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Olifants Management Model Programme: Bulk Potable Water Supply Scheme

Request for Information

Design and construction of the bulk potable water distribution infrastructure and its associated appurtenant works

LWUA-BPW-ENL-RFI-001

Rev 2.0

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List of Abbreviations

B-BBEE	Broad-Based Black Economic Empowerment
CIDB	Construction Industry Development Board
DWS	Department of Water and Sanitation
ECC	Engineering and Construction Contract
HSE	Health, Safety, Environment
LWUA	Lebalelo Water User Association
NDA	Non-disclosure Agreement
NEC	New Engineering Contract
OMM	Olifants Management Model
PMC	Project Management Consultant
RFI	Request for Information
RFP	Request for Proposal
SANAS	South African National Accreditation System
SARS	South African Revenue Service
WSA	Water Services Authority



1. Introduction and Invitation to Participate in RFI Process

Lebalelo Water User Association (LWUA) was established in February 2002 in terms of Chapter 8 of the National Water Act, 1998 as a water user association with a mandate to provide raw water to its members. LWUA invites Interested Parties to pre-qualify for the implementation of the bulk potable water infrastructure, to be constructed downstream of the water treatment works in the Northern and Eastern Limbs of the OMM Programme Project Area.

The intent of this RFI is:

- to afford Interested Parties who are individual contractors or joint ventures of more than one company with a CIDB grading of 7CE, 7ME & 7EP, and B-BBEE level of 4 or above, and who are experienced in civil engineering works, water retaining and building structures, pipelines, mechanical, electrical, instrumentation and appurtenant works of this nature, an opportunity to formally express their interest in participating in this RFI and its associated future Request for Proposal (RFP) process;
- to allow Interested Parties to timeously identify appropriate resources and sources of expertise which may include joint venture members, specialist suppliers or subcontractors with experience in this type of work; and
- to pre-qualify suitably qualified and experienced individual companies or joint ventures, specialist suppliers and subcontractors as prospective Interested Parties for an RFP.

The intended RFP will be based on a NEC3, Engineering and Construction Contract, Option A with a priced Activity Schedule.

You can download this RFI from LWUA's website at [Tender Information - Lebalelo Water User Association L W U A](#) or by requesting a copy of this RFI by sending an e-mail to tenders@lebalelo.co.za.

This RFI is comprised of:

- this document
- annexure 1: Submission Procedures;
- annexure 2: list of Returnable Documents;
- the intention to participate and submit pre-qualification documents form and NDA;
- KMZ files

To participate in this RFI, each Interested Party is required to submit its response and required pre-qualification documents that comply with the instructions and requirements included in **Annexure 1: Submission Procedures**.

Kindly direct all your queries in respect of this RFI via e-mail to tenders@lebalelo.co.za, for the attention of the Employer's representative, Stephen Moletsane.



1.1 Important Dates

1.1.1 Queries

The latest date for the receipt of queries from Interested Parties shall be no later than **16:00 on Friday, 8 March 2024**. Queries received after this date will not receive a response.

1.1.2 RFI Clarification Meeting

A non-compulsory virtual RFI clarification meeting will take place at 12:00 on **Thursday, 7 March 2024**. The Microsoft Teams link to the meeting will be forwarded to all Interested Parties who submitted their letter of intent to submit their required pre-qualification documents and signed NDA by e-mail to tenders@lebalelo.co.za.

1.1.3 Closing Date

The closing time and date for the submission of the required pre-qualification documents is at **16:00 on Wednesday, 13 March 2024**. No late submissions will be accepted.

1.2 Submission of Responses

Each Interested Party must submit their responses before the closing date, by uploading the required pre-qualification documents onto the Interested Party's designated SharePoint folder. LWUA will create a SharePoint folder for each Interested Party who submits their letter of intent and NDA before the closing date.

The link to each Interested Party's SharePoint folder will grant access to the e-mail addresses indicated on the completed letter of intent and will be sent to each Interested Party by e-mail.

2. OMM Programme

2.1 The Lebalelo Water User Association

LWUA supplies water directly to the mining industry which uses raw water for operational purposes and also providing off-take points for the appointed Water Services Authority to take and treat water to potable water standards and supply to its constituency. LWUA operates in Havercroft, Modubeng, Limpopo Province, with infrastructure spanning 110km and intersecting over 105 separate communities, mostly in the Sekhukhune District Municipality.

2.2 Introduction to the OMM Programme

The Department of Water and Sanitation (DWS) conceptualised in the late 1990's the Olifants River Water Resource Development Project (ORWRDP) to address the water needs of the middle Olifants River catchment area in the Limpopo Province. The aim of the project was to release pressure off Flag Boshielo Dam, the key regional source of water in the area, to provide water to the water-stressed city of Polokwane, and, in doing so, free up water for the water-stressed Mogalakwena municipal area.



The ORWRDP has only partially been implemented over the past two decades placing increasing pressure on DWS to meet social and industry expansion water needs. Additionally, potable water infrastructure development has been very slow in the Eastern Limb despite bulk raw water having been available since 2002 through the Lebalelo Water User Association scheme. The delivery of potable water services in the Northern Limb area of Mogalakwena has also been hindered due to delays in the ORWRDP implementation.

Levels of social unrest and incidences of asset destruction have increased due to the slow progress in delivery of water services to communities together with unmet expectations of job creation from mines. This has resulted in vandalism of water infrastructure and mining operations being disrupted, particularly in the Eastern Limb.

Government has also had funding constraints with competing priorities for water and other infrastructure services. The outbreak of the Covid-19 pandemic has placed additional financial and organisational pressure on DWS to fast-track water supply to communities to prevent the spread of the disease.

There is also currently a regional economic expansion opportunity to take advantage of a favourable commodity cycle within the Limpopo Province.

The original ORWRDP plan, from a technical, financial and socio-economic perspective, was no longer optimal neither was it fit-for-purpose. It was therefore amended in the form of the OMM Programme for the following reasons:

- The ORWRDP plan did not include the construction of a raw water pipeline from Pruisen to Mokopane and Sekuruwe which is required to meet social and commercial users' requirements;
- Flag Boshielo Dam is already over allocated and the Northern Limb water supply phases would place additional pressure on the system. This pressure could be released through augmentation strategies and the abstraction of water from De Hoop Dam to meet Eastern Limb requirements allowing water from Flag Boshielo Dam to support the Northern Limb requirements;
- The ORWRDP plan to construct Phase 2D and 2E before phase 2F in the Eastern Limb, will provide no additional water to the water stressed Polokwane area. The construction of Phase 2F, before these two phases, would however significantly accelerate the provision of additional water to Polokwane;
- LWUA's water scheme infrastructure remains under-utilised and, with some minor modifications, can be used to link the De Hoop Dam to Polokwane;
- Technical specifications have not been revised to account for the reduced dam yields (De Hoop Dam and Flag Boshielo Dam) highlighting concerns over estimated cost; and
- The synchronisation of bulk raw water infrastructure development with potable water infrastructure development is part of the OMM Programme. This is a critical consideration in delivering potable water and requires an integrated approach.



Addressing the pressing social and commercial needs, Government and Commercial Members agreed to collaborate by entering into a joint venture arrangement. In terms of this arrangement LWUA, has been tasked with financing, building, operating, maintaining and managing the development of a defined OMM Programme for the accelerated delivery of bulk raw and potable water services in the region. The implementing entity for this OMM Programme is LWUA which is in the process of being transformed and rebranded.

The Government consisting of the National Department of Water and Sanitation together with the affected Water Service Authorities (WSA) (i.e. Mogalakwena Local Municipality and Sekhukhune District Municipality) as the institutional members and the commercial members will have equal interest in the transformed Association on a 50:50 basis.

2.3 OMM Programme Fit with Wider Policies and Strategies

The OMM Programme envisages a collaborative treatment of the relevant water acts to give effect to section 27 of the Constitution of the Republic of South Africa, 1996 (which addresses access to water) in managing water within a circular economy. The development of the OMM Programme is required to be socially, environmentally, and economically sustainable. The OMM Programme aims to provide for co-operative, environmental governance by establishing principles for decision-making on matters affecting the environment. Sustainable development requires the integration of social, economic, and environmental factors in the planning, implementation and evaluation of decisions to ensure that development serves present and future generations.

2.4 OMM Programme Objectives

Considering water resource availability and the regional water needs, as agreed between the members of the Association, the OMM Programme aims to achieve the following key objectives:

- Accelerate the implementation of the ORWRDP and social water supply to water stressed areas;
- Revisit and optimise the current available technical design to ensure the most cost effective solution;
- Operational efficiency optimisation through economy of scale of similar systems by integrating existing Government and Association bulk raw water infrastructure into the Association as a single operating entity for the total network;
- Improve potable water service delivery through supporting existing potable Water Services Authorities;
- Develop skills in the Water Sector not only through the construction activities, but as part of ongoing operational activities (executed by LWUA and WSAs) as well as through ongoing SED activities in the region of operations;
- Improve social harmony in the region through the provisioning of social water, the creation of jobs and socio-economic development;
- Bulk and Potable water infrastructure capex to be shared between all members to secure an integrated funding approach with all members sharing funding repayment risks;
- Sustainability of the OMM Programme by fully mandating and equipping the Association to implement, manage, operate and maintain the OMM Programme;
- Strict adherence to regulatory requirements; and



- Be a model water infrastructure pilot programme for the country through collaboration (between the Government and the private sector) and the provision of strong governance over the programme by implementing the OMM Programme based on internationally proven project execution principles and standards.

2.5 OMM Programme Scope

The scope of the OMM Programme is to:

- Abstract the scheme water primarily from De Hoop Dam, Flag Boshielo Dam and Havercroft Weir on the Olifants River;
- Re-sequence the construction of ORWRDP bulk raw water infrastructure to meet revised water needs;
- Commence construction with Phases 2B & 2B+ followed by Phase 2F (revised and updated to meet current requirements) whilst deferring Phase 2D and 2E until needed;
- Construct a new pump station between Steelpoort pump station and Mooihoek reservoir, Phase 2H;
- Construct potable water infrastructure for defined areas in the Northern and Eastern Limb with construction to be fast tracked where existing bulk water infrastructure is already available;
- Establish a resourcing partnership through the Association to:
- Support construction, operations and maintenance of the defined bulk water infrastructure (including the De Hoop and Flag Boshielo Dams);
- Provide operational support to Water Services Authorities, where required;
- Implement a socio-economic development (SED) plan to prepare communities to participate in the OMM Programme spend to develop skills, create jobs and change behaviour. The SED programme will primarily focus on potable water, sanitation services, connectivity, education and enterprise development.

The figure below is a visual representation and overview of the OMM Programme:

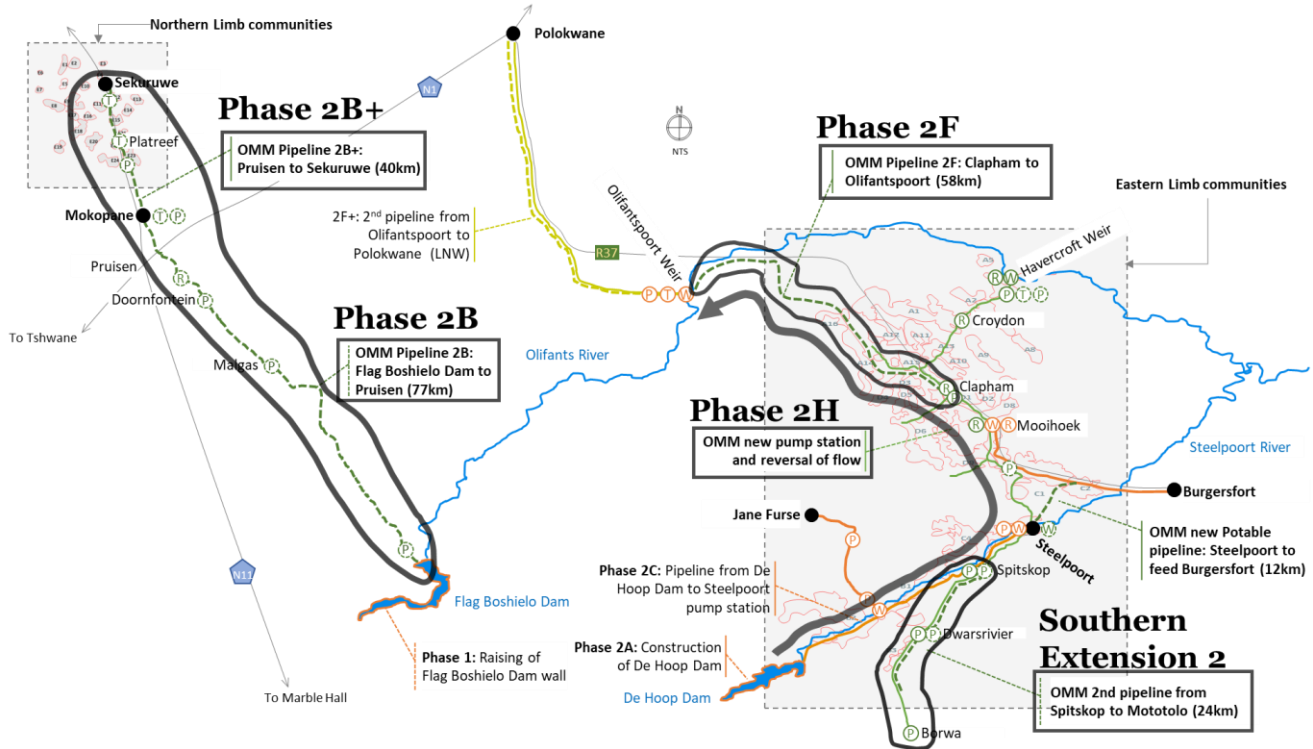


Figure 1: Visual representation of OMM Programme

3. Bulk Potable Water Scope of Work

The Bulk Potable Water scope of work for this RFI includes the design and construction of the bulk potable water distribution infrastructure downstream of the water treatment works (WTW) in the Northern and Eastern Limbs of the OMM Programme Project Area, and includes pipelines, reservoirs and associated appurtenant works. The detailed scope of work will be defined in detailed in the Request for Proposal documents for the bulk potable water to be constructed in the Northern and Eastern Limbs, respectively.

The works are planned within the northern and eastern limb of the current OMM Programme as shown in Figure 1 above, and indicated in the attached KMZ files. Kindly note that the identified locations for the infrastructure in the attached KMZ files are indicative only, and will be determined and finally designed by the appointed contractor.

New WTW plants are planned to be constructed in the northern and eastern limbs, and a bulk water distribution network is required to distribute the potable water to end users. The final reticulation network will not be part of this RFI.

The following typical infrastructure will be required:

- +300 km new Steel Pipelines (DN50 to DN600)
- Structural Condition Assessment of existing reservoirs



- New Command Reservoirs (5ML) made of steel or concrete material
- Supply Reservoirs (e.g. Elevated Steel Panel tanks)
- New Pump Stations (total installed power from 1600kw per pump station) with required E&I appurtenant works
- Electrical switchgear and cables of 11kV capacity
- SCADA contract

4. Indicative Programme for this RFI

Considering the size of the communities and the demand for water, it is anticipated that the execution of the water solution, would be executed partially in parallel with other bulk water projects within the OMM Programme. The table below indicates the planned dates for the implementation of this RFI:

ACTIVITY	DATE
RFI Published	4 March 2024
Clarification Meeting	12:00 on 7 March 2024
Closing Date for Queries	16:00 on 8 March 2024
RFI Submissions Closing Date	16:00 on 13 March 2024



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Olifants Management Model Programme: RFI for Bulk Potable Water Supply Scheme

ANNEXURE 1: SUBMISSION PROCEDURE AND EVALUATION CRITERIA

LWUA-BPW-ENL-RFI-001



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1. Instructions to Interested Parties

In participating in this RFI process, Interested Parties are requested to consider the following:

- Read this entire document together with all attachments. The Interested Party must check this RFI, including pages within them, and notify LUWA of any discrepancy or omission.
- Interested Parties must acknowledge receipt of addenda to the RFI which LWUA may issue, and if necessary apply for an extension to the closing time, in order to take the addenda into account.
- Completed pre-qualification documents must be uploaded onto each Interested Party's designated SharePoint folder, as detailed in the accompanying RFI.
- Late submissions will not be accepted.
- Interested Parties must complete all the returnable schedules. Failure to fully complete all the relevant returnable documents may render the submission unresponsive.
- Interested Parties are required to answer all questions, respond to all information requests and number each page.
- Please retain a copy of your complete submission.
- Project financial data must preferably be stated in ZAR.
- The RFI process may be followed by a full Request for Proposal (RFP) phase. Interested Parties must note:
 - Based on the RFI evaluation process, LWUA reserves the right to determine which Interested Parties will proceed to the next RFP phase without furnishing reasons for its decision.
 - This RFI does not constitute a commitment, implied or otherwise, that LWUA will continue with any further procurement action.
- LWUA will not be responsible for or pay for any expenses or losses which the Interested Parties may incur in the preparation of a response to this RFI.

2. Eligibility to Participate in this RFI

Only Interested Parties who are registered with the Construction Industry Development Board (CIDB), or who are capable of being registered prior to the evaluation of the pre-qualification documents, with a contractor grading designation of 7CE, 7ME & EP and who satisfy the following eligibility criteria are eligible to submit pre-qualifications documents.

Interested Parties must have:

- previous experience in the construction of bulk potable water infrastructure or wastewater treatment works, water retaining structures, large diameter pipelines, civil works and mechanical, electrical, instrumentation and piping works;



- audited financial statements for the last three (3) financial years in accordance with legislative requirements.
- in their employ, as a minimum, suitably qualified key personnel for the following positions who are available to be deployed on the project on a full-time basis in a project office on-site:
- ECSA Registration is mandatory where Technical Leads are concerned.
- Where Planner experience is concerned Primavera P6 is required, but Microsoft Projects experience will be considered.

Joint ventures are eligible to submit pre-qualification documents provided that:

- each individual member of the joint venture is registered with the CIDB;
- the lead partner has a contractor grading designation in the 7CE class of construction work, and the contracting entity also has a contractor grading designation of 7ME and 7EP;
- the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a CE class of construction work or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.

3. Procedure for evaluation of responsive submissions

The procedure for the evaluation of responsive submissions is based on the set evaluation criteria. In the case of joint ventures, the weighted average preference score of the joint venture partners will be used to allocate a score for the joint venture.

Pre-qualification documents shall be evaluated in three stages as follows:

- Stage 1 – Determination of Eligibility
- Stage 2 – Evaluation of Administrative Compliance
- Stage 3 – Evaluation of Technical Capabilities

Pre-qualification will be based on Interested Parties meeting the minimum criteria regarding their general and particular construction experience, financial position, personnel proposed, HSE approach and other relevant information. This must be demonstrated by the Interested Parties' response in the prescribed forms and additional information attached to its application for pre-qualification.

Interested Parties are advised that, in the event that their application to pre-qualify as a prospective bidder in the RFP process is successful, the material information and documents included in the subsequent bids may not materially differ from the information and documents included in this pre-qualification submission. LIUWA reserves the right to re-evaluate documents if changes are made, which can result in the Interested Party / Parties being classified as non-responsive.



In the case of joint ventures, capabilities and resources of joint venture partners and specialist sub-contractors will collectively be taken into account for the purposes of the pre-qualification.

4. Criteria for Pre-qualification

It is the intention of LWUA to pre-qualify a minimum of three (3) Interested Party / Parties for the Contract. An Interested Party must achieve a minimum total score of 70 out of 100 for the technical evaluation in order to be pre-qualified.

4.1 Disqualifying Criteria

LWUA shall disqualify from the pre-qualification evaluation process any Interested Party that fails to:

- Submit the pre-qualification application on or before the specified closing date and time.
- Submit with the application a valid original South African Revenue Service (SARS) tax clearance certificate certifying the payment of taxes to be in order or that suitable arrangements have been made with SARS. Foreign-based entities will be required to submit similar certification from the revenue service of the country where the head office of the entity is registered.
- Provide with their submission proof of CIDB registration and grading for each construction company and for each joint venture member.
- Submit with the application the completed Integrity Affidavit by the Interested Party or each of the joint venture members and specialist suppliers and/or subcontractors.
- Submit with the application the completed Anti-Bribery and Corruption Declaration by the Interested Party or each joint venture members and specialist suppliers and/or subcontractors.

No Interested Parties will be permitted to be a member of more than one joint venture or be a member of a joint venture whilst being a subcontractor, specialist or supplier in another consortium for the same contract. Failure to abide by this stipulation will render all joint ventures containing the same Parties to be disqualified. This stipulation does not apply to organisations intending to provide purely a supply or subcontractor role in the Contract.

LWUA upholds a zero tolerance on bribery and corruption and maintains the highest standards of business ethics and corporate governance in the conduct of all facets of its business. In its business relationships and interactions with suppliers, service providers and business partners, it is a prerequisite that such entities demonstrate a commitment to similar ethical and business standards. In instances where a supplier, service provider or business partner fails to comply with acceptable standards in this regard, LWUA reserves the right to terminate any existing contractual relationship with such party, and to seek recourse for any damages, financial or otherwise, that may result from the termination of such contractual relationship.



5. General Conditions

LWUA and each Interested Party / Parties submitting a response to the RFI shall comply with these conditions. In their dealings with each other, they shall discharge their duties and obligations, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anti-competitive practices.

LWUA and the Interested Party and all their agents and employees involved in the submission process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Interested Party / Parties shall declare any potential conflict of interest in their submissions. Employees, agents and advisors of LWUA shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

The Interested Party / Parties shall not make a submission without having a firm intention and the capacity to proceed with the next stage of the procurement process.

LWUA will not disclose to any Interested Party, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of submissions until after the evaluation process is complete.

5.1 Interpretation

The submission data and additional requirements contained in the submission schedules that are included in the returnable documents are deemed to be part of these conditions for the calling for requests for information.

For the purposes of these conditions, the following definitions apply:

- **conflict of interest** means any situation in which:
 - someone in a position of trust has competing professional or personal interests which make it difficult to fulfil his or her duties impartially.
 - an individual or Interested Party is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit.
 - incompatibility or contradictory interests exist between an employee and the Interested Party who employs that employee.
- **corrupt practice** means the offering, giving, receiving, or soliciting of anything of value to influence the action of LWUA or its staff or agents in the RFI process; and
- **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of LWUA, including collusive



6. Evaluation Criteria

This section contains all the criteria that LWUA will use to evaluate the pre-qualification documents submitted by Interested Parties to pre-qualify Interested Party / Parties.

6.1 Stage 1 – Determination of Eligibility

Each criterion for Eligibility shall be assessed on a pass/fail basis. Where appropriate, minor omissions may be addressed via a request for clarification to the Interested Party / Parties. Interested Party / Parties shall satisfy the minimum requirements as specified in the table below.

Evaluation Criterion	Minimum Requirement	Form
Letter of intent to submit pre-qualification documents	Submission	N/A
Non-Disclosure Agreement	Submission	N/A
Tax clearance certificate	Submission	O
CIDB registration	Submission	P
Integrity Affidavit	Submission	Q
Anit-Bribery and corruption declaration	Submission	R

An Interested Party that does not fulfil the eligibility requirements under any one of the eligibility criteria will not be considered for further evaluation and will be rejected.

6.2 Stage 2 – Evaluation of Administrative Compliance

Overall Administrative compliance shall be assessed on a pass/fail basis. Where appropriate, minor omissions may be addressed via a request for clarification to the Interested Party / Parties. Each Interested Party must satisfy the minimum requirements as specified in the table below, to achieve accepted status in respect of each criterion.

Evaluation Criterion	Minimum Requirement	Form
Submission in English language	Submission	N/A
Proposed Project Organogram	Submission	A
Joint Venture Formation	Submission	B
Letter of Intent to Form a Joint Venture	Submission	C
Authority for signatory	Submission	D



Project Key Personnel	Submission	E
Key Personnel: CV Template	Submission	E
General Experience	Submission	F
Specific Experience: Minimum requirements	Submission	G
Specific Experience: Projects completed over the past ten years	Submission	H
Experience: All Projects in Progress	Submission	I
Quality Management	Submission	J
Environmental Management	Submission	K
Health and Safety Performance	Submission	L
Financial Standing	Submission	M
B-BBEE Certificate and Scorecard	Submission	N
Anti-bribery and Corruption Declaration	Submission	R

6.3 Stage 3 – Evaluation of Technical Abilities

Each Interested Party’s technical proposal will be evaluated in accordance with the table below.

No.	Evaluation Criterion	Description	Minimum Requirements	Form
1.	Interested Party’s Organisation	The Interested Party / Parties must clearly identify all parties and their roles, ensuring that joint venture partners, specialist suppliers and/or subcontractors identified cover all the components of the Contract	Company Organisation Chart, depicting roles and responsibilities of site and head office personnel Organogram of project staffing including Safety, Health, Environment and Quality (SHEQ) managers	A
2.	Key Personnel	The Interested Party / Parties shall demonstrate that proposed Key Personnel satisfy the minimum requirements specified below. All staff shall be proficient in the English language. Scores for the following positions will be based on the qualifications, relevant experience, magnitude and complexity of the projects and the roles the personnel have played in such projects. The Interested Party / Parties shall provide supporting documentation (certified copies of certificates) for proof of qualifications. All CVs must be endorsed by the proposed candidate.		



		<p>Candidates not meeting minimum requirements will still be considered in the evaluation but will be scored accordingly.</p> <p>Note that merely meeting the basic requirements will not necessarily attract full marks.</p>			
Position	Qualification Criteria	Total Work Experience in Years	Total Similar Work Experience in Years	Form	
Project Director/Manager/ Contractor's Representative	Minimum of a relevant degree or diploma or SACPCMP registration and appropriate project management industry related experience.	20	15	E	
Process Lead	Minimum of a relevant degree or diploma and appropriate industry related design experience.	12	10	E	
Civil/ Structural Lead	Minimum of a relevant degree or diploma and appropriate industry related design experience.	10	7	E	
Mechanical/Piping Lead	Minimum of a relevant degree or diploma and appropriate industry related design experience.	10	7	E	
Site Agent	Minimum of a relevant degree or diploma or SACPCMP registration and with appropriate project management industry related experience.	15	10	E	
Commissioning Manager	Minimum of a technical diploma in civil engineering with appropriate industry related experience.	15	10	E	
HSE Manager	Minimum of a B-Tech degree or equivalent, or be registered in				



		South Africa as SACPCMP as Pr CM or ECSA as Pr Eng or Pr Tech Eng (or proven equivalent registration) in health and safety management with appropriate industry accreditation and related experience.	10	7	E
	Planner	Minimum of a relevant technical diploma with appropriate industry related experience	10	7	
No.	Evaluation Criterion	Description	Minimum Requirements		Form
3.	Quality, environment and HSE	Quality Management	ISO 9001:2015 certificate		J
		Environmental Management	ISO 14001 accreditation		K
		SHEQ Management	Satisfactory response to SHEQ History Questionnaire where satisfactory means that the Interested Party / Parties has complied with 95% of the Questionnaire.		L
4.	Interested Party's Experience	The evaluation of Construction Experience shall be based on the following information in respect of construction contracts successfully completed during the last 10 years, by the Interested Party. It is not a requirement that each joint venture member must have construction experience in all categories.	General Experience:		F
			General Civil engineering construction work carried out in the role of prime contractor, joint venture member or subcontractor.		
			Specific Experience:		H
			Specific design and construction works similar to the Scope of Work for this project carried out in the role of prime contractor, joint venture member or subcontractor.		
The similarity of the construction work shall be based on physical size, complexity, construction method or technology.					
The same reference contract may be used to demonstrate compliance with more than one criterion		Specialised Construction Experience:		H	
Specialised construction works similar to the following, carried out in the role of					



			<p>prime contractor, joint venture member or subcontractor in at least one project. The similarity of the construction work shall be based on physical size, complexity, construction method or technology.</p> <p>Should have successfully completed:</p> <ul style="list-style-type: none"> • +-300 km new Steel Pipelines (DN50 to DN600) • Structural Condition Assessment of existing reservoirs • New Command Reservoirs (5ML) made of steel or concrete material • Supply Reservoirs (e.g. Elevated Steel Panel tanks) • New Pump Stations (total installed power from 1600kw per pump station) with required E&I appurtenant works • Electrical switchgear and cables of 11kV capacity • SCADA contract 	
5.	<p>Financial Capability</p>		<p>The Interested Party shall demonstrate access to liquid assets, unencumbered real assets, lines of credit, or other financial means (independent of any contractual advance payment) sufficient to meet the cash flow requirements amounting to R 30 million for the subject contract net of the Interested Party' other commitments.</p> <p>The Interested Party shall demonstrate, to the satisfaction of LWUA, that it has adequate current assets to meet its current liabilities.</p> <p>The audited financial statements for the last three (3) years shall be submitted and must demonstrate the current soundness of the Interested Party's financial position and indicate its prospective long-term viability (ratio of total assets to liabilities).</p> <p>Minimum average turnover of at least R 300 million, calculated as total certified payments received for contracts in progress and/or completed within the last</p>	M



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ANNEXURE 2: RETURNABLE SCHEDULES

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List of Returnable Documents

The Interested Party must complete the following returnable documents:

FORM	DESCRIPTION
A	Proposed Project Organogram
B	Joint Venture Formation
C	Letter of Intent to Form a Joint Venture
D	Authority for signatory
E	Key Personnel: CV Template
F	General Experience
G	Specific Experience: Minimum requirements
H	Specific Experience: Projects completed over the past ten years
I	Experience: All Projects in Progress
J	Quality Management
K	Environmental Management
L	Health and Safety Performance
M	Financial Standing
N	B-BBEE Certificate and Scorecard
O	Tax Clearance Certificate
P	CIDB Registration
Q	Integrity Affidavit
R	Bribery and Corruption Declaration



Form A: Proposed Project Organogram

Interested Parties must provide a proposed project organogram that clearly indicates all participating companies with their specific roles highlighted. It is of particular importance to show that at least one joint venture partner or sub-contractor has the necessary skills and proven record of accomplishment to execute each of the components or tasks under the Scope of Works. Interested Parties should also indicate in the organogram the key staff positions and the proposed personnel by name that they propose to assign to the project should the Contract be awarded to them. All elements of the work need to be clearly addressed, including civil, mechanical and electrical construction, environmental, health and safety, industrial relations, interface/integration management, project controls including commercial, cost, programming and planning etc.

Interested Parties must include the organisational and functional relationships between all members of the joint venture, including the manner in which the members will participate in the Contract and contribute to the work as well as any specialist suppliers and/or subcontractors. The mentioning of an association, joint venture or consortium will not be considered an adequate response.

Interested Parties must detail whether they intend to make use of specialist suppliers and/or subcontractors for portions of the Works and, if so, indicate with whom it is likely the works will be placed. An indication of work of a similar nature previously carried out by the proposed specialist supplier and/or subcontractor must also be provided.



Form B: Joint Venture Formation

If a company intends to enter into a joint venture for the project, please give the following information, otherwise state "not applicable":

In the case of a joint venture, one of the members should be nominated as the joint venture lead partner, responsible for the preparation and implementation of the Contract. This party should be in charge during the pre-qualification, tender processes and execution of the Contract, should the joint venture be the successful Interested Party. The partner in charge shall be authorised to assume liabilities and to receive instructions for and on behalf of the joint venture.

There is no limit to the number of members that may form a joint venture for the purpose of submitting this pre-qualification application and for the implementation of the Contract that may result there from. It is however, a condition of pre-qualification that all partners accept joint and several liability for their participation in any contract concluded pursuant to this pre-qualification process.

The joint venture forms may be supported by additional information with further details of the proposed joint venture such as the joint venture's purpose and objective, the proposed management structure, the contribution of each member to the joint venture operations, the commitment of the members to joint and several liability for due performance, recourse/sanctions within the joint venture in the event of default or withdrawal of any member, and arrangements for providing the required indemnities.

- The Interested Party is required to provide a letter of intent to form a joint venture.
- Each signatory to the undertaking to form a joint venture must provide a letter of Authority for Signatory from his/her parent company clearly authorising him/her to sign on behalf of the company.

Additional requirements pertaining to a joint venture

Interested Parties submitting a pre-qualification application who elect to constitute themselves as a joint venture must as a whole satisfy all of the conditions relating to financial standing and experience. The joint venture may be sponsored by a financial or trading company. Joint venture Interested Parties will be eligible to have their applications evaluated provided that:

- every member of the joint venture is registered with the CIDB or can provide proof that is capable of being registered with the CIDB after pre-qualification but before submission of tender;
- the lead partner has a CIDB contractor grading designation of 7 CE; and
- the CIDB contractor grading designation for the other joint venture members is appropriate for the level of risk of participation i.e. appropriate value of work to be undertaken.
- The lead electrical and mechanical works subcontractors shall have a CIDB contractor grading designation of at least 7 EP and 7 ME, respectively.

The Employer intends to allow international participation to increase competitiveness. However, as a condition in the pre-qualification any joint venture Interested Party must be structured in such a way that South African construction companies hold a minimum membership of 51% in the joint venture.

The composition of joint ventures may not be altered after pre-qualification without the prior consent of the Employer. No such consent will be given for a change in lead company. Permission to alter any other joint venture arrangements will be at the Employer's sole discretion and pre-qualified Interested Parties will have no recourse to object or appeal should such permission be refused.



The Contract must be executed as a single stand-alone contract and all civil, electrical and mechanical works will be awarded to a single contracting entity. It will thus be essential for companies that are not multidisciplinary to enter into a suitable joint venture (or to nominate suitable qualified and experienced specialist suppliers and subcontractors) to ensure that they have all the required skills available to execute the full scope under a single contract.



Form C: Letter of Intent to form a Joint Venture

TO LEBALELO WATER USER ASSOCIATION (LWUA)

Company A: _____ Company D: _____
of: _____ of: _____
_____ of: _____
_____ (address) _____ (address)

Company B: _____ Company E: _____
of: _____ of: _____
_____ of: _____
_____ (address) _____ (address)

Company C: _____ Company F: _____
of: _____ of: _____
_____ of: _____
_____ (address) _____ (address)

The above-mentioned parties hereby confirm their undertaking to form a joint venture named: _____ (name of the joint venture) and to enter into a joint venture agreement, for the purposes of the Contract, under which all members will be jointly and severally liable for the execution of the Contract (if awarded the Contract) should the application to pre-qualify as a prospective Interested Party for the Contract be successful.

Signed for and on behalf of the Parties on this _____ day of, 20.....at (place)

For Company A:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____



For Company F:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____

For Company C:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____

For Company D:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____

For Company E:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____

For Company F:

Full Name: _____ Capacity: _____ Signature: _____ Date: _____



Form D: Authority for signatory

Signatories for companies, partnerships or close corporations must establish their authority thereto by attaching a copy of the relevant resolution to that effect of their board of directors, members or partners duly signed and dated. An example is shown below for a company. A similar authority must be included for the individual who is authorised by the Interested Party (company or joint venture) to sign documents on behalf of the Interested Party / joint venture member / supplier / subcontractor.

By resolution of the Board of Directors at a meeting on 2024 at

Mr/Ms.....

whose signature appears below, has been duly authorised to sign all documents in connection with this RFI and any contract which may arise there from, on behalf of (company, block capitals)

.....

SIGNATURE OF RESPONSIBLE PERSON OF COMPANY:

IN THEIR CAPACITY AS:

DATE:

SIGNATURE OF SIGNATORY AUTHORISED TO SIGN ON BEHALF OF COMPANY:

(NOTE: This is a typical example of an authority for signature. Signatures of both Responsible Person and authorised Signatory are required on the certificate provided by the Interested Party).



Form E: Key Personnel CV Template

Name:	
Profession:	
Date of birth:	
Parent firm:	
Position in firm: <i>Indicate if Director, Senior Contract or Contract Manager, Site Agent, Engineer, etc.</i>	
Years with firm:	
Nationality:	
Tertiary education (and year obtained):	
Professional accreditation (and year obtained):	
Years of relevant experience:	
Proposed Position on the Team	
KEY QUALIFICATIONS	
<i>Under this heading, give outline of staff member's experience and training most pertinent to the assigned work on the team.</i>	
RELEVANT EXPERIENCE	
<i>Describe degree of responsibility held by staff member on relevant previous assignments, and give dates, project values and locations. For experience in last ten years, also give types of activities performed and client references where appropriate.</i>	
SUMMARY OF OTHER EXPERIENCE	
<i>Under this heading, list all positions held by staff member since graduation, giving dates, names of employing organization, title of position held and location, type and value of construction projects.</i>	



REFERENCES:

Declaration:

I confirm that the above information contained in the CV is an accurate description of my experience and qualifications and that, at the time of signature, I am available and will be able to serve in the position indicated for me in the pre-qualification for LWUA-BPW-ENL-RFI-001

Signature of Staff Member

DATE:



Form F: General Experience

The experience of the company or each of the members in the joint venture, specialist suppliers and subcontractors must be stated below. Name of company, joint venture member, specialist supplier or subcontractor:

Project Name and Location	Name of Entity Undertaking the Works.	Employing Authority and Supervising Engineer (plus telephone and fax No's)	Year of Construction		Predominant Work Content (e.g. pipeline, structures, earthworks, etc.)	Value of Contract (Notes 1 and 2) ZAR x 1000	Interested Parties		Remarks (Note 5)
			Start	Finish			Role (Note 3)	% Financial Participation	

Notes:

1. "Contract" relates to the work for which the Interested Party was responsible. Value of contract to be given in ZAR.
2. Where applicable, use exchange rates prevailing at start of construction and state exchange rate used.
3. State position e.g. sole responsibility, member of joint venture (level of participation), or major sub-contractor.
4. Number of sheets appended by the Interested Party comprising this form (enter "Nil" if none).
5. State specific details of the project.
6. Only projects that demonstrate the minimum requirements must be reported.



Form G: Specific Experience: Minimum Requirements

Interested Parties shall demonstrate their experience in works of a similar nature to the scope of work described in this document.

A summary of the minimum requirements in terms of relevant experience is provided below for the various work elements envisaged for the Contract.

The scope of works for this RFI includes the design and construction of the bulk potable water distribution infrastructure, reservoirs and associated appurtenant works.

The works are planned within the northern and eastern limb of the Igneous Bushveld Complex of Limpopo Province. New WTW plants are planned to be constructed within the Mogalakwena and Sekhukhune District municipalities.

A bulk water distribution network is required to distribute the potable water to end users. The final reticulation network will not be part of the current RFI.

Experience with the following typical infrastructure is required:

- +-300 km new Steel Pipelines (DN50 to DN600)
- Structural Condition Assessment of existing reservoirs
- New Command Reservoirs (5ML) made of steel or concrete material
- Supply Reservoirs (e.g. Elevated Steel Panel tanks)
- New Pump Stations (total installed power from 1600kw per pump station) with required E&I appurtenant works
- Electrical switchgear and cables of 11kV capacity
- Scada contract involving more than 1000 discrete inputs / outputs (I/O)



Form H: Specific Experience: Projects completed over the last ten years

The experience of the company or each of the members in the joint venture, specialist suppliers and subcontractors must be stated below.

List projects pertaining to specific experience as listed in Form I (also specify type of project, complexity and value) constructed in South Africa and abroad. A recommendation/reference letter from the client authority on ongoing projects and/or performance or take-over certificate(s) for completed projects listed below must be submitted.

For each project, the letter must contain the following information in no more than 1 page:

- project type and value;
- contractual date of completion;
- completion date (where applicable) or the anticipated date of completion; and
- confirmation of level of participation of Interested Party in the project.

Project Name and Location	Name of Entity Undertaking the Works.	Employing Authority and Supervising Engineer (plus telephone and fax No's)	Year of Construction		Predominant Work Content (e.g. pipeline, structures, earthworks, etc.)	Value of Contract (Notes 1 and 2) ZAR x 1000	Interested Parties		Remarks (Note 5)
			Start	Finish			Role (Note 3)	% Financial Participation	

Notes:

1. "Contract" relates to the work for which the Interested Party was responsible. Value of Contract to be given in ZAR.
2. Where applicable, use exchange rates prevailing at start of construction and state exchange rate used
3. State position e.g. sole responsibility, member of joint venture (level of participation), or major sub-contractor.
4. Number of sheets appended by the Interested Party comprising this form (enter "Nil" if none).



5. State specific details of the project. For instance, for contracts, state the design capacity, process train, and respective infrastructure components included in the project.
6. Only projects that demonstrate the minimum requirements must be reported.



Form I: Experience: All Projects in Progress

Provide information about all projects in progress, listing separately those where the company has received a letter of intent, but a formal contract has not yet been awarded.

Name of Employer	Name of entity undertaking the works or which has submitted tenders for which letters of intent have been received	Name, location and type of project	Name of (consulting) engineer responsible for supervision	Value of contract or tender	Value completed and certified	Percentage of participation of company in project	Percentage of practical completion	Scheduled date of completion of work



Form J: Quality Management

The Interested Party shall submit the following, preliminary Quality documentation describing his Quality Management System based on ISO 9001:2015, and his preliminary Project Quality Plan based on ISO 0005:2018.

In describing the Quality Management System, the Interested Party shall, as a minimum, submit the following (with reference to ISO 9001:2015):

- Quality Policy and Objectives
- Documented procedures consisting, as a minimum, of the specified procedures:
- Control of documents
- Control of quality records Internal audit
- Control of nonconforming product
- Corrective action
- Preventive action
- List of documentation required by the organization to ensure the effective planning, operation and control of its processes.
- Approved supplier lists; and
- Quality plans.

The Interested Party shall also list other records that demonstrate conformity of their processes, products and Quality Management System.

An organogram highlighting the Quality Assurance structure and appointments. Also detailing the scopes of responsibilities to be assigned to the key personnel.

The procedures which describe the review, acceptance, implementation and revision of the Project Quality Plan.



Form K: Environmental Management.

For a joint venture / single company (maximum 2 pages):

- Provide confirmation of accreditation with ISO 14001.
- Provide brief descriptions of relevant experience of resources in environmental management. Attach CVs to support the description.

For the individual companies of a joint venture / single company specialist suppliers and subcontractors (maximum 2 pages per company):

- A copy of company's environmental policy.
- A brief description of the environmental management system the company uses.
- The number of years the company has implemented an environmental management system.
- Summary of all internal and external environmental audits compliance percentages.
- Declaration of all previous NEMA section 24 rectifications, if any.



Form L: Health and Safety Performance

Joint venture/single company: (maximum 3 pages)

- Provide a brief description of the health and safety policy which the joint venture / single company plans to be implemented on the Contract, together with the resourcing proposed.
- Provide brief descriptions of relevant experience of resources in health and safety management with particular reference to the Construction Regulations 2014. Attach CV's to support the description.

Individual companies of joint venture/single company, specialist suppliers and sub-contractors (maximum 3 pages per company):

- Provide a brief description of a typical health and safety policy which is currently being used.
- Number of years in use.
- Standing with the Compensation Commissioner in the Department of Labour in respect of:
- Safety record over the past 3 years (DIFR and other indices – provide information in the form of the table below); and
- COID Act.

Provide an outline of your typical Health and Safety Plan and relevant appointments.

Indicate your familiarity with the OHS Act (1993) and the Construction Regulations (2014).

Project Name and Description	Value of Contract (Note 1 and 2) ZAR x 1000	Total Number of Hours	Total Number of Hours Lost as a Result of Disabling Injuries	DIFR	Other Indices	No. of fatalities

Notes:

1. Value of Contract to be given in Rands.
2. Where applicable, use exchange rates prevailing at start of construction and state exchange rate used.
3. Number of sheets appended by the prospective Interested Party comprising this form..... (enter "Nil" if none).



Form M: Financial Standing

Interested Parties shall submit with their pre-qualification application information that LWUA requires to assess the adequacy of their financial resources.

Each Interested Party must demonstrate that he has access to or has available liquid assets, unencumbered real assets, lines of credit and other financial means to meet the cash flow demands on a project of this nature. Acceptable proof will constitute a report from his auditor(s) as well as a summary income statement and balance sheet for the past three (3) years for the company or for all members of a joint venture. Interested Parties should note that authorisation by signature of the auditor is required on the above stated report.

Financial Criteria

For review of the information supplied, the following criteria will apply:

"Balance Sheet Date" means that date to which the company's latest available audited financial statements have been prepared. Financial statements should not be older than three (3) years.

"Current Assets" includes the following assets at the Balance Sheet Date:

- Inventory, work in progress and earnings in excess of billings;
- Trade and other receivables expected to be realised within one year of the Balance Sheet Date;
- Other financial assets including securities not intended to be retained and capable of being readily realised, advance payments on the purchases of current assets and expense prepayments expected to be used up within one year of the Balance Sheet Date; and
- Cash on hand, positive bank balances, demand deposits and cash equivalents such as short-term highly liquid investments readily convertible to cash.

"Current Liabilities" includes, as at the Balance Sheet Date, all obligations payable at the demand of the creditor and those parts of the following obligations whose liquidation is expected within one year of the Balance Sheet Date:

- Trade and other payables including trading liabilities, accrued expenses, deferred revenues and advances from customers, billings in excess of earnings;
- Provisions including accruals for contingencies;
- Current portions of long-term liabilities;
- Provision for taxes payable;
- Other short-term liabilities not included under the other current liability categories; and
- Bank overdraft cash balances.

"Total Assets" includes all of the assets, including leased assets, of the company as at the Balance Sheet Date, with the exception of intangible assets.

"Total Liabilities" includes all of the liabilities of the company at the Balance Sheet Date. "Gross Revenues" includes net invoiced amounts in each financial year.

"Net Income" means income after all expenses, including interest, taxation and dividends payable on any redeemable preference shares (but before provision for other dividends payable) as disclosed in the audited annual financial statements of the company.



Auditor's Report to LWUA

The Interested Party shall submit auditor's reports in respect of company or each member of the joint venture. The auditor shall be a member of a recognised accountancy body, which body shall be a member of the International Federation of Accountants.

For other company structures, the financial statements are to be signed by an authorised company representative in terms of the law.

Capital: Authorised: Issued:

Annual value of construction work undertaken for each of the last five years and projected for current year:

Year	Current					
Home						
Abroad						

Approximate value of work in hand:

Please attach copies of the company's past three years' accounts (profit/loss, assets/liabilities) and other useful financial data.

List all attachments:

Name and address of bankers from whom references can be obtained:

Name of Financial Institution:

Account Number:

Branch Name:

Branch Code:

Account Type:

Contract Person:

Telephone Number:

E-mail:



Summarised Balance Sheet as at:

Item	Year 1	Year 2	Year 3
Current Assets			
Inventory, work in progress and earnings			
Excess of billings			
Trade and other receivables			
Other financial assets			
Cash and cash equivalents			
Current Liabilities			
Trade and other payables			
Provisions			
Current portion of long-term liabilities			
Current taxation payable			
Other short-term loans			
Bank overdraft			
Total Assets			
Current assets			
Non-current assets			
Total Liabilities			
Current liabilities			
Non-current liabilities			

Average gross revenue from civil engineering contracts in the last 3 financial years up to the Balance Sheet Date:.....

Total net income in the last 3 financial years up to the Balance Sheet Date

Please enter the ratios required in Table 1 on the following page for each of the 3 years for which financial data is provided.



Table 1: Auditor's Ratio Analysis

Ratio	Formula	Year 1	Year 2	Year 3
Long-term Solvency				
Interest bearing debt to equity (gearing ratio %)	$\frac{\text{Total interest-bearing debt}}{\text{Shareholders' equity}}$			
Interest coverage	$\frac{\text{Profit before interest and tax}}{\text{Interest paid}}$			
Cash/total debt	$\frac{\text{Cash generated after interest and tax}}{\text{Total interest-bearing debt}}$			
Short Term Solvency				
Current ratio	$\frac{\text{Current assets}}{\text{Current liabilities}}$			
Quick ratio	$\frac{\text{Current assets} - \text{stock and WIP}}{\text{Current liabilities}}$			
Activity ratio (years turnover in WIP)	$\frac{\text{Value of work on hand}}{\text{Most recent annual contract work}}$			
Financial Performance				
Return on net assets	$\frac{\text{Profit before interest and tax}}{\text{Total assets} - \text{current liabilities}}$			
Return on equity %	$\frac{\text{Net profit after tax}}{\text{Total shareholders' funds}}$			
Profitability %	$\frac{\text{Net profit after tax}}{\text{Turnover}}$			



Gross profit %	$\frac{\text{Average gross profit}}{\text{Average annual contract work}}$			
----------------	---	--	--	--

In our opinion, the information given under this section (Form M: Financial Standing) is correct, the amounts stated in the table above are fairly stated and the ratios in Table 1 above are correct and based on the formulae described in Table 1.

SIGNED: _____

NAME OF AUDITOR: _____

FIRM OF AUDITORS: _____

ADDRESS: _____

DATE: _____



Form N: B-BBEE Certificate and Scorecard

Interested Parties must submit a B-BBEE verification certificate along with an accredited B-BBEE scorecard. The documents must be issued by a verification agency, accredited by South African National Accreditation System (SANAS). Emerging Micro Enterprises (EMEs) wishing to participate in the project must submit a Qualifying Small Enterprise (QSE) scorecard from an accredited verification agency.

The above is applicable to each of the companies that intend to form a joint venture and to specialist suppliers and subcontractors.



Form O: Tax Clearance Certificate

Interested Parties (including each member of a joint venture, single construction company and subcontractors) must submit a valid original Tax Clearance Certificate from SARS (to be attached to this Form).

Foreign-based entities will be required to submit similar certification from the revenue service of the country where the head office of the entity is registered.

Interested Parties must also submit proof that they are VAT registered.



Form P: CIDB Registration

Interested Parties must be contractors registered with the CIDB. Proof of registration must be attached to this Form. The lead contractor must have a contractor grading designation of 7CE, 7ME and 7EP.

In the event of a Joint Venture the lead bidder must obtain the minimum required 7CE CIDB grading.

Should the above not be included in the pre-qualification submission, the application will not be considered during the evaluation process.

If an Interested Party is registered on the Central Supplier Database (CSD) a CSD report must be provided.



Form Q: Integrity Affidavit

Every member of a Joint Venture must submit a separate signed affidavit.

I, the undersigned, _____ (Full Names) do hereby make oath and state as follows:

1. I am:
 - 1.1 an adult male/female aged _____
 - 1.2 presently employed as/carrying on business as _____
situated at _____

2. The facts stated herein are both true and correct within my personal knowledge and belief unless otherwise stated.

3. I hereby confirm that:
 - 3.1 I am duly authorised to depose to this affidavit;
 - 3.2 Neither myself nor anyone acting on behalf of the Interested Party is or will be engaged in any prohibited practice as defined in 4 below in respect of any tendering process or in the provision of services and/or goods;
 - 3.3 I will immediately inform the Lebalelo Water User Association (LWUA) of any instance of any such prohibited practice which comes to my attention and/or the attention of the Interested Party and/or its employees or agents concerning the following;
 - if any of the Interested Party's directors, employees or agents has been convicted in any court for any offence involving a prohibited practice in connection with any tendering process and/or the provision of goods or services during the five (5) years immediately preceding the date of this affidavit; and/or
 - if any of the Interested Party's directors, employees or agents is dismissed or resigns from the Interested Party's employment on grounds of being implicated in any prohibited practice.
 - 3.4 I will provide LWUA with full details of such conviction, dismissal or resignation and the measures taken to ensure that neither the Interested Party nor any of its directors, employees or agents commits any prohibited practice in future.
 - 3.5 In the event that the Interested Party is awarded any business by LWUA, the Interested Party grants LWUA or its employees and/or agents the right to inspect its records. The Interested Party shall preserve such records in accordance with applicable law but in any case for at least three (3) years after the conclusion of each transaction contemplated under the request for tender.

4. I acknowledge that, for all purposes under this affidavit, the following terms and/or expressions below shall bear the meanings set out hereunder:
 - 4.1 "Corrupt practice" means the offering, giving or promising of any improper advantage to influence the action of an official in the employ of LWUA, or the threatening of injury to his person, employment,



property, rights or reputation, in connection with any procurement process or in the execution of any contract in order that any person may obtain or retain business improperly or obtain any other improper advantage in the conduct of business;

- 4.2 “Fraudulent practice” means a dishonest statement or act of concealment which is intended to or tends to improperly influence the procurement process or the execution of a contract to the detriment or potential detriment of LWUA, or is designed to establish tender prices at non- competitive levels and/or to deprive LWUA of the benefits of fair and open competition, and includes collusive practices (whether before or after tender submission) among Interested Parties or between a Interested Party and a consultant or any employees or agents of LWUA;
- 4.3 “Public official” means any person holding a legislative, administrative, managerial, political or judicial post in any country, or exercising any public function in any country or a director or employee of a public authority or of a legal person controlled by a public authority of any country, or a director or official of a public international organisation; and
- 4.4 “Prohibited practice” means an act that is either a corrupt practice or a fraudulent practice.

DEPONENT

Thus done and signed at _____ on this the _____ day of _____ 2024, the deponent having acknowledged that:

- he/she knows and understands the contents of this declaration;
- he/she has no objection to taking the prescribed oath; and
- he/she considers the prescribed oath to be binding on his/her conscience.

Commissioner of Oaths Stamp	
	(Commissioner Of Oaths)
	(Full Names)
	(Capacity)
(Business Address)	



Form R: Anti-bribery and corruption declaration

The Interested Party is required to provide the following information applicable in the last five (5) years in relation to each of its members and/or partners which shall include the directors, employees or agents of each member and/or partner where the conduct of such person rendered the Interested Party directly and vicariously responsible (“members”) whether individually or as part of any other entity:

Description	Yes	No
Have any of its members been charged with any act of bribery and/or corruption?		
Have any of its members been convicted of any act of bribery and/or corruption?		
Have any of its members been implicated in or alleged to have been involved in any corrupt practices, collusion, bribery or related practices?		
Is there any reason to believe that a charge will be laid against a member arising from an act of bribery and/or corruption?		

Should any of the above questions be answered in the affirmative, full details must be furnished:

Description	Answer
The date and nature of the charge:	
The current status of the charge:	
The date of conviction (if any):	
The court in which the charges are being/where prosecuted:	
The details of the members convicted, the facts giving rise thereto, the charges preferred against the member and the details of any judgement by the relevant court:	
Full details of any contract which was or is alleged to have been affected by the act of bribery and/or corruption:	
Any sentence imposed on the member:	



Full and precise details of any members implicated in any corrupt practice, collusion, bribery or related practices:	
If it is believed that a member will be charged, full details of the offence and the facts giving rise to it are required:	

Thus done and signed at: _____ on this the _____ day of
_____ 2024