



**MKHAMBATHINI:
THE APPOINTMENT OF PROFESSIONAL
SERVICE PROVIDERS**

APPLICATION FORM

JUNE 2007

THE APPOINTMENT OF PROFESSIONAL SERVICE PROVIDERS

1. DEFINITIONS, INTERPRETATIONS AND ABBREVIATIONS

[as per Regulation Gazette no. 7134 of August 2001 and PWD procurement document]

The following words and expressions, commencing with capital letters, shall have the meanings indicated:

1.1 ABBREVIATIONS

APSP	:	Affirmable Professional Service Provider
ABE	:	Affirmable Business Enterprise
HDI	:	Historically Disadvantaged Individual
PEP	:	Project Execution Plan
PSP	:	Professional Service Provider
VAT	:	Value Added Tax
WEO	:	Women Equity Ownership

1.2 GENERAL

1.2.1 Affiliated Entity: A business entity which has control of or the power to control another business entity, albeit indirectly, e.g., where a third person has control of or has the power to control both entities. Indicators of control shall, without limitation, include interlocking management or ownership, identity of interests among family members, shared facilities and equipment, or common use of employees.

1.2.2 Affirmable Professional Service Provider (APSP) : A Professional Services Provider who adheres to statutory labour practices, is a legal entity, registered with the South African Revenue Service, and a continuing and **Independent Enterprise** for profit, providing a **Commercially Useful Function** and :

a) which is at least two thirds **Owned** by one or more **Historically Disadvantaged Individuals** or, in the case of a company, at least two thirds of the shares are **Owned** by one or more **Historically Disadvantaged Individuals**; and

b. whose management and daily business operations are in the **Control** of one or more of the **Historically Disadvantaged Individuals** who effectively own it: provided, however, that the annual average turnover excluding Value Added Tax (VAT) of the business during the lesser of the period for which the business has been operating, or the previous three financial years, does not exceed R2,5 million exclusive of any turnover generated in respect of out sourced activities which the business entity does not have the in-house competence and expertise to perform and any work performed by other parties in a joint venture or a consortium, and that the sum of the average annual turnovers over the same period of all the professional service practices which are under the Control of **Historically Disadvantaged Individuals** within the business entity or **Affiliated Entities** does not exceed one and a half (1,5) times the maximum allowable annual average turnover.

NOTE: i. The restriction on turnover of all Affiliated Business Entities applies only in respect of the category of work for which the APSP participates in the performance of the Contract. This in practice means that for Historically Disadvantaged Individuals who have interests in a business not operating in the field in which an APSP is seeking participation in the Contract, such business turnovers are not considered in determining the abovementioned total annual average turnover limits.

- ii. The definition for an APSP is identical to that of an Affirmable Business Enterprise who is a professional service provider (see TP1 (APP1): Targeting or Affirmable Business Enterprise who is a professional service provider (see TP1 (APP1): Targeting of Affirmable Business Enterprises).

- 1.2.3 Assignment Value :** The Rand value of professional fees received by a firm from either direct or indirect Municipal assignments, excluding disbursements and VAT. An assignment will be regarded as a Municipal assignment where a PSP is directly engaged by the Municipality, and/or where a PSP is indirectly engaged by another PSP appointed by the Municipality or any agent acting on behalf of the Municipality i.e. sub-consultant appointments, associations, joint venture, etc., and shall include all assignments for works where the Municipality provides all or some of the funding for the works, including third parties funds which are administered by the Municipality or any agent appointed by the Municipality.
- 1.2.4 Authorized Official :** Any Municipal employee who has been duly authorized to engage the services of Professional Service Providers
- 1.2.5 Commercially Useful Function:** The performance of real and actual work, or the provision of services, in the discharge of any contractual obligation which shall include but not be limited to the performance of a distinct element of work which the business has the skill and expertise to undertake and the responsibility for management and supervision.
- 1.2.6 Control :** The possession and exercise of legal authority and power to manage the assets, goodwill and daily operations of a business and the active and continuous exercise of appropriate managerial authority and power in determining the policies and directing the operations of the business.
- 1.2.7 Municipality:** Shall be deemed to refer to **Mkhambathini Local Municipality**.
- 1.2.10 Executive Director :** A partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act, 1973 (Act 61 of 1973) or a member of a close corporation registered in terms of the Close Corporation Act, who, jointly and severally with his other partners, co-directors or co-members, as the case may be, bears the risk of business and takes responsibility for the management and liabilities of the partnership, company, or close corporation on a day to day basis.
- 1.2.11 Firm:** A business entity providing professional services in which at least two thirds of the Principals are Registered Principals with South African citizenship.
- 1.2.12 Individuals:** Shall be deemed to refer to persons who are Registered Professionals, Registered Principals or Registered Professionals in Training.
- 1.2.13 Office:** A Firm based in Mkhambathini Municipality, which is under the full-time control and operation of a resident Registered Professional.
- 1.2.14 Participation Parameter :** The fraction of the fees (excluding VAT and disbursements) payable to a Joint Venture which represents the value of contribution made and commercially useful function performed by an APSP and PPSP member (refer to resource specification TP3 (APP3): Structured Joint Ventures (Targeted)).
- 1.2.15 Historically Disadvantaged Individual (HDI):** Individuals who, being South African citizens-

1.who, due to the apartheid policy that had been in place, had no franchise in national elections prior to the introduction of the Constitution of the Republic of South Africa, 1983 (Act No. 110 of 1983) or the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) (“the Interim Constitution”); and /or

2.who is a female; and/or

3.who has a disability:

Provided that a person who obtained South African citizenship on or after the coming to effect of the Interim Constitution, is deemed not to be an HDI.

1.2.16 Professional Service Provider : Any person or body corporate who provides on a fiduciary basis, labour and knowledge-based expertise which is applied with reasonable skill, care and diligence to the Municipality, and is, appointed by the Municipality to undertake an assignment for the provision of professional services.

1.2.17 Project Execution Plan: A statement indicating the means, resources and methodology by which an Office would undertake and complete an assignment offered to it by the Municipality.

1.2.18 Registered Principal : A person within an Office who is professionally registered by the relevant statutory council, and who is a director, partner, member, profit sharing associate, shareholder or other category of persons who participates meaningfully in the ownership, benefits and risks of the Office and is engaged full time in the operation of the Office.

1.2.19 Registered Professional: A full-time employee of an Office, other than a Principal, who is professionally registered by the relevant statutory council.

1.2.20 Registered Professional in Training : A full-time employee of an Office, other than a Principal, who is registered by the relevant statutory council as a professional in training, has obtained the necessary tertiary qualifications to register as a professional and is serving an in-house training period prior to applying to register as a professional.

1.2.21 Responsible Agent: An individual who has successfully completed the National Department of Public Works examination on Targeted Procurement Procedure to implement the Affirmative Procurement Policy.

1.2.22 Roster: The data base of Offices maintained by the Municipality for the purposes of commissioning professional services.

1.2.23 Structured Joint Venture : A Joint Venture which is formed in terms of the resource specification TPP3 (APP3): Structured Joint Ventures (Targeted Partners), where the Targeted Partner is an Affirmable Professional Service Provider or Priority Professional Service Provider. .

1.2.24 Target Group : Comprises persons who are classified as Previously Disadvantaged Individuals, persons belonging to the Priority Population Group and Women.

1.2.25 Women : South African citizens who are females.

1.2.26 Women Equity Ownership : The collective ownership of Women Registered Principals within an Office.

THIS DOCUMENT MUST BE COMPLETED IN FULL

REFERENCE NUMBER	
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MKHAMBATHINI LOCAL MUNICIPALITY
 APPLICATION FOR REGISTRATION ON THE
 MUNICIPALITY'S DATABASE
 (SUPPLIER / CONTRACTOR / SERVICE PROVIDER)

1. PARTICULARS OF OFFICE

1.1 Name of Office :

1.2 Postal Address :

 Postal Code:

1.3 Physical Address :

 Postal Code:

1.4 Location of Office :

1.5 Telephone : Area Code: Number:

1.6 Facsimile : Area Code: Number:

1.7 e-mail Address :

1.8 Name of Resident Managing Principal :

1.9 Classification Claimed by Office :

PSP	<input type="checkbox"/>
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APSP	<input type="checkbox"/>
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HDI	<input type="checkbox"/>
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WEO	<input checked="" type="checkbox"/>
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Mark Appropriate Boxes with X

2.0 FIELDS OF COMPETENCE

List the Offices appropriate Fields of Competence:

(Refer to **Annexure C** for list of Codes and Descriptions)

CODE	DESCRIPTION	CODE	DESCRIPTION

(Please append additional pages if required) Each page must be initialed by the Deponent and the Commissioner of Oaths

3.0 BUSINESS / FINANCIAL DETAILS

3.1 Type of Business :

3.1.1	One person business / sole trader		3.1.4	Company	
3.1.2	Partnership		3.1.5	(Pty) Ltd	
3.1.3	Close Corporation		3.1.6	Other	

Mark one Box with X

3.2 Date on which the Office was established :

3.3 Company/ Close Corporation Registration Number :

3.4 Office's VAT Registration Number :

3.5 Office's Income Tax Reference Number * :

(Insert personal income tax number if a one person business and personal income tax numbers of all partners if a partnership)

3.6 Is the Office registered or does it have a business license (Yes / No) :

3.6.1 If 'Yes', detail and quote relevant reference numbers and dates

REFERENCE NUMBERS	DATES

3.7 Total Number of years the Office has been in business :

3.8 Did the Office exist under a previous name (Yes / No) :

If 'Yes'

3.8.1 What was the previous name :

3.8.2 Why did the name change :

3.8.3 Who were the owners / partners / directors :

NAME	POSITION HELD

3.9 What is the Office's average annual turnover (excluding VAT) during the lesser of the period for which the business has been operating or the previous three financial years: R

(Please append additional pages if required) Each page must be initialed by the Deponent and the Commissioner of Oaths

3. 10 List the Personnel or Office who provide the following services:

	SERVICE	NAME OF OFFICE	CONTACT PERSON	TELEPHONE
3.10.1	Accounting			
3.10.2	Auditing			
3.10.3	Banking			
3.10.4	Insurance			
3.10.5	Legal			

3.11 Is the Office in any way connected to a commercial firm? (Yes / No) :

If 'Yes', provide details

3.12 Identify all facilities used by the Office:

STREET ADDRESS	AREA (TOWN/SUBURB)	TYPE OF FACILITY

3.13 Does the Office share facilities: (Yes / No) :

If 'Yes', which facilities are shared, with whom and what are the other Offices principal business activities:

STREET ADDRESS OF FACILITY	WITH WHOM SHARED (NAME OF OFFICES)	PRINCIPAL BUSINESS ACTIVITY

3.14 Describe all property agreements relating to facilities used by the Office and the nature of the agreements indicating whether facilities are owned or leased by the Office:

FACILITY	MONTHLY RENTAL AMOUNT	NAME OF OWNER	TYPE OF AGREEMENT (WRITTEN/VERBAL)

3.15 Identify any amounts of money loaned to the Office, indicating the source, date and amount:

SOURCE OF LOAN	ADDRESS OF SOURCE	DATE OF LOAN	LOAN AMOUNT

(Please append additional pages if required) Each page must be initialed by the Deponent and the Commissioner of Oaths

4.2 Identify any owner or management office bearer who has an ownership in another business enterprise:

NAME OF OWNER/ MANAGER	IDENTITY NUMBER	NAME AND ADDRESS OF OTHER BUSINESS ENTERPRISE	TITLE IN OTHER BUSINESS ENTERPRISE	PERCENTAGE OWNERSHIP	TYPE OF BUSINESS OF OTHER BUSINESS ENTERPRISE

4.3 Identify any owner or management official who is an employee of or has duties in another business enterprise:

NAME OF OWNER/ MANAGER	IDENTITY NUMBER	NAME AND ADDRESS OF OTHER BUSINESS ENTERPRISE	TITLE IN OTHER BUSINESS ENTERPRISE	PERCENTAGE OWNERSHIP	TYPE OF BUSINESS OF OTHER BUSINESS ENTERPRISE

(Please append additional pages if required) Each page must be initiated by the Deponent and the Commissioner of Oaths

5.0 MANAGEMENT

5.1 Identify by name, status and length of service, those individuals in the Office (including owners and non-owners) responsible for the day to day management and business decisions:

DECISIONS	NAME	IDENTITY NUMBER		HDI (YES/NO)	WEO	LENGTH OF SERVICE (YEARS)
Financing Decisions						
Cheque Signing						
Signing & Co-Signing for Loans						
Acquisition of Lines of Credit						
Sureties						

DECISIONS	NAME	IDENTITY NUMBER		HDI (YES/NO)	WEO	LENGTH OF SERVICE (YEARS)
Financing Decisions						
Major Purchase or Acquisitions						
Signing Contracts						

DECISIONS	NAME	IDENTITY NUMBER		HDI (YES/NO)	WEO	LENGTH OF SERVICE (YEARS)
Management Decisions						
Estimating						
Marketing and Sales Operations						
Hiring and Firing of Management Personnel						
Supervision of Office Personnel						
Supervision of Field/ Production Activities						

(Please append additional pages if required) **Each page must be initialed by the Deponent and the Commissioner of Oaths**

COMPUTER NUMBER	
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AFFIDAVIT

(To be completed by the Managing/Resident Registered Principal)

I, _____ (full name of Deponent),

Identity Number: _____ declare that I am duly authorized to confirm on behalf of:-

_____ (Name of **Office**)

_____ (Company Registration/ Identity Number of **Office**)

_____ (Address of **Office**)

_____ (Telephone)

(hereinafter referred to as the "**OFFICE**")

that:-

1. The **OFFICE**:-

1.1 is a legal entity;

1.2 is a continuing and independent enterprise for profit;

1.3 performs a commercially useful function;

1.4 is registered with the South African Revenue Service and has the following Tax Reference Numbers:-

• Income Tax Reference No.: _____

• VAT Registration No.: _____

• PAYE Employers Registration No.: _____

1.5 is registered with the Joint Services Board and has the following Business Licence No.: _____:

1.6 had an average annual turnover during the lesser period for which the business has been operating, or the previous three financial years, of R_____;

2. ownership of the **OFFICE** by Registered Principals is made up as follows:-

• Historically Disadvantaged Individuals _____%

• Non-Previously Disadvantaged Individuals _____%

• Women Equity Ownership _____%

3. that the **OFFICE** claims _____ status

4. the contents of this Affidavit and the **OFFICE**'s Application for Registration on the Professional Service Providers Roster are within my personal knowledge, and save where stated otherwise are to the best of my belief true and correct.

SIGNATURE OF DEPONENT: _____

Signed and sworn to before me at _____ on this the _____ day of _____
_____ 200_____ by the Deponent, who has acknowledged that he/she knows and understands the contents of this Affidavit, that it is true and correct to the best of his/her knowledge and that he/she has no objection to taking the prescribed oath, and that the prescribed oath will be binding on his/her conscience.

SIGNATURE OF COMMISSIONER OF OATHS: _____

FULL NAME, TITLE AND ADDRESS: _____

ANNEX C

FIELDS OF COMPETENCE

1. GENERAL

- G10 Project Management/Building/Construction Works
- G20 Targeted Procurement – Assessment, Implementation and Monitoring
- G30 Targeted Procurement, Policy Development and Related Matters
- G40 Catering /Cleaning Services
- G50 IT Solutions & Support
- G60 Other

2. ARCHITECTURAL

- A10 Minor Structures – Domestic/Residential
- A20 Major Structures – Business/Industrial/Engineering/Medical
- A30 Recreational and Sporting Facilities
- A40 Architectural Maintenance
- A50 Low Cost Housing

3. QUANTITY SURVEYING

- Q10 Building Works
- Q20 Valuations
- Q30 Alterations, Restoration and Redecoration
- Q40 Basic Quantity Surveying Services
- Q50 Civil Engineering Works
- Q60 Electrical Engineering Works
- Q70 Industrial Building Works
- Q80 Mechanical Engineering Works
- Q90 Process Engineering Works
- Q100 Quality Inspections Monitoring
- Q110 Viability (Feasibility) Studies

4. URBAN PLANNING AND DESIGN

- U10 Urban Planning and Design
- U20 Landscape Design
- U30 Horticultural
- U40 Heritage/Historic
- U50 Urban Design

5. ENGINEERING

CIVIL

- C10 Minor Roads – Urban
- C20 Major Roads – Freeways and Arterials
- C30 Road Maintenance/Rehabilitation
- C40 Coastal Engineering
- C50 Hydraulic Engineering (piped network)
- C60 Stormwater maintenance systems
- C70 Water & Waste Water Reticulation
- C80 Pipelines and Pump Stations
- C90 Waste Water Treatment
- C100 Solid Waste disposal/Land Fill Sites
- C110 Cathodic Protection
- C120 Recreational and Sporting facilities
- C130 Housing engineering
- C140 Hydraulic Engineering (canals, rivers and streams)
- C150 Pavement Designs – Minor Roads
- C160 Pavement Designs – Major Roads
- C170 Pavement Designs – Road Maintenance/Rehabilitation

- C180 Flood Hydrological Studies
- C190 Catchment Management
- C200 Hydraulic Analysis (Modelling of systems)

MECHANICAL

- M10 General Air-conditioning and Mechanical Ventilation
- M20 Compressed air, Gas and Vacuum Installations
- M30 Cranes and Hoists
- M40 Specialised Air-conditioning (Thermal Storage, Computer Rooms, etc.)
- M50 Acoustics and Sound Proofing
- M60 Metallurgical/Corrosion Engineering
- M70 Fire Protection Engineering
- M80 Wet Services
- M90 Lifts (Goods/Passenger) and Escalators
- M100 General Refrigeration (Freon gasses, low temperature chilled water, etc.)
- M110 Specialised Refrigeration (Ammonia)

ELECTRICAL

- E10 General Lighting and Earthing Systems
- E20 Floodlighting Installation
- E30 Building Reticulation
- E40 Power Installations
- E50 Fire Detection and Alarm Systems
- E60 Building Evacuation Systems
- E70 Telephone and Communication Installations
- E80 Security Installations
- E90 Emergency Power Installations
- E100 Public Address Systems
- E110 Lightning Protection Systems
- E120 Closed Circuit TV and Radio Installations
- E130 Standby Generator Installations
- E140 Power Factor Connection and Load Control Systems
- E150 Telemetry Systems
- E160 Flow Gauges
- E170 Overhead High Voltage Transmission Line (OHTL) – Planning, Design and Project Management of Installation.
- E180 High Voltage Substation – Planning, Design and Project Management of Installation
- E190 High Voltage Cable – Planning, Design and Project Management of Installation
- E200 High and Medium Voltage Network and Substation Protection
- E210 Medium and Low Voltage Reticulation – Planning, Design and Project Management of Installation
- E220 Low Voltage service Connections – Planning and Project Management of Installation
- E230 Medium and Low Voltage Reticulation Maintenance and Faults – Planning and Project Management
- E240 Medium and Low Voltage Reticulation and Service Inspections – Planning and Project Management
- E250 High, Medium and Low Voltage Network Load Flow Analysis and System Optimization using:
 - E250.1 ERACS
 - E250.2 PSSE
 - E250.3 ReticMaster
- E260 Stadia and High Mast Floodlighting – Planning, Design and Project Management of Installation.
- E270 Stadia and High Mast Floodlighting Maintenance – Planning and Project Management
- E280 Decorative and Festive Lighting – Planning, Design and Project Management of Installation
- E290 Street Lighting – Design and Project Management of Installation
- E300 Street Lighting Maintenance and Faults – Planning and Project Management
- E310 High and Medium Voltage Network Planning and Design including EIA
- E320 HV Overhead Head Transmission Line (OHTL) Maintenance and Refurbishment - Planning and Project Management
- E330 High Voltage Technical and Safety Incident Investigations

E340 Medium and Low Voltage Technical and Safety Incident Investigations

STRUCTURAL

S10 Bridges
S20 Reinforced Concrete Structures
S30 Pre-stressed Concrete Structures
S40 Water Retaining Structures
S50 Subsurface Structures including Tunnels
S60 Structural Remedial Works and Maintenance
S70 Timber Structures
S80 Masonry Structures
S90 Structural Steel Structures
S100 Marine Structures

TRAFFIC

T10 Community Facilitation and Participation
T20 Transportation Planning
T30 Traffic Engineering
T40 Traffic Management
T50 Traffic Operations
T60 Public Transport Planning
T70 Urban Traffic Control
T80 Related IT
T90 Traffic Survey/Data Collection
T100 Transportation Policy
T110 Transport Economics
T120 Demography
T130 Public Relations and Graphics
T140 Transport Modelling

6. GEOTECHNICAL

F10 Geological Studies and Investigations
F20 Foundations – Minor Structures
F30 Foundations – Major Structures
F40 Slope Stability and Lateral Support

7. LAND SURVEY

L10 Land Survey
L20 Engineering Survey
L30 Sectional Title

8. GEOGRAPHICAL INFORMATION SYSTEMS

I10 System Analysis and Design
I20 Software Development
I30 System Integration
I40 Land Information Systems

9. ENVIRONMENTAL

N10 Environmental Management Systems (Not Impact Studies)
N20 Ecological Surveys
N30 Environmental Planning
N40 Environmental Education
N50 Environmental Policy
N60 Environmental Auditing
N70 Environmental Law
N80 Strategic Environmental Assessments

10. DEVELOPMENT AND PLANNING

- P10 Strategic Planning
- P20 Integrated Development Planning
- P30 Community Facilitation & Participation
- P40 Conflict Resolution
- P50 Social Economic Planning & Research
- P60 Social Planning
- P70 Property Development Economics
- P80 Economic Feasibility Studies
- P90 Land Use Management Systems
- P100 Land Use Data Collection (Field Workers)
- P110 Spatial Analysis
- P120 Urban Spatial Economics
- P130 Layout Planning
- P140 Graphic and Media Presentation
- P150 Planning Policy and Legal
- P160 Land Use Transport Planning
- P170 Public Housing & In-site Upgrading
- P180 Organisational Development

11. TOURISM

- V10 Tourism Research & Analysis
- V20 Tourism Planning & Development

12. ACCOUNTING AND AUDITING

- AA1 Internal Auditing
- AA2 External Auditing
- AA3 Management Accounting
- AA4 Financial Accounting

13. COM1 COMMUNICATION

14. CF10 COMMUNITY FACILITATION

15. PV10 PROPERTY VALUERS

16. DM10 DISASTER MANAGEMENT

17. LS10 LEGAL SERVICES

18. EM10 EMPLOYMENT AGENCIES