | Form 2.2.2 | Authority for Signatory |
| 3 | Form 2.2.3 | Schedule of Previous Experience |
| 4 | Form 2.2.4 | Schedule of Current Projects |
| 5 | Form 2.2.5 | Declaration of good standing regarding tax |
| 6 | Form 2.2.6 | Certificate of Attendance at Site Meeting |
| 7 | Form 2.2.7 | Proposed Key Personnel |
| 8 | Form 2.2.8 | Schedule Equipment to be used |
| 9 | Form 2.2.9 | Schedule of Proposed Sub-Contractors |
| 10 | Form 2.2.10 | Financial References |

| T2.3 Returnable Documents that will be incorporated into the contract | | |
|--|------------|---------------------------------------|
| 1 | Form 2.3.1 | Record of Addenda to Tender Documents |
| 2 | Form 2.3.2 | Procurement Form |

T2.2.17

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

T2.2 RETURNABLE DOCUMENTS

RETURNABLE DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES

- Form 2.2.1 General Information of Tenderer
 - Form 2.2.2 Authority of Signatory
 - Form 2.2.3 Schedule of Previous Experience
 - Form 2.2.4 Schedule of Current Projects
 - Form 2.2.5 Declaration of good standing regarding tax
 - Form 2.2.6 Registration on the Central Supplier Database
 - Form 2.2.7 Certificate of Attendance at Site Meeting
 - Form 2.2.8 Proposed Key Personnel
 - Form 2.2.9 Schedule of Proposed Sub-consultants
 - Form 2.2.10 Financial References
 - Form 2.2.11 Declaration of interest

FORM 2.2.1 GENERAL INFORMATION OF TENDERER

1. Name of Tenderer:

2. Contact details

Address :

Tel no :

Fax no :

Cell no :

E-mail address:

3. Legal entity: Mark with an X.

| | |
|-------------------|--|
| Sole proprietor | |
| Partnership | |
| Close corporation | |
| Company (Pty) Ltd | |
| Joint venture | |

In the case of a Joint venture, provide details on joint venture members:

| Joint venture member | Type of entity (as defined above) |
|----------------------|-----------------------------------|
| | |
| | |

4. Income tax reference number:.....

(in case of a joint venture, provide for all joint venture members)

5. Municipal services area where the enterprise is registered:.....

T2.2.2

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Contractor

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2

(in case of a joint venture, provide for all joint venture members)

6. Company / close corporation Registration Number:.....

(in case of a joint venture, provide for all joint venture members)

7. VAT Registration number:

(in case of a joint venture, provide for all joint venture members)

8. CIDB registration number:.....

(in case of a joint venture, provide for all joint venture members).

T2.2.3

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Contractor

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Witness 1

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Witness 2

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Employer

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Witness 1

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Witness 2

ATTACH THE FOLLOWING DOCUMENTS HERETO

1. For Closed Corporations

Certified copies of CK1 or CK2 as applicable (Founding Statement)

2. For Companies

Certified copies of Shareholders register

3. ID copies

Certified ID Copies for members

4. CSD registration

Proof of registration with Central Supplier Database

5. For Joint Venture Agreements

Copy of the Joint Venture Agreement between all the parties, as well as the certified documents in (1), and or (2) and (4) and (4) of each Joint Venture member.

6. Copy of the latest municipal service account where enterprise is registered

7. Central Supplier Database Summary Report

T2.2.4

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.2 AUTHORITY OF SIGNATORY

Details of person responsible for tender process:

Name :

Contact number :

Office address :

Signatories for close corporations and companies shall confirm their authority by attaching to this form a **duly signed and dated original or certified copy** of the relevant resolution of their members or their board of directors, as the case may be.

"By resolution of the board of directors passed on *(date)*

Mr

has been duly authorized to sign all documents in connection with the Tender for Contract Numberand any Contract which may arise there from on behalf of

(BLOCK CAPTIALS)

SIGNED ON BEHALF OF THE COMPANY

IN HIS CAPACITY AS

DATE

FULL NAMES OF SIGNATORY

AS WITNESSES: 1.

2.

FORM 2.2.3 CERTIFICATE OF AUTHORITY FOR JOINT VENTURES

This Returnable Schedule is to be completed by joint ventures.

We, the undersigned, are submitting this tender offer 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 the tender offer and any contract resulting from it on our behalf.

| NAME OF FIRM | ADDRESS | DULY AUTHORISED SIGNATORY |
|--|---------|---|
| Lead partner registration no | | Signature. Name Designation..... |
| registration no | | Signature. Name Designation..... |
| registration no | | Signature. Name Designation..... |
| registration no | | Signature. Name Designation..... |

T2.2.2

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

ATTACH HERETO THE DULY SIGNED AND DATED
ORIGINAL OR CERTIFIED COPY OF AUTHORITY OF
SIGNATORY ON COMPANY LETTERHEAD

T2.2.3

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.4 SCHEDULE OF PREVIOUS EXPERIENCE

Provide the following information on relevant previous experience (indicate specifically projects of similar or larger size and/or which is similar with regard to type of work).

| Description | Value (R) VAT excluded | Year(s) work executed | Reference | | |
|-------------|---------------------------|-----------------------------|-----------|--------------|--------|
| | | | Name | Organisation | Tel no |
| | | | | | |
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Name of Tenderer: Date:

Signature :

Full name of signatory:

FORM 2.2.5 SCHEDULE OF CURRENT PROJECTS

Provide the following information on current relevant projects. This information is material to the award of the Contract.

| Description | Value (R) VAT excluded | Date Appointed | Reference | | |
|-------------|---------------------------|-------------------|-----------|--------------|--------|
| | | | Name | Organisation | Tel no |
| | | | | | |
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Name of Tenderer: Date:

Signature :

Full name of signatory:

T2.2.2

Contractor *Witness 1* *Witness 2* *Employer* *Witness 1* *Witness 2*

FORM 2.2.6 DECLARATION OF GOOD STANDING REGARDING TAX

| | | | | | | | | | | | | | | | | |
|---|---|----------------------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| SOUTH AFRICAN REVENUE SERVICES | Tender No: Closing Date: | | | | | | | | | | | | | | | |
| DECLARATION OF GOOD STANDING REGARDING TAX | | | | | | | | | | | | | | | | |
| PARTICULARS | | | | | | | | | | | | | | | | |
| 1. Name of Taxpayer/Tenderer: | | | | | | | | | | | | | | | | |
| 2. Trade Name: | | | | | | | | | | | | | | | | |
| 3. Identification Number: (If applicable) | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 4. Company / Close Corporation registration number: | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 5. Income Tax reference number: | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 6. VAT registration number: (If applicable) | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 7. PAYE employer's registration number: (If applicable) | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td><td style="width: 12.5%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| 8. Monetary value of Bid: | <table border="1" style="width: 100%; height: 15px;"> <tr> <td style="width: 100%;"></td> </tr> </table> | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | |
| DECLARATION | | | | | | | | | | | | | | | | |
| <p>I, the undersigned, the above taxpayer/Bidder, hereby declare that my Income Tax, Pay-As-You-Earn (PAYE) and Value-Added-Tax (VAT) obligations of the above-mentioned taxpayer, which include the rendition of returns and payment of the relevant taxes:</p> <p>(i) Have been satisfied in terms of the relevant Acts; or</p> <p>(ii) That suitable arrangements have been made with the Receiver of Revenue,..... to satisfy them.*</p> | | | | | | | | | | | | | | | | |
| SIGNATURE | CAPACITY | DATE | | | | | | | | | | | | | | |
| <p>PLEASE NOTE:* The declaration (ii) cannot be made unless formal arrangements have been made with the Receiver of Revenue with regard to any outstanding revenue/outstanding tax returns.</p> | | | | | | | | | | | | | | | | |

T2.2.3

| | | | | | |
|---|---|---|---|---|---|
| <div style="border: 1px solid black; width: 100%; height: 25px;"></div> | <div style="border: 1px solid black; width: 100%; height: 25px;"></div> | <div style="border: 1px solid black; width: 100%; height: 25px;"></div> | <div style="border: 1px solid black; width: 100%; height: 25px;"></div> | <div style="border: 1px solid black; width: 100%; height: 25px;"></div> | <div style="border: 1px solid black; width: 100%; height: 25px;"></div> |
| <i>Contractor</i> | <i>Witness 1</i> | <i>Witness 2</i> | <i>Employer</i> | <i>Witness 1</i> | <i>Witness 2</i> |

ATTACH ORIGINAL

VALID TAX VERIFICATION PIN

T2.2.4

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.7 REGISTRATION ON THE CENTRAL SUPPLIER DATABASE

Attach proof of registration with the Central Supplier Database. **This information is material to the award of the Contract.**

ATTACHED CERTIFICATE PROOF OF REGISTRATION ON THE NATIONAL CENTRAL SUPPLIER DATABASE

T2.2.5

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.8 CERTIFICATE OF ATTENDANCE AT SITE MEETING

This is to certify that I, (Name) duly authorised
representative of(Tenderer)

Address:

Date: Visited the site on(date) in the
presence of(municipal representative)

I have made myself familiar with the sites and all the local conditions likely to influence the work and the cost thereof.

I further certify that I am satisfied with the description of the work and explanations given by the said municipal representative and that I understand perfectly the work to be done, as specified and implied, in the execution of this contract.

REPRESENTATIVE OF EMPLOYER

REPRESENTATIVE OF TENDERER

T2.2.6

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.9 PROPOSED KEY PERSONNEL

The Tenderer shall list below the key personnel **(including first nominee and the second choice alternate) including CV's**, whom he proposes to employ on the project should his Tender be accepted, both at his headquarters and on the Site, to direct and for the execution of the work, together with their qualifications, experience, professional registration, positions held and their nationalities.

| No | Name | Qualification | Designation | YEARS WITH CURRENT COMPANY |
|----|------|---------------|-------------|----------------------------|
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Name of Tenderer:

Date: Signature :.....

Full name of signatory:

T2.2.7

Contractor

Witness 1

Witness 2

Employer

Witness 1

Witness 2

FORM 2.2.10 SCHEDULE OF PROPOSED SUB-CONTRACTORS

| NAME OF SUB-CONTRACTOR | FULL DESCRIPTION OF WORK TO BE PERFORMED BY SUB- CONTRACTORS |
|------------------------|--|
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Acceptance of this tender shall not be construed as approval of all or any of the listed subcontractors. Should any of the subcontractors not be approved subsequent to acceptance of the tender, this shall in no way invalidate this tender, and the tendered unit rates for the various items of work shall remain final and binding, even in the event of a subcontractor not listed above being approved by the municipal authority.

Name of Tenderer: Date:

Signature :

Full name of signatory:

FORM 2.2.11 FINANCIAL REFERENCES

FINANCIAL STATEMENTS

I/We agree to furnish an audited copy of the latest set of financial statements together with my/our Directors' and Auditors' report for consideration by the Client.

DETAILS OF TENDERERS BANKING INFORMATION

I/We hereby authorise the Client/Engineer to approach all or any of the following banks for the purposes of obtaining a financial reference:

| | | | | | | | | | |
|---|--|------------|--------------------------|-------------|--------------------------|--------------|--------------------------|---------------------|--------------------------|
| BANK NAME: | | | | | | | | | |
| ACCOUNT NAME: (e.g. ABC Labs cc) | | | | | | | | | |
| ACCOUNT TYPE: (e.g. Savings, Cheque etc) | | | | | | | | | |
| ACCOUNT NO: | | | | | | | | | |
| ADDRESS OF BANK: | | | | | | | | | |
| CONTACT PERSON: | | | | | | | | | |
| TEL. NO. OF BANK / CONTACT: | | | | | | | | | |
| How long has this account been in existence: | <table border="1"> <tr> <td>0-6 months</td> <td><input type="checkbox"/></td> </tr> <tr> <td>7-12 months</td> <td><input type="checkbox"/></td> </tr> <tr> <td>13-24 months</td> <td><input type="checkbox"/></td> </tr> <tr> <td>More than 24 months</td> <td><input type="checkbox"/></td> </tr> </table> <p>(Tick which is appropriate)</p> | 0-6 months | <input type="checkbox"/> | 7-12 months | <input type="checkbox"/> | 13-24 months | <input type="checkbox"/> | More than 24 months | <input type="checkbox"/> |
| 0-6 months | <input type="checkbox"/> | | | | | | | | |
| 7-12 months | <input type="checkbox"/> | | | | | | | | |
| 13-24 months | <input type="checkbox"/> | | | | | | | | |
| More than 24 months | <input type="checkbox"/> | | | | | | | | |

Name of Tenderer: Date:

Signature :

Full name of signatory:

ATTACH AUDITED
FINANCIAL STATEMENTS

FORM 2.2.12 MUNICIPAL BIDDING DOCUMENTS

MBD 1

PART A INVITATION TO BID

| | | | | | |
|---|--|---------------|------------------|---------------|---------|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF O.R. TAMBO DISTRICT MUNICIPALITY | | | | | |
| BID NUMBER: | ORTDM SCMU 37-20/21 | CLOSING DATE: | 12 FEBRUARY 2021 | CLOSING TIME: | 12.00PM |
| DESCRIPTION: | Provision of scientific services for management of water quality for a period of 36 months | | | | |

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

TENDER BOX, GROUND FLOOR, O.R. TAMBO DISTRICT MUNICIPALITY BUILDING

NELSON MANDELA DRIVE , MYEZO PARK, MTHATHA

EASTERN CAPE

SUPPLIER INFORMATION

| | | | |
|---|--|--|--|
| NAME OF BIDDER | | | |
| POSTAL ADDRESS | | | |
| STREET ADDRESS | | | |
| TELEPHONE NUMBER | CODE | | NUMBER |
| CELLPHONE NUMBER | | | |
| FACSIMILE NUMBER | CODE | | NUMBER |
| E-MAIL ADDRESS | | | |
| VAT REGISTRATION NUMBER | | | |
| TAX COMPLIANCE STATUS | TCS PIN: | | 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 |
| [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 |
| TOTAL NUMBER OF ITEMS OFFERED | | TOTAL BID PRICE | R |
| SIGNATURE OF BIDDER | | DATE | |
| CAPACITY UNDER WHICH THIS BID IS SIGNED | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO: | | TECHNICAL INFORMATION MAY BE DIRECTED TO: | |
| DEPARTMENT | SCM DEPARTMENT | CONTACT PERSON | MR. S NQIWA |
| CONTACT PERSON | MR. SAKHIWO HOPA | TELEPHONE NUMBER | 047 501 6509 |
| TELEPHONE NUMBER | 047 501 6448/6449 | FACSIMILE NUMBER | N/A |
| FACSIMILE NUMBER | N/A | E-MAIL ADDRESS | sinawo2014@gmail.com |
| E-MAIL ADDRESS | sakhiwoh@ortambodm.gov.za | | |

PART B
TERMS AND CONDITIONS FOR BIDDING

| | |
|--|--|
| 1. BID SUBMISSION: | |
| 1.1. | BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. |
| 1.2. | ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED). |
| 1.3. | THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |
| 2. TAX COMPLIANCE REQUIREMENTS | |
| 2.1 | BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. |
| 2.2 | BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS. |
| 2.3 | APPLICATION FOR THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA . |
| 2.4 | FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B:3. |
| 2.5 | BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. |
| 2.6 | IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. |
| 2.7 | WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. |
| 3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | |
| 3.1. | IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.2. | DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.3. | DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.4. | DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| 3.5. | IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE. | |

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

NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

DATE:

DECLARATION OF INTEREST

1. No bid will be accepted from persons in the service of the state¹.
2. Any person, having a kinship with persons in the service of the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid. In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons connected with or related to persons in service of the state, it is required that the bidder or their authorised representative declare their position in relation to the evaluating/adjudicating authority.
3. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

3.1 Full Name of bidder or his or her representative:

3.2 Identity Number:

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

3.4 Company Registration Number:

3.5 Tax Reference Number:

3.6 VAT Registration Number:

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

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

3.8.1 If yes, furnish articular.....
.....

¹ MSCM Regulations: “in the service of the state” means to be –

- (a) a member of –
 - I. any municipal council;
 - II. any provincial legislature; or
 - III. the national Assembly or the national Council of provinces;
- (b) a member of the board of directors of any municipal entity;
- (c) an official of any municipality or municipal entity;
- (d) an employee of any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999);
- (e) a member of the accounting authority of any national or provincial public entity; or
- (f) an employee of Parliament or a provincial legislature.

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

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

3.9.1 If yes, furnish particulars

.....
.....

3.10 Do you have any relationship (family, friend, other) with persons in the service of the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

3.10.1 If yes, furnish particulars

.....

3.11 Are you, aware of any relationship (family, friend, other) between any other bidder and any persons in the service of the state who may be involved with the evaluation and or adjudication of this bid?..... **YES / NO**

3.11.1 If yes, furnish particulars.....

.....

3.12 Are any of the company’s directors, trustees, managers, principle shareholders or stakeholders in service of the state **YES / NO**

3.12.1 If yes, furnish particular

.....

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

3.13.1 If yes, furnish particulars.....

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

3.14.1 If yes, furnish particulars.....

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

| Full name | Identity number | State employee number |
|-----------|-----------------|-----------------------|
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

DECLARATION FOR PROCUREMENT ABOVE R10 MILLION (ALL APPLICABLE TAXES INCLUDED)

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

| NO. | QUESTION | ANSWER (TICK WHICH RESPONSE IS APPLICABLE) | |
|-----|--|--|----|
| | | YES | NO |
| 1. | Are you by law required to prepare annual financial statements? | | |
| 1.1 | If yes, submit audited annual financial statements for the past three years or since the date of establishment if established during the last 3 years. | | |

| NO. | QUESTION | ANSWER (TICK WHICH RESPONSE IS APPLICABLE) | |
|-----|--|--|----|
| | | YES | NO |
| 2. | Do you have any outstanding undisputed commitments for municipal services towards any municipality for more than 3 months or any other service provider in respect of which payment is overdue for more than 30 days? | | |
| 2.1 | If no, this serves to certify that the bidder has no undisputed commitments for municipal services towards any municipality for more than 3 months or other service provider in respect of which payment is overdue for more than 30 days. | | |
| 2.2 | If yes, provide details: | | |

| NO. | QUESTION | ANSWER (TICK WHICH RESPONSE IS APPLICABLE) | |
|-----|--|--|----|
| | | YES | NO |
| 3. | Has any contract been awarded to you by an organ of state during the past five years, including particulars of any material non-compliance or dispute concerning the execution of such contract? | | |
| 3.1 | If yes, provide details: | | |

| NO. | QUESTION | ANSWER (TICK WHICH RESPONSE IS APPLICABLE) | |
|-----|--|--|----|
| | | YES | NO |
| 4. | Will any portion of the goods or services be sourced from outside the Republic, and if so, what portion, and whether any portion of payment from the municipality is expected to be transferred outside of the Republic? | | |
| 4.1 | If yes, provide details: | | |

CERTIFICATION

I, THE UNDERSIGNED (NAME)

.....

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Municipal Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by municipalities and municipal entities in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be rejected if that bidder, or any of its directors have:
 - a. abused the municipality's / municipal entity's supply chain management system or committed any improper conduct in relation to such system;
 - b. been convicted for fraud or corruption during the past five years;
 - c. willfully neglected, reneged on or failed to comply with any government, municipal or other public
 - d. sector contract during the past five years; or
 - e. been listed in the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004).
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

| Item | Question | Yes | No |
|-------|--|---------------------------------|--------------------------------|
| 4.1 | <p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (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)? 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 | Was the bidder or any of its directors convicted by a court of law | Yes | No |

| | | | |
|-------|--|---------------------------------|--------------------------------|
| | (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years? | <input type="checkbox"/> | <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | Does the bidder or any of its directors owe any municipal rates and taxes or municipal charges to the municipality / municipal entity, or to any other municipality / municipal entity, that is in arrears for more than three months? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: | | |
| 4.5 | Was any contract between the bidder and the municipality / municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.7.1 | If so, furnish particulars: | | |

CERTIFICATION

I, the undersigned (full name) certify that the information furnished on this declaration form true and correct.

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid: **PROJECT NO.: ORTDM SCMU 37-20/21: PROVISION OF SCIENTIFIC SERVICES FOR MANAGEMENT OF WATER QUALITY FOR A PERIOD OF 36 MONTHS** in response to the invitation for the bid made by: **O.R. TAMBO DISTRICT MUNICIPALITY** 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 Bidder

T2.3 RETURNABLE DOCUMENTS

RETURNABLE DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT

- Form 2.3.1 Record of Addenda to Tender Documents
- Form 2.3.2 Procurement Form

FORM 2.3.1 RECORD OF ADDENDA TO TENDER DOCUMENTS

(Addenda received from Engineer for amendments on Tender Documentation)

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

Name of Tenderer:

Date:

Signature :

Full name of signatory:

FORM 2.3.2 PROCUREMENT FORM

Acceptable Tenders will be evaluated using a system that awards points on the basis of Tender price and the meeting of specific goals.

DEFINITIONS

“Acceptable Tender” means any Tender which, in all respects, complies with the conditions of Tender and specifications as set out in the Tender document, including conditions as specified in the Preferential Procurement Policy Framework Act (Act 5 of 2000) and the Supply Chain Management of Council.

“Council” refers to the **OR TAMBO DISTRICT** Municipality.

“Equity ownership” refers to the percentage ownership and control, exercised by individuals within an enterprise and they are involved in the day to day running of the Company.

“HDI equity ownership” refers to the percentage of an enterprise, which is owned by individuals, or in the case of a company, the percentage shares that are owned by individuals meeting the requirements of the definition of a HDI.

“Historically disadvantaged individuals (HDIs)” means all South African citizens –

- (i) Who had no franchise in national elections prior to the introduction of the 1983 and 1993 constitutions (Referred to as Previously Disadvantaged Individuals (PDIs) in this document)
- (ii) Women
- (iii) Disabled persons.

“SMME’s” (small, medium and micro enterprises) refers to separate and distinct business entities, including co-operative enterprises and NGOs, managed by one owner or more, as defined in the National Small Business (Act 102 of 1996). Refer to the attached addendum for a definition of SMME’s for different economic sectors.

Tenders are adjudicated in terms of NDM Procurement Policy, and the following framework is provided as a guideline in this regard.

Technical adjudication and General Criteria

- Tenders will be adjudicated in terms of inter alia:
- Compliance with Tender conditions
- Technical specifications

If the Tender does not comply with the Tender conditions, the Tender will be rejected. If technical specifications are not met, the Tender may also be rejected.

With regard to the above, certain actions or errors are unacceptable, and warrants **REJECTION OF THE TENDER**, for example:

- A Tax Verification Pin. (**Only valid tax verification pin** must be attached to the Tender document).
- Pages to be completed, removed from the Tender document, and have therefore not been submitted.
- Failure to complete the schedule of quantities as required
- Scratching out without initialling next to the amended rates or information.
- Writing over / painting out rates / the use of tippex or any erasable ink, eg. Pencil.
- Failure to attend compulsory site inspections
- The Tender has not been properly signed by a party having the authority to do so, according to the **Form 2.2.2 – “Authority for Signatory”**
- No authority for signatory submitted.
- Form of Offer not completed.
- Particulars required in respect of the Tender have not been provided – non-compliance of Tender requirements and/or specifications.
- The Tenderer’s attempts to influence, or has in fact influenced the evaluation and/or awarding of the contract.
- The Tender has been submitted after the relevant closing date and time
- Each page of the Contract portion of this Tender document (Part C1 – C4) must be initialled by the authorised person in order for the document to constitute a proper Contract between the Employer (ORTDM) and the undersigned.
- If any municipal rates and taxes or municipal service charges owed by that Tenderer or any of its directors to the municipality, or to any other municipality or municipal entity, are in arrears for more than three months.
- If any Tenderer who during the last five years has failed to perform satisfactorily on a previous contract with the municipality or any other organ of state after written notice was given to that Tenderer that performance was unsatisfactory.

1. Size of enterprise and current workload

Evaluation of the Tenderer's position in terms of:

- Previous and expected current annual turnover
- Current contractual obligations
- Capacity to execute the contract

2. Staffing profile

Evaluation of the Tenderer's position in terms of:

- Staff available for this contract being Tendered for
- Qualifications and experience of key staff to be utilised on this contract

3. Financial ability to execute the contract:

Evaluation of the Tenderer's financial ability to execute the contract. Emphasis will be placed on the following:

- Contact the Tender's bank manager to assess the Tenderer's financial ability to execute the contract and the Tenderer hereby grants his consent for this purpose.

4. Good standing with SA Revenue Services

- Determine whether an original valid tax verification pin has been submitted.
- The Tenderer must affix an original valid Tax Verification Pin to page T2.2.9 of the Tender document.

5. Penalties

The O.R. Tambo District Municipality will if upon investigation it is found that a preference in terms of the Contract has been obtained on a fraudulent basis, or any specified goals are not attained in the performance of the contract, on discretion of the Municipal Manager, one or more of the following penalties will be imposed:

- Cancel the contract and recover all losses or damages incurred or sustained from the Tenderer.
- Impose a financial penalty of twice the theoretical financial preference associated with the claim, which was made in the Tender.
- Restrict the suppliers, its shareholders and directors on obtaining any business from the O.R. Tambo District Municipality for a period of 5 years.

DECLARATION

I/We the undersigned, who warrants that he/she is duly authorised to do so on behalf of the firm, certifies that the items mentioned in part of the foregoing procurement form and returnable documents qualifies/qualify for the preference(s) shown and acknowledge(s) that:

The information furnished is true and correct.

The contractor may be required to furnish documentary proof to the satisfaction of the OR Tambo District Municipality that the claims are correct.

If the claims are found to be inflated, the OR Tambo District Municipality may, in addition to any other remedy it may have, recover from the contractor all cost, losses or damages incurred or sustained by the OR Tambo District Municipality as a result of the award of the contract and/or cancel the contract and claim any damages which the OR Tambo District Municipality may suffer by having to make less favourable arrangements after such cancellation.

Signature of Tenderer

Signed at _____ on _____ day of _____ 202....

For the tenderer

WITNESSES:

1. _____

2. _____

C1 AGREEMENTS AND CONTRACT DATA

C1.1 Form of Offer and Acceptance

C1.2 Contract Data

C1.3 Special Condition

C1.4 Occupational Health and Safety Specification

C1.5 Supply Chain Management Policy

FORM C1.1 FORM OF OFFER AND ACCEPTANCE

FORM OF OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works: **PROJECT: ORTDM SCMU ORTDM SCMU 37-20/21: PROVISION OF SCIENTIFIC SERVICES FOR MANAGEMENT OF WATER QUALITY FOR A PERIOD OF 36 MONTHS**

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

By the representative of the Tenderer, deemed to be duly authorised, signing this part of this Form of Offer and Acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Contractor 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 RATE S PRICES INCLUSIVE OF VALUE ADDED TAX IS

.....

.....Rand (in words);

R (in figures).

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature(s) _____

Name(s) _____

Capacity _____

For the tenderer _____

(Name and address of organisation)

Name & Signature

Of Witness _____

Name

Date

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Employer identified below accepts the Tenderer's Offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's Offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the Contract that is the subject of this Agreement.

The terms of the contract are contained in:

- Part 1** Agreements and Contract Data (which includes this Agreement)
- Part 2** Pricing Data
- Part 3** Scope of Work
- Part 4** Site information
- Part 5** Additional Relevant Documentation
- Part 6** Contract Drawings

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 6 above.

Deviations from and amendments to the documents listed in the Tender Data, including the proposed key personnel and any addenda thereto listed in the Tender Schedules as well as any changes to the terms of the Offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the Schedule of Deviations attached to and forming part of this Agreement. No amendments to or deviations from said documents are valid unless contained in this Schedule, which must be duly signed by the authorised representative(s) of both parties.

The Tenderer shall within two weeks after receiving a completed copy of this Agreement, including the Schedule of Deviations (if any), contact the Employer's agent (whose details are given in the Contract Data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data at or just after the date this Agreement comes into effect. 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 Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five days of the date of such receipt notifies the Employer in writing of any reason why he cannot accept the

contents of this Agreement, this Agreement shall constitute a binding contract between the parties.

Signature(s) _____

Name(s) _____

Capacity _____

For the tenderer _____

(Name and address of organisation)

Name & Signature

Of Witness _____

Name

Date

SCHEDULE OF DEVIATIONS

Notes:

1. The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permitted in terms of the Conditions of Tender.

2. A Tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid becomes the subject of agreements reached during the process of Offer and Acceptance; the outcome of such agreement shall be recorded here.

3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract, shall also be recorded here.

4. Any change or addition to the tender documents arising from the above agreements and recorded here shall also be incorporated into the final draft of the Contract.

1 Subject

Details

2 Subject

Details

3 Subject

Details

4 Subject

Details

5 Subject

Details

6 Subject

Details

By the duly authorised representatives signing this Schedule of Deviations, the Employer and the Tenderer agree to and accept the foregoing Schedule of Deviations as the only deviations from and amendments to the documents listed in the Tender Data and addenda thereto as listed in the Tender Schedules, as well as any confirmation, clarification or change to the terms of the Offer agreed by the Tenderer and the Employer during this process of Offer and Acceptance. It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this Agreement.

FOR THE TENDERER:

Signatures (s) _____

Name(s) _____

Capacity _____

(Name and address of Organisation)

Name & Signature

Of Witness _____ Date _____

FOR THE EMPLOYER

Signatures (s) _____

Name(s) _____

Capacity _____

(Name and address of Organisation)

Name & Signature

Of Witness _____ Date _____

FORM C1.2 CONTRACT DATA

PART 1: DATA PROVIDED BY THE EMPLOYER

C1.2.2 Data provided by the employer

Each item of data given below is cross-referenced to the clause in the General Conditions of Contract for Construction Works to which it mainly applies.

The following contract specific data are applicable to this Contract:

CONTRACT SPECIFIC DATA

Clause 6.2.1 The security to be provided by the contractor shall be one of the following

| | |
|--|---|
| Type of security: Note VAT is included in the contract sum and Value of works for calculating percentages | Contractor's choice. Indicate "Yes" or "no" |
| (1) Cash deposit of 10% of the Contract Sum plus retention of 10% of the value of the works. | |
| (2) Performance guarantee (note A) of 10% of the Contract Sum plus retention of 10% of the value of the works. | |

NOT APPLICABLE

Tenderer's signature

Note A

The Performance Guarantee shall be of an Insurance Company listed on the Johannesburg Stock Exchange or owned by such a company, a Registered South African Bank or a recognised government sponsored, provincial or national development agency.

C1.3 FORM OF GUARANTEE – NOT APPLICABLE TO THIS CONTRACT

PERFORMANCE GUARANTEE

For use with the General Conditions of Contract for Construction Works, Third Edition, 2015.

GUARANTOR DETAILS AND DEFINITIONS

“Guarantor” means:.....

Physical Address:.....

“Employer” means:.....

“Contractor” means:.....

“Engineer” means:.....

“Works” means:.....

“Site” means:.....

“Contract” means: The Agreement made in terms of the Form of Offer and Acceptance and such amendments or additions to the Contract as may be agreed in writing between the parties.

“Contract Sum” means: The accepted amount inclusive of tax of R.....

Amount in words:.....

“Guaranteed Sum” means: The maximum aggregate amount of R.....

Amount in words:.....

“Expiry Date” means:.....

CONTRACT DETAILS

Engineer issues: Interim Payment Certificates, Final Payment Certificate, and the Certificate Completion of the Works as defined in the Contract.

PERFORMANCE GUARANTEE

1. The Guarantor’s liability shall be limited to the amount of the Guaranteed Sum.

2. The Guarantor’s period of liability shall be from and including the date of issue of this Performance Guarantee and up to and including the Expiry Date or the date of issue by the Engineer of the Certificate of Completion of the Works or the date of payment in full of the Guaranteed Sum, whichever occurs first. The Engineer and/or the Employer shall advise the Guarantor in writing of the date on which the Certificate of Completion of the Works has been issued.

3. The Guarantor hereby acknowledges that:
 - 3.1 any reference in this Performance Guarantee to the Contract is made for the purpose of convenience and shall not be construed as any intention whatsoever to create an accessory obligation or any intention whatsoever to create a suretyship;

 - 3.2 its obligation under this Performance Guarantee is restricted to the payment of money.

4. Subject to the Guarantor’s maximum liability referred to in 1, the Guarantor hereby undertakes to pay the Employer the sum certified upon receipt of the documents identified in 4.1 to 4.3:
 - 4.1 A copy of a first written demand issued by the Employer to the Contractor stating that payment of a sum certified by the Engineer in an Interim or Final Payment Certificate has not been made in terms of the Contract and failing such payment within seven (7) calendar days, the Employer intends to call upon the Guarantor to make payment in terms of 4.2;

- 4.2 A first written demand issued by the Employer to the Guarantor at the Guarantor's physical address with a copy to the Contractor stating that a period of seven (7) days has elapsed since the first written demand in terms of 4.1 and the sum certified has still not been paid;
- 4.3 A copy of the aforesaid payment certificate which entitles the Employer to receive payment in terms of the Contract of the sum certified in 4.
5. Subject to the Guarantor's maximum liability referred to in 1, the Guarantor undertakes to pay to the Employer the Guaranteed Sum of the full outstanding balance upon receipt of a first written demand from the Employer to the Guarantor at the Guarantor's physical address calling up this Performance Guarantee, such demand stating that:
 - 5.1 the Contract has been terminated due to the Contractor's default and that this Performance Guarantee is called up in terms of 5; or
 - 5.2 a provisional or final sequestration of liquidation court order has been granted against the Contractor and that the Performance Guarantee is called up in terms of 5; and
 - 5.3 The aforesaid written demand is accompanied by a copy of the notice of termination and/or the provisional/final sequestration and/or the provisional liquidation court order.
6. It is recorded that the aggregate amount of payments required to be made by the Guarantor in terms of 4 and 5 shall not exceed the Guarantor's maximum liability in terms of 1.
7. Where the Guarantor has made payment in terms of 5, the Employer shall upon the date of issue of the Final Payment Certificate submit an expense account to the Guarantor showing how all monies received in terms of this Performance Guarantee have been expended and shall refund to the Guarantor any resulting surplus. All monies refunded to the Guarantor in terms of this Performance Guarantee shall bear interest at the prime overdraft rate of the Employer's bank compounded monthly and calculated from the date payment was made by the Guarantor to the Employer until the date of refund.
8. Payment by the Guarantor in terms of 4 or 5 shall be made within seven (7) calendar days upon receipt of the first written demand to the Guarantor.

9. Payment by the Guarantor in terms of 5 will only be made against the return of the original Performance Guarantee by the Employer.
10. The Employer shall have the absolute right to arrange his affairs with the Contractor in any manner which the Employer may deem fit and the Guarantor shall not have the right to claim his release from this Performance Guarantee on account of any conduct alleged to be prejudicial to the Guarantor.
11. The Guarantor chooses the physical address as stated above for the service of all notices for all purposes in connection herewith.
12. This Performance Guarantee is neither negotiable nor transferable and shall expire in terms of 2, where after no claims will be considered by the Guarantor. The original of this Guarantee shall be returned to the Guarantor after it has expired.
13. This Performance Guarantee, with the required demand notices in terms of 4 or 5, shall be regarded as a liquid document for the purposes of obtaining a court order.
14. Where this Performance Guarantee is issued in the Republic of South Africa the Guarantor hereby consents in terms of Section 45 of the Magistrate's Courts Act No 32 of 1944, as amended, to the jurisdiction of the Magistrate's Court of any district having jurisdiction in terms of Section 28 of the said Act, notwithstanding that the amount of the claim may exceed the jurisdiction of the Magistrate's Court.

Signed at

Date.....

Guarantor's signatory(1)

Capacity.....

Guarantor's signatory (2)

FORM C1.3 SPECIAL CONDITION

FORM C1.5

SUPPLY CHAIN MANAGEMENT POLICY

C2 PRICING DATA

C2.1 Pricing Instructions

C2.2 Bill of Quantities

FORM C2.1 PRICING INSTRUCTIONS

1. The Tender Data, the Scope of Work and the Drawings are to be read in conjunction with the Schedule of Quantities.

FORM C2.2 BILL OF QUANTITIES

| Service | Time allocation | Professional Rates Per Hour | | | TOTAL RATES Per Hour |
|---|--|-----------------------------|----------------|-----------|----------------------|
| | | Lead Scientist | Lead Inspector | Scientist | |
| Laboratories revival (SANS 241:2015 and ISO 17025) | 36 months | | | | |
| Laboratories operation (SANS 241:2015 and ISO 17025) | 36 months | | | | |
| Load results on IRIS timely for 3 years | 36 months | | | | |
| WSPs reviews and/or development | 36 months | | | | |
| WSPs implementation | 36 months | | | | |
| W2RAPs reviews and/or development | 36 months | | | | |
| W2RAPs implementation | 36 months | | | | |
| Attend to DWS directives | 36 months | | | | |
| On-site water testing facilities rehabilitation | 36 months | | | | |
| WSA support on regulation development and refining | 36 months | | | | |
| Plant audits for Blue and Green Drop for plants | Quarterly for 3 years | | | | |
| Implementation of Blue and Green Drop findings | Quarterly - per plant (25 water treatment plants and 10 wastewater treatment plants) for 3 years | | | | |
| Audit decentralised water and wastewater processing facilities (small schemes and septic tanks) | Quarterly for 3 years | | | | |
| On the job training and skills transfer | Quarterly for 3 years | | | | |
| Emergency Activities | Time allocation | | | | |
| Any unforeseen, sudden and | Call Down | | | | |

| | | | | | |
|---|-----------|--|--|--|--|
| uncontrollable occurrence at any of the plants requiring Alert Level II | | | | | |
| Unforeseen external threats requiring safeguarding of the waterworks' integrity | Call Down | | | | |
| Any other services deemed urgent and emergency by the client | Call Down | | | | |
| RETAINER RATES TOTAL OVER 36 MONTHS VAT excl. | | | | | |

C3 SCOPE OF WORK

C 3.1 DESCRIPTIONS OF WORKS

C3.1.1 Client's Objective

OR Tambo District Municipality is a Water Service Authority (WSA) and Water Service Provider (WSP) as defined in the Water Service Act No 108 of 1997. Through the former role, the ORTDM is required by law to ensure local regulation of water use, consumption and protection to ensure sustainability. WSP role requires ORTDM ensure safe, time and sufficient water provision to all its customers, while abiding to the regulations and the laws that governs water use. WSP is responsible for ensuring water and wastewater infrastructure sound operation and maintenance including implementation of risk abatement strategies.

Over the years, the ORTDM has been shown to struggle in capacity to undertake these roles fully through Blue and Green Drop poor certification rates, directives of the Department of Water and Sanitation, and common infrastructure breakdowns. OR Tambo District Municipality has 25 drinking water treatment facilities and 10 sewerage treatment facilities. Recently, the ORTDM has repeatedly had to source services of a scientific services firm to support it during times of emergency which include dumping of raw sewage at Mthatha Dam, Thornhill Plant shutdown due to turbidity challenges, Assessment of state of wastewater treatment ponds within the municipality, to name the few. It was noted that there is a need for scientific services on the ongoing basis as the emergency call down tend to complicated to process in the procurement terms and are costly, as the scientists charge emergency rates that are not negotiable with the municipality.

Furthermore, ORTDM has used external services for water quality testing and results submission to IRIS. This has had the following disadvantages:

- Poor turnaround time to get basic results needed for operational decision making;
- Constrained water quality monitoring for all plants;
- Delayed loading of results to IRIS;
- Poor scientific support from the laboratory to assist the WSA to guide the WSP on water quality issues and
- Sampling and transportation of samples method that is not in line with SANS 241:2015 and ISO 17025.

It has therefore been concluded that the ORTDM requests proposals for a service provider to provide the following:

1. Revival of the Thornhill Water Lab and Mthatha Wastewater Works Lab to enable testing of operational parameters in accordance with SANS 241:2015 and ISO 17025.
 - a. Skill development and training for 3 years
 - b. Operation of the labs for 3 years
2. The rate-based call down scientific services to support the municipality as and when needed for the period of three (3) years to undertake scheduled and continual support for scientific apparatus used in the ORTDM plants, staff on the job training and skills transfer, WSA support on regulation development and refining, refining and development of Water Safety Plans (WSP) and Wastewater Risk Abatement Plans (W₂RAP), regular facility audits for Blue and Green Drop certification compliance, on the site water testing facility rehabilitation among other services. The rate for any other services required by ORTDM will be done on written instruction by the WSA Manager.

C3.1.2 Overview of the Works

Proposals are hereby invited from reputable, suitably qualified and experienced service providers, to undertake laboratory revival and Call Down and Retainer Scientific Services for ORTDM WSA and WSP in all its water and wastewater treatment plants with a target to improve service delivery, compliance with DWS directives, Blue and Green Drop certification improvement, water staff on the job training and skills transfer, on-site water testing facilities as measurable deliverables.

C3.1.3 Extend of the Works

Detailed proposals are therefore requested to address the above mentioned issues with an overall aim to see the municipality Blue and Green Drop score improve the certification award levels, improved service delivery, reduction of cost of doing water business by reducing and mitigating risks associated with scientific failures. The proposal must clearly detail the approach that will be taken to develop and monitor internal capacity development of the municipality to ensure that by the end of the appointment period of the service provider that the municipality has developed and implementable systems. Works will be based on a call down service and as and when required with an instruction from the WSA Manager.

Therefore, the scope of works/objectives for this project will be as follows:

| Retainer/Support Activities | Time allocation |
|--|--|
| Laboratories revival (SANS 241:2015 and ISO 17025) | 36 months |
| Laboratories operation (SANS 241:2015 and ISO 17025) | 36 months |
| Load results on IRIS timely for 3 years | 36 months |
| WSPs reviews and/or development | 36 months |
| WSPs implementation | 36 months |
| W2RAPs reviews and/or development | 36 months |
| W2RAPs implementation | 36 months |
| Attend to DWS directives | 36 months |
| On-site water testing facilities rehabilitation | 36 months |
| WSA support on regulation development and refining | 36 months |
| Plant audits for Blue and Green Drop for plants | Quarterly for 3 years |
| Implementation of Blue and Green Drop findings | Quarterly - per plant (25 water treatment plants and 10 wastewater treatment plants) for 3 years |
| Audit decentralised water and wastewater processing facilities (small schemes and septic tanks) | Quarterly for 3 years |
| On the job training and skills transfer | Quarterly for 3 years |
| | |
| Emergency Activities | Time allocation |
| Any unforeseen, sudden and uncontrollable occurrence at any of the plants requiring Alert Level II | <i>Ad Hoc</i> Call Down for 3 years |
| Unforeseen external threats requiring safeguarding of the waterworks' integrity | <i>Ad Hoc</i> Call Down for 3 years |
| Any other services deemed urgent and emergency by the client | <i>Ad Hoc</i> Call Down for 3 years |

The format of the proposal should address the prospective service provider's knowledge and understanding of the requirements outlined in this Terms of Reference. Specifically, the proposal outline or include the following:

1. Proposed methodology and approach to achieve the objectives;
2. Key milestone events, activities and outputs with a time schedule;
3. Competency personnel structure and
4. Consultant rates, while expenses will be claimed as per quantities incurred during a specific assignment. The latter will be guided by the ORTDM relevant disbursements policies and procedures.

Prospective service providers should submit team' CVs that demonstrate relevant expertise and experience, and experience of the company relevant to the project (recommendation and/or reference letters from the previous clients) in terms of this project. The proposals should also include appropriate and contactable references.

C3.1.6 Change in works

The ORTDM may, from time to time by order in writing without in any way deviating the Contract or giving to the Contractor any claim for additional payment, require the Contractor to proceed with the execution of the works in such order as in his opinion may be necessary, and may alter the order of or suspend any part of the Works at such time and times as he may deem desirable and the Contractor shall not, after receiving such written order, proceed with work ordered to be suspended until he shall receive a written order to do so from the ORTDM.

Where the work must of necessity be carried out in conjunction with work of other Contractors, or with that of the Employer, it shall be co-ordinated and arranged in such a manner as to Interfere as little as possible with the progress of such other work so as to offer every reasonable facility to other Contractors or to employees of the Employer.