



UNIVERSITY OF ZULULAND

BID NO UZ05/2020

**FRAMEWORK AGREEMENT FOR THE SERVICES OF A MANAGEMENT CONTRACTOR
FOR THE UPGRADING OF EXISTING FACILITIES AT THE KWA-DLANGEZWA CAMPUS**

CALL FOR EXPRESSION OF INTEREST

August 2020

Issued by:

University of Zululand
Private Bag X1001
Kwa-Dlangezwa
3886

Name of Respondent:



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Contents

Number Heading

Part E1: Submission Procedures

E1.1 Notice and invitation to submit an expression of interest

E1.2 Submission data

Part E2: Returnable Documents

E2.1 List of returnable documents

E2.2 Submission schedules

Part E3: Indicative Scope of Work

E3.1 Indicative scope of work



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E1.1 Notice and Invitation to submit an Expression of Interest

The University of Zululand invites expressions of interest from contractors to enter into framework agreements over a three (3) year-term without a commitment to a quantum of work to provide management contractor services relating to the refurbishment, rehabilitation, alteration and repair of buildings and related site works and the implementation of occupational health and safety compliance and disability access projects on the Kwa-Dlangezwa campus.

The contract will be based on the NEC3 Engineering and Construction Contract (Option F: Management contract).

Respondents must have a CIDB contractor grading designation of 6 GB/CE or higher.

Respondents who are B-BBEE Status Level 1 to 4 contributors and who undertake to subcontract a minimum of 30% to: EMEs or QSEs (with B-BBEE Status Level 1 to 3) over the term of the contract are prequalified in accordance with the provisions of the Preferential Procurement Regulations 2017 to compete for the award of a contract.

Documents may be obtained from the University of Zululand website www.unizulu.ac.za from **10h00 on Monday August 10, 2020.**

Queries relating to the issue of these documents may be addressed to Ms Sne Sithole, Telephone +27(35) 902 6250, Email Sitholes@unizulu.ac.za

No clarification meeting will be held for this expression of interest.

The closing time for receipt of Bids is **12h00 on Friday August 28, 2020.** Telegraphic, Telephonic, Telex, Facsimile, E-mail and Late Bids will **NOT** be accepted.

Bids may only be submitted on the Bid documentation that is issued.

Requirements for sealing, addressing, delivery, opening and assessment of Bids are stated in the Bid Data.



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E1.2 Submission Data

The conditions for the calling for expressions of interest are the latest edition of SANS 10845-4, *Standard conditions for the calling for expressions of interest*.

SANS 10845-4, which can be obtained online from the South African Bureau of Standards (see www.store.sabs.co.za), makes several references to the Submission Data for details that apply specifically to this submission. The Submission Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions for the calling for Expressions of Interest.

Each item of data given below is cross-referenced to the clause in SANS 10845-4 to which it mainly applies

Clause Number	Submission Data
3.1	The Employer is the University of Zululand
3.2	The documents issued by the Employer comprise the documents listed on the contents page
3.4	The Employer's Agent is: Name: Thabani Mncwango Tel: 035 902 6000 E-mail: mncwangot@unizulu.ac.za
3.4	The language for communications is English
4.1	Only those respondents who are registered with the Construction Industry Development Board, or are capable of being so registered within 21 working days from the closing date for submission, in a contractor grading designation of 4GB/CE or higher, are eligible to have their submissions evaluated.
4.2	Respondents who: a) are B-BBEE status level 1 to 4 contributors and b) undertake to subcontract a minimum of 30% to EMEs or QSEs (with B-BBEE status level 1 to 3) over the term of the contract are prequalified in accordance with the provisions of the Preferential Procurement Regulations of 2017 to compete for the award of a contract.
4.3	Only those respondents who satisfy the prescribed CIDB Contractor Grading Designation requirements, the pre-qualification criteria for preferential procurement and the following eligibility criteria and who provide the required evidence in their submissions are eligible to submit Bids, have their submission evaluated and be invited to submit Bid offers.

	<ol style="list-style-type: none"> 1) The respondent is registered in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984); 2) The respondent and any of its directors/shareholders are not listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 or the National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za) as a person prohibited from doing business with the public sector; 3) The respondent has completed the Compulsory Declaration and there are no conflicts of interest which may impact on the Bidder's ability to perform the contract in the best interests of the employer or potentially compromise the Bid process; 4) The respondent is able to provide financial statements complying with applicable legislation for the preceding financial year within 12 months of the year end; 6) The respondent can provide at least three contactable references as a main contractor for works comprising the refurbishment, rehabilitation or alteration of buildings having a contract value of at least R5 million excluding VAT ,which has been satisfactorily completed during the last five years; 7) The respondent is registered and in good standing with the compensation fund or with a licensed compensation insurer; 8) The respondent is capable of producing a health and safety plan for the refurbishment of institutional multi-storey buildings; and 9) The respondent is registered on the Central Supplier Data Base (CSD).
4.4	<p>The employer's details and address for delivery of Bid offers and identification details that are to be shown on each Bid offer package are:</p> <p>Location of Bid Box: Main Reception of Protective Services of the University of Zululand</p> <p>Physical Address: 24 Main Street, Kwa-Dlangezwa Campus, KwaZulu Natal</p> <p>Identification Details: Bid No, Title of Bid and the closing date and time for Bids</p>
4.5	<p>Parts of each submission communicated on paper shall be submitted as an original plus two copies</p> <p>The Bidder is requested to also provide a scanned PDF copy of the complete Bid submission in electronic format on a flash disk and to include this in their Bid submission.</p>
4.6	<p>The closing time for submissions is as stated in the Notice and Invitation to Submit an Expression of Interest.</p>
4.7	<p>Telephonic, telegraphic, telex, facsimile or e-mailed submissions offers will not be accepted.</p>
4.8	<p>All respondents who submit responsive submissions will be invited to submit Bid offers unless they have abused the Employer's Supply Chain Management System or have failed to perform on any previous contract and have been given a written notice to this effect.</p>



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BID NO UZ05/2020

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E.2.1 List of Returnable Documents

Respondents shall provide or complete the following documents:

- 1) Compulsory Declaration
- 2) Enterprise Declaration together with the following attachments:
 - a) Proof of company registration in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) as applicable;
 - b) Annual Financial Statements Declaration for the Bidding entity including suitable annual financial statements for the preceding financial year within 12 months of the financial year end complete;
 - c) A letter of good standing from the Compensation Fund or a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Disease Act, 1993 (Act No. 130 of 1993); and
 - d) National Treasury Central Supplier Data Base – CSD Registration report printed not earlier than 2 weeks prior to the closing date for submissions.
- 3) A draft health and safety plan for the proposed refurbishment of institutional multistory buildings or a copy or a recent health and safety plan for works of a similar nature
- 4) B-BBEE Verification Certificates issued by a verification agency accredited by the South African National Accreditation System (SANAS) or, in the case of an Exempted Micro Enterprise or a Qualifying Small Enterprise, if permitted in terms of the relevant code, a duly completed sworn affidavit on the relevant and appropriate form obtained from one the following websites (see Enterprise Declaration)
 - o https://www.thedti.gov.za/economic_empowerment/bee_codes.jsp
 - o <http://www.cscconline.org.za/Home/Documents>

Note: The Bidder is Required to Insert a Tax Compliance Pin Number in the Compulsory Declaration for Confirmation of the Bidder's Tax Compliance Status.

Compulsory Declaration

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

Section 1: Enterprise Details

Name of Enterprise	
Contact Person	
Email	
Telephone	
Cell No.	
Fax	
Physical Address	
Postal Address	

Section 2: Particulars of Companies and Close Corporations

Company / Close Corporation Registration Number	
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Section 3: SARS Information

Tax Reference Number	
Tax Compliance Status Pin Number	
VAT Registration Number	<i>State Not Registered if not registered for VAT</i>

Section 4: CIDB Registration Number

CIDB Registration Number <i>(if applicable)</i>	
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Section 5: National Treasury Central Supplier Data Base Registration Number

CSD registration number Attach CSD registration report	
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Section 6: Particulars of Principals

Principal: means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporation Act, 1984, (Act No. 69 of 1984).

Full Name of Principal	Identity Number	Personal Tax Reference Number

Attach separate page if necessary

Section 7: Record of Termination of Previous Contracts with an Organ of State

Was any contract between the Bidding entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

Yes No (Tick appropriate box)

If yes, provide particulars (interest separate page if necessary)

Section 8: Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the Bidding entity confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise in an attachment hereto, are to the best of my belief both true and correct, and:

- i) neither the name of the Bidding entity or any of its principals appears on:
 - a) the Register of Bid Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
 - b) National Treasury’s Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) neither the Bidding entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) no employee of the Bidding entity has in the Bidding entity a direct or indirect financial or personal interest other than that relating to his / her employment relationship with the Bidding entity (see Section 34 (6) of the Higher Education Act of 1997 (Act No 101 of 1997))
- iv) the Bidding entity is not associated, linked or involved with any other Bidding entities submitting Bid offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential Bidding entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a Bid or not, the content of the submission (specification, timing, conditions of contract etc.) or intention to not win a Bid;

- vi) has no other relationship with any of the Bidders or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the Bidder or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the Bidder's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signed

Date

Name

Position

Enterprise name

Note 1: The Standard Conditions of Bid contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that Bidders avoid conflicts of interest, only submit a Bid offer if the Bidder or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one Bid either as a single Biding entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any Bidder who engages in fraudulent and corrupt practice. Clause 3.1 also requires Bidders to comply with all legal obligations.

Note: 2: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

Note: 3: Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a Bid.

Note: 4: Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive Bidding. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

Enterprise Declaration

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

- 1) The respondent is not an unincorporated joint venture and is (tick appropriate box and insert the registration number):
- a close corporation: CK Registration Number:
 - a company: Company Registration Number:
- (Attach Proof of company registration in terms of the Companies Act, 2008 (Act 71 of 2008) or Close Corporation Act, 1984, (Act No. 69 of 1984) as applicable)

- 2) The respondent confirms experience in the refurbishment, rehabilitation or alteration of buildings and has successfully completed three contracts as a **main contractor** involving such works over the last five years, each of which has a contract value including VAT of at least R 5 million
(Complete Annexure B)

3) Confirmation of B-BBEE Status

The Construction Sector Code applies to the B-BBEE compliance measurement of all entities that fall within the Construction Sector. It includes the following definitions:

- Built Environment Professional (BEPs): These are enterprises that conduct the following activities: Planning, design and costing of construction projects in the built environment. Also, project management and design of a construction value chain including environment, energy, industrial, property, transport and infrastructure. Enterprises typically classified as BEP's include, but are not limited to, consulting engineering practices, architects, quantity surveyors and town planners.
- Construction related activities: the activities conducted by Contractors, BEP's and Construction Material Suppliers
- Construction Sector: all enterprises who derive more than 50% of their annual Revenue from Construction Related Activities.

I hereby confirm the following (tick appropriate boxes):

- a) The Bidder is:
- an Exempted Micro Enterprise
 - a Qualifying Small Enterprise
 - not an Exempted Micro Enterprise or a Qualifying Small Enterprise
- b) the Bidder derives:
- more than 50% of annual Revenue from Construction Related Activities
 - less than or equal to 50% of annual Revenue from Construction Related Activities

Note: The turnover thresholds for the generic score card and for the construction Sector Score Card for an EME and QSE are R10 million and R50 million, respectively.

- c) the Bidder is a level B-BBEE contributor
d) the Bidder has submitted the following proof of B-BBEE status:

Basis for Compliance Measurement	
Generic Code of Good Practice	Construction Code of Good Practice
<input type="checkbox"/> Affidavit obtained from https://www.thedti.gov.za/economic_empowerment/bee_codes.jsp or <input type="checkbox"/> B-BBEE Verification Certificates issued by a verification agency accredited by the South African National Accreditation System (SANAS)	<input type="checkbox"/> B-BBEE Verification Certificates issued by a verification agency accredited by the South African National Accreditation System (SANAS) or <input type="checkbox"/> an affidavit obtained from http://www.cscconline.org.za/Home/Documents if an EME with a turnover of less than R1,8 m provided that the BEP does not wish to apply for enhanced B-BBEE status level

- 5) The respondent hereby confirms that the enterprise:
- a) undertakes to subcontract a minimum of 30% of the contract value to Exempted Micro Enterprises (EMEs) and / or Qualifying Small Business Enterprises (QSE) as defined in the Preferential Procurement Regulations 2017;
 - b) is registered on the National Treasury Central Supplier Data Base (attach CSD Registration report)
 - c) Is in possession of a letter of good standing from the Compensation Fund or a licensed compensation insurer as contemplated in the Compensation for Occupational Injuries and Disease Act, 1993 (Act No. 130 of 1993) (attach letter).
 - d) is capable of producing a health and safety plan for the refurbishment of buildings (attach a copy of a recent Health and Safety Plan or a draft health and safety plan for the proposed refurbishment of institutional multi-storey buildings)

I hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct.

Signed

Date

.....

.....

Name

Position

.....

Bidder

.....

Annexure A: Annual Financial Statements Declaration

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

- 1) The Enterprise’s Financial Year-end is

- 2) The Enterprise’s Financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable

- 3) The Enterprise has compiled its financial accounts [tick one box]:
 - Internally Independently

- 4) The following statement applies to the enterprise [tick one box and provide relevant information]
 - Enterprise has had its financial statements audited;
Name of Auditor

 - Enterprise is required by law to have an independent review of its financial statements
Name of Independent Reviewer

 - Enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements

- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.

[Attach the income statement and the balance sheet contained in the financial statement]

- 6) The Annual Turnover for the last financial year is R

- 7) The Total Assets as at the end of the last financial year is R

- 8) The Total Liabilities as at the end of the financial year is R

I hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct.

Signed

Date

.....

.....

Name

.....

Position

Bidder

.....

Annexure B: Contactable Client References

Contactable Reference #1.		Description of works undertaken as a main contractor for the refurbishment, rehabilitation or alteration of buildings	Particulars
Name of Organisation:			Approximate contract value including VAT (R m) Completion date (within last 5 years)
Contact Person:			
Telephone:	Landline: Mobile:		
Email (if available):			
Contactable Reference #2.		Description of works undertaken as a main contractor for the refurbishment, rehabilitation or alteration of buildings	Particulars
Name of Organisation:			Approximate contract value including VAT (R m) Completion date (within last 5 years)
Contact Person:			
Telephone:	Landline: Mobile:		
Email (if Available):			

Contactable Reference #3.		Description of works undertaken as a main contractor for the refurbishment, rehabilitation or alteration of buildings	Particulars
Name of Organisation:			Approximate contract value including VAT (R m) Completion date (within last 5 years)
Contact Person:			
Telephone:	Landline: Mobile:		
Email (if Available):			



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E3: Indicative Scope of Work

I Background

I.1 Overview of the Indicative Scope of Work

The Department of Higher Education and Training allocated funding through a number of grant cycles to the university for the Kwa-Dlangezwa Campus for:

- deferred maintenance projects which may include projects such as those outlined in Table I;
- projects to address health and safety compliance issues relating to aged infrastructure which either may not comply with current health and safety standards or infrastructure which is being used for a different purpose to what was originally intended; and
- making buildings and public spaces disability friendly.

There is also a possibility that similar projects on a much lessor scale will be required on the Richards Bay Campus.

The works may also include paving, landscaping and irrigation projects and the erection of fencing, walls and minor structures.

Table I: Potential High Level Scope of Work

Building	High Level Scope of Work
Works which are unlikely to disrupt academic activities	
Admin Building	Ablutions. Paintwork. Disabled Toilet, Electrical Rewiring, Lifts
Bulk Drainage, Drainage and water lines, replacement of soil drainage pipes	General Wet Services, water and waste water infrastructure
Upgrade of electrical infrastructure	Switchgear, cabling, labelling
PPO Warehouse	Ablutions. Paintwork. Disabled Toilet
Library Building	Ablutions. Paintwork. Disabled Toilet, roof repairs
Service Entrance	Gatehouse, booms, gates
Sports Complex	Refurbishment of ablutions and new Disabled Toilet & Waterproofing
Substations	Waterproofing, Paintwork and Refurbishment
Old VC House	Ablutions, paintwork, wall and floor finishes, wiring

Disabled ramps	Construction of ramps for all the campuses where required
Bhekuzulu Hall	Wall and floor finishes, seating, acoustics, wiring, ramps
Student Residences	Structural repairs, roofing, wall and floor finishes, electrical wiring, access control
Works which are likely to disrupt academic activities	
Agriculture Building	Ablutions. Paintwork. Disabled Toilet
Commerce and Law	Waterproofing, rainwater goods, wall and floor finishes, ablutions, air conditioning and wiring
Botany	Waterproofing, rainwater goods, wall and floor finishes, ablutions, air conditioning and wiring
Physics	Waterproofing, rainwater goods, wall and floor finishes, ablutions, air conditioning and wiring
Zoology	Waterproofing, rainwater goods, wall and floor finishes, ablutions, air conditioning and wiring
Geology and Hydrology	Ablutions, disabled toilet, floor finishes, wiring
Development Studies and Anthropology	Waterproofing, rainwater goods, wall and floor finishes, ablutions, air conditioning and wiring
Civil Infrastructure Works	
Sports Facilities	
Internal roads, parking and paving	Potholes, humps
Storm water	Storm water management system
Bulk water	Water storage tanks to student residences
Mechanical and Electrical Infrastructure	
Student residences	Heat pumps, plant rooms, geysers
Substations	Low voltage switchgear, cabling
Medium voltage	MV cables, switchgear, transformers

Buildings and infrastructure at Kwa-Dlangezwa are in dire need of refurbishment and upgrade. Most existing student residences and staff accommodation is in dilapidated state. There is also a chronic shortage of lecture venues on the Kwa-Dlangezwa Campus. As a result, whole buildings cannot be decanted and handed over to contractors to undertake the necessary work. The contractor will in most instances be required to work around building occupants and perform building activities which may or may not disrupt academic activities. Accordingly, the contractor will need to plan his work around the occupants of the buildings in order to minimise disruptions to the workings of the University. In some instances, this will mean that the contractor will have to undertake the work during student study breaks and holidays.

Contractors will also need to plan the work so that the addressing of compliance issues and making the campus more disability friendly do not necessitate the reworking of upgraded facilities.

The Employer has accordingly adopted a flexible and collaborative contracting approach to upgrade the Kwa-Dlangezwa and Richards Campus as such an approach may reduce risk pricing, minimise disruptions to the workings of the University and result in a higher quality of work. In such an approach, the University appoints a management contractor on a cost-plus basis in terms of a framework agreement to undertake the required services.

1.2 Framework Agreements

A framework agreement is an agreement between the employer and one or more contractors, the purpose of which is to establish the terms governing orders to be awarded during a given period, in particular with

regard to price and, where appropriate, the quantity envisaged. An order, on the other hand, is an instruction to provide work under a framework agreement. Framework agreements enable the Employer to procure on an as-instructed basis (call offs) over a set term without committing to any quantum of work. Such agreements do not bind the Employer to make use of such agreements to meet its needs. The Employer may approach the market for work falling within the scope of work of the framework agreement, whenever it considers that better value in terms of time, cost and the quality may be obtained.

The issuing of orders to contractors having framework agreements covering the same scope of work may be made with or without requiring competition amongst such contractors. Competition amongst such contractors for orders takes place where there is no justifiable reason for issuing an order to a particular contractor, the terms in the order are insufficiently precise or complete to cover the particular requirement, or a better quality of service can be obtained through a competitive process.

2 Objective of the Call for an Expression of Interest

The objective of this call for an expression of interest is to prequalify interested CIDB registered contractors so that they can be invited to submit Bids for framework agreements for management contractor services, over a three (3) year term without a commitment to a quantum of work, to provide management contractor services relating to the refurbishment, rehabilitation, alteration and repair of buildings and related site works and the implementation of occupational health and safety compliance and disability access projects on the Kwa-Dlangezwa and Richards Bay campuses.

3 Employer's Objective for Putting in Place Framework Agreements

The Employer's objective is putting in place framework agreements for management contractor services over a three year term is to secure the services of contractors capable of serving the emerging needs for such services within the Kwa-Dlangezwa and Richards Bay campuses.

4 Procurement Strategy

The Employer intends entering into a framework agreement with a limited number of contractors for management contractor services relating to the upgrading of facilities on the Kwa-Dlangezwa and Richards Bay Campuses, following a competitive selection process (qualified procedure). The NEC3 Engineering and Construction Contract (ECC), Option F: Management contract will form the basis of the framework agreement entered into with the Employer. The management contractor's responsibilities for construction work are the same as those of a contractor working under one of the other options provided in the NEC3 ECC. However, the management contractor performs only a limited amount of construction works typically relating to site establishment and de-establishment. The remainder of work will be contracted from local sub-contractors and suppliers who will be subcontracted through direct contracts with the contractor, who acts as a management contractor.

The management contractor may also be required to subcontract the design work and / or condition assessments to a suitably qualified professional service providers if instructed to do so.

The management contractor Bids his Fee and is paid on a cost reimbursable basis i.e. Defined Cost uplifted by his Fee percentage. Defined Cost includes subcontract amounts and the prices of the work done by the Contractor himself less Disallowed Cost. Disallowed Cost includes costs not justified by accounts and records, costs not in accordance with a Subcontractor's contract, costs incurred because procedures were not followed and payment to a Subcontractor for work which the Contractor is to do himself and the Contractor's management.

The management contractor is responsible for supplying management services. The management contractor's Fee will increase if subcontractors' prices (part of Defined Cost to the contractor) increase due to compensation events. However, he will not receive separate payment for his work in dealing with compensation events and he will not receive any additional Fee for work on compensation events which does not lead to an increase in subcontractors' prices.

Framework agreements will be entered into with a limited number of contractors (see <http://www.ioptions.co.za/sites/default/files/rbwpapers/P4%20Papers/P4-7.pdf>). These contracts enable work to be called off in terms of an order over the term of the contract without a commitment to a quantity of instructed work. An order falling within the scope of the agreement may be issued during the term of the contract but not after the term. Any work instructed before the expiry of the term will be completed under the contract.

Respondents who are invited to submit Bids will be evaluated on the basis of financial offer, preference and quality. Bidders will be required to Bid their direct fee percentage and subcontracted fee percentages. These parameters will be reduced to a comparative offer in terms of a Bid assessment schedule. A framework agreement will be entered into with one or more of the highest scoring Bidders.

5 Secondary Procurement Objectives and Obligations

The Employer's secondary (developmental) objectives are to:

- promote broad based black economic empowerment by applying the provision of the Preferential Procurement Regulations of 2017 including where applicable and appropriate those relating to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs).
- 30% mandatory subcontracting to EMEs and QSEs
- provide employment opportunities to men, women and youth who reside within the jurisdiction of the uMhlathuze Local Municipality
- provide work opportunities to businesses located with the jurisdiction of the uMhlathuze Local Municipality
- promote local production and content of goods designated by the Department of Trade and Industry; and
- support skills development by increasing the number of people who have part qualifications, national qualifications and professional designations awarded by statutory councils;

Contractors may be called upon to embrace any or all of these objectives in the execution of orders.

END.