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TERMS OF REFERENCE

CONSULTANCY SERVICES FOR THE CONSTRUCTION OF DRIEKOPPIES DAM OFFICES AND STAFF HOUSES

TENDER NO. KOB/DD/01/2024

CLOSING DATE OF SUBMISSIONS: 01 March 2024

TIME: 12:00 NOON

TENDERS MUST BE HAND DEPOSITED AS FOLLOWS:

Komati Basin Water Authority
Maguga Dam
Pigg's Peak
ESWATINI
Telephone 013 591 2644

Komati Basin Water Authority
R570 Driekoppies Dam Offices
Schoemansdal
Republic of South Africa
Telephone 013 591 2633



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3. Appendix A – Scope of Services and project’s specifications
4. Appendix B – Certificate of attendance at compulsory site meeting

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SECTION 1: REQUEST FOR PROPOSALS
CONSULTANCY SERVICES FOR THE CONSTRUCTION OF DRIEKOPPIES
DAM OFFICES AND STAFF HOUSES

1. Interested, competent and experienced consulting companies are invited to submit a service proposal and, under separate envelope, a financial proposal for the consultancy services for the construction of Driekoppies dam offices and staff houses. Proposals would form the basis for negotiations and an agreement between the successful bidder and the Komati Basin Water Authority (KOBWA).
2. The services being sought are intended to offer design and construction supervision for the Driekoppies dam offices and staff houses.
3. To assist bidders in preparing proposals, the following are enclosed:
 - a. Supplementary Information (Section 2),
 - b. Appendix A - Scope of Services (Section 3),
 - Proposals should be submitted in the format provided for in Section 2 to be evaluated in two stages. Initially the services proposal will be evaluated and rated. **Should a rating of less than 70% be achieved the proposal will not be acceptable and the financial proposal will not be opened.**
 - Weighting;
 - (i) Technical Proposal 80%,
 - (ii) Financial Proposal 20%

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4. Mandatory Bid Requirements - the following are ALL mandatory attributes to qualify to make the bid and should form part of the technical proposal;

- 4.1. Company registration
- 4.2. Professional Registration with relevant Bodies i.e., ECSA, SACAP, SACPCMP, and/or SACQSP
- 4.3. Proof of payment for the purchased TOR
- 4.4. Current tax clearance certificate not older than three months
- 4.5. Attendance of compulsory site visit on 12 February 2024 at 10:00 am

5. Proposal Evaluation - the services proposal will be evaluated using the two-stages bidding process as follows:


- 5.1 Functionality Criteria; and
- 5.2 The 80/20 preference point system.

A maximum of 80 points representing price and 20 points representing Broad-Based Black Economic Empowerment for South Africa. Only bidders who meet the minimum requirements of the functionality criteria will be considered in this phase. The following formula will be used for the preference point system.

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6. Functionality Proposal Evaluation

CRITERIA FOR FUNCTIONALITY	RATINGS	WEIGHT
Company experience in the industry and list and dates of all the projects accomplished since establishment.	Between 0 – 5 years: max.5 Between 6-10 years: max. 10 Greater than 10 years: max. 15	15
Personnel Qualifications & Experience <ul style="list-style-type: none"> • Civil Engineering • Architecture • Surveying • Project Management 	Team Leader: 15 Support staff (2+): 10	25
Proposed plan, organogram and Operational Plan	Technical Aspect Understanding of the TOR 15 Proposed approach and methodology 25 Risk assessment (HIRA) for the project 5	45
Safety, Health, Environment and Quality Compliance	Provide policy statement signed by top management 5	5

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Institutional Experience -Track Record of clients -Company Profile	Provide a minimum of 3 company references and brief testimonials bearing a date of not more than 36 months ago. 5	5
Financial Stability	Provide two most recent consecutive financial statements. 5	5
Total		100

7. The financial proposal will be evaluated as follows:

The financial proposal with the lowest Total Designated Cost (TDC) will be assigned the maximum of 100. The TDC is defined as the total of all costs directly related to personnel allowances (salary, social benefits, transport of personnel and effects), fees and directly reimbursable expenses for project items such as vehicles, computers etc. The financial proposals will be scored as:

$$P_x = 100C_m / C_x$$

Where:


P_x = Rating assigned to a financial proposal,

C_m = Cost of the lowest TDC

C_x = TDC of proposal being assessed.

8. The 80/20 preference point system

A maximum of 80 points representing price and 20 points representing Broad-Based Black Economic Empowerment for South Africa. **Only bidders who meet the minimum**

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requirements of the functionality criteria will be considered in this phase. The following formula will be used for the preference point system:

$$P_s = 80 - 1 - \left[\frac{P_t - P_{min}}{P_{min}} \right]$$

Where:

P_s = Points scored for comparative price of offer under consideration.

P_t = R value of offer under consideration.

P_{min} = R value of lowest acceptable offer.


B-BBEE Statuses Level of Contributor	Number of Points (80/20 System)
1	20
2	18
3	16
4	14
5	12
6	10
7	8
8	4
Non-Compliant Contributor	0

9. Costs for preparing the proposal and for any negotiations are not reimbursable

10. Proposals including costs should be valid for a period of at least 90 days from the closing date for submissions.

11. Compulsory site visit will be held at Driekoppies dam on the 12 February 2024 at 10:00 am

12. Proposals must be physically submitted and signed for on the register on or before 12h00 hours on the 01 March 2024 into a tender box at the following address;

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**Komati Basin Water Authority
Maguga Dam Offices
Piggs Peak
Eswatini
H108**

**Komati Basin Water Authority
Driekoppies Dam Offices
Schoemansdal 1331|Along R570 Road
RSA, Mpumalanga
1331**

13. Proposals should be submitted in two separate, sealed envelopes as follows:

Technical Proposal – Ref: **KOB/DD/01/2024a**; and


Financial Proposal – Ref: **KOB/DD/01/2024b**

Any request for more information or clarifications should be made in writing, no later than five (5) days before the tender closing date at the following contact details:

Mr. Thabo Mahlobo – Infrastructure Maintenance Technologist

Tel: (+27) 13 591 2633

Email: thabo.mahlobo@kobwa.co.za copy to: sakhiwe.nkomo@kobwa.co.za
maguga.office@koba.co.za


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SECTION 2: SUPPLEMENTARY INFORMATION

Supplementary Information to include, but not limited to the following:

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1. General
 - 1.1 Preparation and submission of proposal
 - 1.2 Proposed Schedule for submission, evaluation, negotiation, and award
 - 1.3 Negotiations
2. Implementation
3. Deliverables
4. Institutional Experience
5. Overall Approach
6. Financial Proposal

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1. General

1.1. Preparation and submission of proposal

- 1.1.1. **Submission of Qualifications:** Proposers should submit abridged Curriculum Vitae's (CV's) of the proposed personnel in the evaluation criteria.
- 1.1.2. **Compliance with Laws:** In connection with the furnishing of supplies or performance of work under the contract, the Consultant agrees to comply with the relevant state laws applicable.

1.2. Proposed schedule for submission and commencement of services:


- Closing Date : 01 March 2024
- Expected Commencement of services : 01 July 2024

1.3. Negotiations

The required negotiations to reach agreement on all components of the required services will result in a contract. Negotiations will commence with the services proposal and proceed to the financial proposal focusing on underlying or unit cost rates.

2. Implementation

KOBWA intends to construct additional offices and staff housing at the Driekoppies dam office space and staff residential area respectively. The offices will include three executive offices, one regular office, an open plan that can accommodate a minimum of three people, and a small boardroom that can accommodate up to eight people, as well as three new staff houses, two of which must be two-bedroom houses and the other one being a three-bedroom house.

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3. Required documentation.

The expected documents from this proposal are as follows:


- Proposed project plan
- Conceptual designs for both the offices and the staff houses.
- Financial proposal from project initiation to project handover phase.
- A tender documentation.

4. Institutional Experience

Describe in detail the qualifications of the firm and the company personnel to whom the task would be assigned as well as any back up personnel.

Details should include:

- 4.1. Familiarity and years of service to similar institutions.
- 4.2. Detail of past work performance including the value of the contract.
- 4.3. Names of assigned personnel and their function with relation to this proposal. The personnel sent by the service provider to perform the work shall be as per the submitted bid documentation, any changes to personnel shall be reviewed and approved by KOBWA.
- 4.4. Experience, education and training of assigned personnel with particular regard to public entity experience.
- 4.5. Professional affiliations / credentials of assigned personnel as well as any pertinent publications.
- 4.6. Availability of personnel for consultation from other locations / specialties within the company.

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- 4.7. References with names, addresses, and phone numbers of current clients who can be contacted by KOBWA for discussion of services provided to that client.
- 4.8. How the institution proposes to help KOBWA save costs.
- 4.9. Any additional remarks/ comments the company wishes to make to elaborate their proposal and qualifications.

5. Overall Approach

5.1. Work Approach


- (i) Bidders should specify their work approach, referring specifically to components of the services requested, including timeliness for both delivery and service.
- (ii) Tasks and subtasks by components should be specified.
- (iii) Involvement of key personnel should clearly be indicated and required resources.

5.2. Work program and manpower schedule

Proposals should include a project plan indicating the timing and duration of tasks and subtasks.


5.3 Facilities and accommodation

All facilities, equipment and supplies necessary for the services (e.g., accommodation; office space, equipment and supplies) should be described in the services proposal.

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6. Financial Proposal

- 6.1. General - Please indicate clearly the costs of service, breaking it down into components, as the need arises for clarity. This should be split by phases clearly indicating the cost of implementing each phase.
- 6.2. Staff Costs - KOBWA is not liable for any other costs other than the actual cost of implementing the said maintenance.
- 6.3. Consultancy information (To be included in the Technical Proposal)
- 6.3.1. Name of Institution.
- 6.3.2. Address, telephone and fax numbers, e-mail.
- 6.3.3. Name and designation of contact persons to whom KOBWA can refer:
- (i) During proposal evaluation.
 - (ii) To represent the institution, if requested, to negotiate for the proposed work.
- 6.3.4. Organizational chart showing designation and reporting relationships of staff proposed for this assignment.

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SECTION 3: APPENDIX A - SCOPE OF SERVICES


1. BACKGROUND

The Komati Basin Water Authority (KOBWA) is a bi-national company formed in 1993 through the treaty on the Development and Utilization of the Water Resources of the Komati River Basin signed in 1992 between the Kingdom of Swaziland and the Republic of South Africa. The purpose of KOBWA is to implement the design, construction, operation and maintenance of the Driekoppies Dam in South Africa and the Maguga Dam in Swaziland.

Driekoppies dam features eight staff residences where the KOBWA staff currently resides; some of these houses were built before the dam's construction and some later; the dam is currently more than 20 years old, and so are the houses. As anticipated, the institution has expanded over the years, and with it, the number of employees; this has led to the necessity for constructing additional staff houses and new offices.

2. OBJECTIVES

The major goal of this project is to construct additional offices and new staff housing. As such, KOBWA seeks the services of a professional and experienced Engineering consulting firm to design, compile a BOQ, and supervise the development of these new offices and staff housing from project initiation to project handover phase. The offices and staff residences will be erected on two separate sites, the offices will be constructed at the current Driekoppies dam KOBWA corporate offices site and the houses at the existing staff residency premises.

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2.1 Methodology /Scope

The project scope is outlined below:

The following proposed sequence of activities are to be done under this project:

Task A: Condition Assessment/Inspection


- a) Conduct a detailed site assessment/inspection of all the infrastructure and underground utilities that might affect the works around the proposed sites and provide a detailed report and a proposed scope of work upon completion of the assessment.

Task B: Implementation


- a) Develop a detailed project plan that includes but not limited to the following, under no order.
 - i) Project Team
 - ii) Project approach and methodology.
 - iii) Project Schedule.
 - iv) Detailed construction designs and specifications.
 - v) Proposed Scope of Work
 - vi) Bill of Quantities.
 - vii) Applicable Legislations.
- b) Develop detailed construction designs and specifications.
- c) Compile a detailed Scope of Works.
- d) Compile a detailed Bill of Quantities.
- e) Compile tender document for the construction works as per the project scope and specifications.

Task C: Supervision

- a) Supervising the day-to-day operations and activities of the contractors in order to ensure quality of workmanship and compliance with the conditions and specifications

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- of the contract, including inter alia setting-out data, detailed working drawings, field and laboratory tests as required, etc
- b) Compile monthly progress reports, in a form acceptable to the KOBWA. These reports shall include details of the physical and financial status of the contract/project, details of delays and consequences if any.
 - c) Respond promptly to site-related issues as and when they arise and maintain a supervisory presence on site at all times.
 - d) Assess and enforce the adequacy of contractors' inputs in terms of materials, equipment, construction machinery, workers, and construction approach and methodologies.
 - e) Advise the contractors on the interpretation of the engineering drawings and technical specifications; and issuing supplementary details and instruction during the construction period, as required and with the prior approval of the Client.
 - f) Review the contractors' work plans including construction schedule and commenting on the procedures, methods and sequencing of the work.
 - g) Providing technical advice to the Client and recommending appropriate actions if needed during construction phase on planning and scheduling, cost and quality control, etc.
 - h) Conducting regular site meetings with the contractor to discuss issues and problems affecting the progress and preparing and distributing detailed minutes of the same.
 - i) Maintain detailed records, correspondences, photographs and other documents concerning relevant events and activities.
 - j) Inspect the contractors' requests for time extension, variations, additional compensation and claims and making recommendations for appropriate actions including but not limited to preparing the necessary documents, determination of rates of works, advise the Client on alternatives and recommend these to Client for approval;

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- k) Monitor and enforce the measures taken to ensure safety and the protection of the environment, workers, other project personnel, general public and works.
- l) Inspect measurement for works completed and in progress; verifying and endorsing bills for payment to the contractors; certifying the quality of the works accomplished and on their conformity to technical specifications and engineering drawings; ensuring that works are completed to the prescribed quality standards in accordance with the technical specifications and quality assurance management system.
- m) Certify completion of part or all of the works, issuing the Certificate of Practical Completion and preparing a consolidated Project Completion Report in a format acceptable to the Client.
- n) Offer contract administration of the construction and defects liability period and
- o) Offer Project Management services including assisting the Client in liaison with surrounding communities on the social and environmental aspects of the project.
- p) Perform all other tasks not specifically mentioned herein but necessary to properly supervise and control all construction activities in accordance with the terms of the Contract.

Task D: Training and mentoring

Develop and implement a training and mentoring plan for KOBWA project personnel during the project as part of their route to professional registration.

Deliverables

All reports, drawings and maps produced and used as part of the project should be submitted to KOBWA and becomes the property of KOBWA and shall not be shared to a third party without a written approval from KOBWA. All reports should be submitted in hard copy and electronic copy. The following expected project deliverables are in addition to those listed in section 2.1.

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- a) Inception Report.
- b) Project Plan.
- c) Monthly Progress Reports.
- d) Monthly progress meeting and minutes from project initiation phase to project handover phase.
- e) Skills transfer to KOBWA personnel.
- f) Design drawings in the following format
 - Hard copy
 - Electronical or PDF
 - In their original Cad software

Duration of Assignment


The successful company is expected to provide a Gantt chart (in months, or other Critical Path Method (CPM)) logic diagrams showing the timing and duration of tasks and subtasks. This program is meant for management and reporting on the services, and for ease of supervision by KOBWA regarding provision of the services.

3. MANAGEMENT AND ADMINISTRATION PROCESS

The successful service provider will liaise with the Project Manager or the delegated representative, as and when required. The Project Manager or delegated representative will also be assigned to supervise the site visits with the service provider during the project timeline.

4. INFORMATION NEEDS.

The Service Provider will consult the Project Manager to ensure that desired objectives are met.

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5. IRREVOCABILITY OF BIDS & ADDITIONAL CRITERIA

- 5.1. All bids submitted are irrevocable after the due submission date until the expiry of the bid validity period indicated below, and as such the bidder binds himself that he will enter into negotiations with KOBWA based on the submitted bid.

6. BIDDING COSTS

- 6.1. All bidding costs relating to the preparation of the bid are for the bidder's account and are not recoverable from under any circumstances.
- 6.2. The bid document costs a nonrefundable R500.00 and a receipt, as proof of payment must accompany the bid submission.

7. BID VALIDITY AND PRICING

Bids will be valid for at least 90 days after the closing date and prices will be firm for the entire implementation period.


8. CURRENCY AND TAXES

Prices quoted in South African Rands.

9. ADDITIONAL INFORMATION

9.1. Acceptance of Bids

This Invitation to Bid should not be construed as an agreement to supply the required solution. KOBWA is not bound to enter into a contract with the bidder who submits the lowest priced bid. Bids will only be assessed in terms of the evaluation criteria. KOBWA may at her sole discretion choose to award the phases to different organisations or to award only one phase without consulting the bidders.

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9.2. Modification of Terms

KOBWA reserves the right to modify the terms of this Invitation to Bid at any time in its sole discretion. This includes the right to cancel this Invitation to Bid at any time prior to entering into a contract with the successful bidder; notice to that effect shall be given to all bidders. Further information requests and clarifications will be closed five (5) days before the submission deadline.

9.3. Ownership of Bids


All documents, including bids, submitted become the property of the KOBWA.

9.4. Confidentiality of Information

All bids submitted by bidders shall be held in strict confidence and will not be revealed to any other party. All Information pertaining to this bid obtained by the bidder as a result of participation in this project is confidential and must not be disclosed without written authorisation from KOBWA.

9.5. Acceptance of Terms

All terms and conditions of this Invitation to Bid are deemed to be accepted by the bidders and incorporated by reference in their bids, except such conditions and provisions that are expressly excluded. There will be an opportunity to review these conditions upon selection of the successful bidder and during subsequent negotiations. The proposal or sections thereof of the successful bidder will form part of the final contract.

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APPENDIX B

CERTIFICATE OF ATTENDANCE AT COMPULSORY SITE MEETING

This is to certify that

.....(Tenderer)

of

.....(address)

.....

was represented by the person(s) named below at the compulsory meeting held for all tenderers at

.....(location) on.....(date), starting at.....


We acknowledge that the purpose of the meeting was to acquaint ourselves with the site of the works and / or matters incidental to doing the work specified in the terms of reference in order for us to take account of everything necessary when preparing the our proposals and rates, as per the terms of reference.

Particulars of person(s) attending the meeting:

Name.....

Signature.....

Capacity.....

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Attendance of the above persons at the meeting is confirmed by the employer's representative namely:

Name.....

Signature.....

Capacity.....

Date & Time.....

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