



## KWAZULU-NATAL PROVINCE

PUBLIC WORKS  
REPUBLIC OF SOUTH AFRICA

Directorate: Supply Chain Management  
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Ref: WIMS 070196

RMA BUSINESS TRUST T/A  
RAJ MAHARAJH ASSOCIATES  
346 CHE GUEVARA ROAD  
DURBAN  
4001

DEAR SIR/MADAM

**OFFER AND CONDITIONS OF COMMISSION: WIMS: 070196: DEPARTMENT OF TRANSPORT: MOTOR LICENCING BUREAU: PERCY OSBORN STREET: MORNINGSIDES: REPAIRS OF ROOF, INTERNAL GUTTERS, CEILING BOARDS AND STRUCTURAL CRACK ON WALLS: APPOINTMENT OF A REGISTERED PROFESSIONAL ARCHITECT TO PROVIDE PROFESSIONAL SERVICES**

- 1.1 On behalf of the Department of Public Works, Province of KwaZulu-Natal, we have pleasure in offering you the commission to render professional services for **WIMS 070196: Department of Transport: Motor Licencing Bureau: Percy Osborn Street: Morningside: Repairs of roof, internal gutters, ceiling boards and structural cracks on walls: Appointment of a registered Professional Architect to provide professional services**
- 1.2 The services required from your entity are for FIDPM stages 4 to 9 to take the project through to successful completion of construction.
- 1.3 In all matters relating to this commission, the decision of the Head: KZN Public Works shall be final and binding.
- 1.4 Under no circumstances must negotiations concerning this service be entered into with any other Department and more specifically, the Client Department.
- 1.5 This commission is made in terms of the "Conditions and Procedures under which Consultant Professional Service Providers are commissioned by the KZN Department of Public Works" (February 2007).

## 2. REMUNERATION

### 2.1 Fees:

- 2.1.1 The following Fee Guidelines shall be applicable for the remuneration:  
Architectural: SACAP use rates as per Gazette Notice 122 of 2015
- 2.1.2 Fees shall not exceed the price offered of **R420 395.13 inclusive of VAT** based on the estimate provided.
- 2.1.3 Should the project exceed the estimated value, then, pro-rata calculation will be applied for increase in fees, subject to the approval of the delegated official.
- 2.1.4 No amendment to the above will be valid unless received in writing from the **Regional Director: eThekweni Region**.

### 2.2 Disbursements

- 2.2.1 Reimbursement in accordance with the prevailing tariffs laid down by National Department of Public Works will be made in respect of the costs of copies of drawings and of typing and copying of Reports and Specifications but not for typing and copying of minutes of meetings, general correspondence, payments, postage, etc.

- 2.2.2 Note that where documentation (of any description) required for the preparation of tender documents is downloaded from this Departments or any other web site or printed from computer disks provided by this Department, no claims (on any basis) made by the Consultant will be entertained.
- 2.2.3 Note that no charges for computer plotting of drawings will be entertained.
- 2.2.4 The terms of reference and conditions of commission for the successful relevant consultants appointed, will be issued to you for distribution by the Department of Public Works

### **2.3 Travel costs**

- 2.3.1 Reimbursement in accordance with the prevailing tariffs laid down by National Department of Public Works will be made in respect of travel costs.
- 2.3.2 Please note that travelling costs may only be claimed when the site of the Works is beyond a 25 kilometre radius from your place of practice or when, for official purposes, the return trip exceeds 50 kilometres.
- 2.3.3 Should the access route to the site be particularly difficult to traverse, then upon written application (describing the difficulties) to the **Director: Professional Services**, the provisions contained in this paragraph may, in this Regional Director's personal and absolute discretion, be relaxed.

### **2.4 Time based fees**

- 2.4.1 Where it is agreed with this Department that any work shall be carried out on a time charge basis, then the rates set out by National Department of Public Works as amended and in force at the time the work is done (and at the level of expertise required) shall apply, except that the charges in respect of Levels Par.(i) and Par. (ii) practitioners shall be made at the rate applicable to Level Par.(ii) practitioners, unless written approval of the Head: KZN Public Works has been obtained prior to the time charge basis work having been commenced.
- 2.4.2 Payment in respect of travelling time as well as for any other work which the Department has stipulated in writing may be carried out on a time charge basis, will be reimbursed in accordance with the prevailing tariffs laid down by National Department of Public Works.
- 2.4.3 Travelling time is only paid when the site of the contract is situated further than 100 kilometres from your place of practice and provided that two hours of the duration of each return journey shall be excluded from the calculation.
- 2.4.4 Hourly rates calculated in terms of the above shall be deemed to include overheads and charges in respect of time expended by clerical personnel who, therefore, shall not be chargeable separately.
- 2.4.5 Unless otherwise specifically agreed in writing, remuneration for the time expended by principals on a project shall be limited to 5 per cent of the total time expended on the project on National Department of Public Works, Table 8: Level Par. (i). Any time expended by principals in excess of the 5 per cent limit shall be remunerated at the lower rates, Level Par. (ii) maximum.

### **2.5 Website**

The prevailing tariffs laid down by National Department of Public Works are available at the direct link [www.publicworks.gov.za/consultantsdocs/0811Rate.doc](http://www.publicworks.gov.za/consultantsdocs/0811Rate.doc)

## **3. PROFESSIONAL INDEMNITY INSURANCE.**

- 3.1 All consultants who form part of the multi-disciplinary team performing this service for the Department must be covered by a Professional Indemnity Insurance for each discipline.
- 3.2 Where a practice is not a legal entity, such as a Close Corporation or Limited Liability Proprietary Company, it is a condition of this commission that the individual persons who are the Principals that constitute the consulting practice, will be individually held liable for any negligent act or omission and will be required to be individually insured without limitation.
- 3.3 Proof of Professional Indemnity for each proposed sub-consultant must be submitted together with your acceptance of commission. Your appointment will only be confirmed upon receipt of the Professional Indemnity Insurance/s as stated in item 3.1 herein above.

**4. PENALTIES FOR NON-PERFORMANCE.**

Should you fail to perform with regards to the agreed project implementation plan, penalties will be applied according to the Professional Services Provider Policy, within this Department, under which this work is awarded. The penalties levied for non performance are 0.1% for normal priority projects or 0.25% for special priority projects, of the total fees, per day, for which the service is delayed and /or not performed.

**5. ACCEPTANCE OF COMMISSION:**

5.1 Please notify SCM office within TWO working days of the receipt of this letter, of your acceptance or otherwise of this commission, which will be in terms of the "Conditions and Procedures under which Consultant Professional Service Providers are commissioned by the Department of Public Works Province of KwaZulu-Natal (revised February, 2007)", a copy of which will be forwarded to you on request. If no response is received from you within TWO working days of receipt of this offer of commission, then this offer will be deemed to be null and void. Please email your response to: [jeffrey.mbokazi@kznworks.gov.za](mailto:jeffrey.mbokazi@kznworks.gov.za)

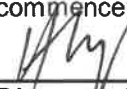
5.2 It is a condition of this Offer of Commission that your practice be registered on National Treasury Central Suppliers Database. If your practice is not already either provisionally or fully so registered, the necessary registration forms can be downloaded from the website [www.csd.gov.za](http://www.csd.gov.za) or by telephoning the National Support line on 012 406 9222. In your response to this Offer of Commission, please provide this office with your registration number or confirm that the necessary application for registration has been made by way of a copy of same.

5.3 Should you be unable to give this project priority, please complete the tear-off section at the end of the letter to advise when you expect to be in a position to do so. This offer of commission will be reviewed upon receipt of your reply.

5.4 Should you accept this commission a meeting, which you will be required to attend, will be convened for the purpose of briefing all concerned. During the meeting, the Department's Liaison Officers will be introduced and you will thereafter be required to liaise with these Officers. In the interim, should you have any queries regarding this commission these should be addressed to the Project Leader whose contact details are as following:


- Project Leader : **Ms. N. Cele**
- Telephone : 060 554 3053
- Email : [Nqobile.cele@kznworks.gov.za](mailto:Nqobile.cele@kznworks.gov.za)

5.5 Your detailed instructions and scope of work will be provided to you by the Project Leader, **Ms. N. Cele**. You will be required to finalise a detailed programme on how the scope will be achieved with time lines and key deliverables. This must be filed with the project leader prior the commencement of any work.

  
Deputy Director: SCM  
Mr. N. Miya

31/01/2022  
Date

I MRS. N. SUKHLAL on behalf of RMA BUSINESS TRUST hereby advise the KZN Department of Public Works that I ACCEPT/NOT ACCEPT the award as well as the terms and conditions for : **WIMS: 070196: DEPARTMENT OF TRANSPORT: MOTOR LICENCING BUREAU: PERCY OSBORN STREET: MORNINGSIDE: REPAIRS OF ROOF, INTERNAL GUTTERS, CEILING BOARDS AND STRUCTURAL CRACK ON WALLS: APPOINTMENT OF A REGISTERED PROFESSIONAL ARCHITECH TO PROVIDE PROFESSIONAL SERVICES**

Signed  Dated 31/01/2022

COMPANY STAMP