

ANNEXURE A

SCHEDULE

This **schedule** contains all variables, amendments and/or special conditions pertaining to this **agreement**, which variables and/or special conditions shall take precedence over the terms and conditions of this **agreement**. Spaces requiring information shall be filled in or shown as "not applicable" (or deleted) and not left blank. Where insufficient space is provided the information should be annexed hereto and cross-referenced to the applicable clause of this **schedule**. Square bracketed references in *italics* refer to clauses in this **agreement**

A.1 CONTRACTING PARTIES

Client

[1.1.3;1.2]

Umdoni Municipality

Postal address P.O BOX 19
SCOTTBURGH

Country SCOTTBURGH Code 4180

Tel 039 976 1202 Fax 039 976 0381

e-mail mmooffice@umdoni.gov.za

Physical address UMDONI MUNICIPALITY
CNR BRAM FISHER & WILLIAMSON
STREET, SCOTTBURGH

Country SCOTTBURGH Code 4180

Consultant

[1.1.7;1.2]

SIMPHULWAZI ENGINEERS

Postal address P.O BOX 11160
DORPSTRUIT

Country South Africa Code 3206

Tel 033 345 7053 Fax 086 512 1301

e-mail info@spzengineers.co.za

Physical address 31 PETER KERCHOFF STREET
PIETERMARITZBURG

Country South Africa Code 3201

S.G.W

N.L.X I
P.N.

A.2 EFFECTIVE DATE*[4.1]*

This agreement shall be effective from 13 MAY 2024

*(Date)***A.3 CLIENT'S REPRESENTATIVE****Client's representative***[1.1.4;5.1]*

MUNICIPAL MANAGER

(name)

Postal address

P.O BOX 19

SCOTTBURGH

Country SCOTTBURGH Code 4180

Tel 039 976 1202 Fax 039 976 0381

e-mail mmoffice@umdoni.gov.za

Physical address

UMDONI MUNICIPALITY

CNR BRAMFISCHER & WILLIAMSON
STREET, SCOTTBURGH

Country SCOTTBURGH Code 4180

A.4 PRINCIPAL CONSULTANT**Principal consultant***[1.1.11]*

SIMPULWAZI ENGINEERS

(name)

Postal address

P.O BOX 11160

DORPSTUIT

Country South Africa Code 3206

Tel 033 345 7053 Fax 086 512 1301

e-mail info@spzengineers.co.za

Physical address

31 PETER KERCHOFF STREET

PIETERMARITZBURG

Country South Africa Code 3201

A.5 PRINCIPAL AGENT**Principal agent***[1.1.10]*

N/A

(name)

Postal address

Country Code

Tel Fax

e-mail

Physical address

Country Code 3610

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A.6 OTHER CONSULTANTS

[1.1.8]

Architect	N/A	(name / to be appointed / not applicable)
Civil engineer	N/A	(name / to be appointed / not applicable)
Electrical engineer	N/A	(name / to be appointed / not applicable)
Fire consultant	N/A	(name / to be appointed / not applicable)
Health & safety consultant	N/A	(name / to be appointed / not applicable)
Interior designer	N/A	(name / to be appointed / not applicable)
Landscape architect	N/A	WILL (name / to be appointed / not applicable)
Mechanical engineer	N/A	(name / to be appointed / not applicable)
Project manager	N/A	(name / to be appointed / not applicable)
Quantity surveyor	N/A	(name / to be appointed / not applicable)
Structural engineer	N/A	(name / to be appointed / not applicable)
Wet services consultant	N/A	(name / to be appointed / not applicable)
(Service/Consultant)		(name / to be appointed / not applicable)
(Service/Consultant)		(name / to be appointed / not applicable)
(Service/Consultant)		(name / to be appointed / not applicable)
(Service/Consultant)		(name / to be appointed / not applicable)
(Service/Consultant)		(name / to be appointed / not applicable)

A.7 PROJECT

[1.1.12; 2.1; 2.2]

Name and description	Monitoring and Construction of the Additions and Repairs to Umzinto Sports Field (Ward 13) Phase 2 Project	
	Professional services for Inception, Concept, Design, Documentation and Procurement, Contract Administration and Close-Out	
Site identification	The project is located in Ward 13 approximately 8km South-West of Umdoni Local Municipality in the South Coast of KwaZulu Natal.	
Site Reference	Lat : 30°18'11.88" South	Long : 30°40'0.06" East

A.8 DOCUMENTS

[1.1.1; 1.9]

This agreement	
Annexure A:	The schedule
Annexure B:	Scope of services
Annexure C:	Fee Appraisal & Disbursement Plan
Annexure D:	Letter of Appointment
Annexure E:	
Signed original documents held by <u>Umdoni Local Municipality</u>	

A.9 LIMIT OF LIABILITY

[7.2]

Select one of the following:

The proceeds of any claim against the professional indemnity insurance	No
	(Yes/No)
Specific amount (insert amount)	NA
An amount equals the fees payable by the client to the consultant in terms of 9.1	R10 000 000.00
	No

A.10 PROFESSIONAL INDEMNITY INSURANCE

[8.1]

Party responsible for professional indemnity insurance	<u>Simphulwazi Engineers cc</u>
	(client/consultant)

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Limit of indemnity per claim

R 10 000 000.00

Limit of indemnity in the aggregate

R10 000 000.00

Non-claimable amount (excess/deductible)

N/A

The renewal date of the policy is

AS PER EACH CONSULTANT'S
POLICY

(Date)

A.11 PROFESSIONAL FEES

[9.1]

The professional fees shall be

R469 298,24

(Four Hundred and Sixty-Nine Thousand, Two Hundred and
Ninety-Eight Rand and Twenty-Four Cents) – not exceeding 14%
of the construction value based on the estimate

This fee includes percentage
discount as the attached "Fee
Breakdown Structure and
Disbursements Letter"

including VAT

A.12 APPOINTMENT OF PROFESSIONAL FEES

[9.1;13.1]

The professional fees shall be apportioned as follows

ECSCA Tariff of Fees (2015),

A.13 DISBURSEMENTS

A.13.1 Method of reimbursement

[11.1]

Included in professional fees

NO

(Yes/No)

A fixed amount of

N/A

Proven cost

NO

(Yes/No)

List all additional services

All disbursements were included in phase 1.

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A.13.2 Expenses

[11.1.1; 11.1.2; 11.1.3]

Amendments to expenses listed:

NA

A.13.3 Other expenses

[11.1.4]

NA

excluding tax

A.13.4 Payment

[11.2]

Amendments to terms of payment:

A.14 INTERESTS OF CONSULTANT

[16.1]

NA

A.15 EQUIPMENT AND FACILITIES TO BE PROVIDED BY CLIENT

[5.6]

NA

A.16 APPLICABLE LAW

[1.5]

The law applicable to this **agreement** shall be that of South Africa

(country)

A.17 MEDIATOR NOMINATED BY

[18.2]

Name TO BE ADVISED

Address _____

Country _____

Code _____

Tel _____

Fax _____

e-mail _____

A.18 ARBITRATOR NOMINATED BY

[18.9]

Name TO BE ADVISED

Address _____

Country _____

Code _____

Tel _____

Fax _____

e-mail _____

A.19 ARBITRATION RULES

[18.11]

TO BE ADVISED

A.20 AMENDMENTS AND/OR SPECIAL CONDITIONS

[1.1.13]

NA

A.21 SIGNATURES OF THE CONTRACTING PARTIES
[1.1.9]

Thus, done and signed at Scottburgh on 04. September. 2024



Signature of Representative

UMDONI MUNICIPALITY (KZN)

for and on behalf of the **client** who by
signature hereof warrants authorisation
hereto

MUNICIPAL MANAGER

Capacity of signatory



As witness

Thus, done and signed at RENISHAW

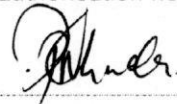


Signature of Representative

on 12/09/2024

SIMPHULWAZI ENGINEERS CC

for and on behalf of the **consultant** who
by signature hereof warrants
authorisation hereto



As witness

MANAGING MEMBER

Capacity of signatory

S.6.N

ANNEXURE B

SCHEDULE

The project nature is such that it demands multidisciplinary expertise, namely architecture, civil & structural engineers, electrical & mechanical engineers, quantity surveyors.

The scope of Professional Service Provider is therefore in accordance with the following gazettes:

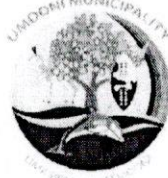
- Architecture: The 2015 Guideline Tariff of Professional fees was published as Board Notice 122 of 2015 in Government Gazette No 38863 of 12 June 2015.
- Quantity Surveyors: The 2015 Guideline Tariff of Professional fees was published as Board Notice 170 of 2015 in Government Gazette No 39134 of 28 August 2015.
- Engineering Professionals: The 2015 Guideline Tariff of Professional fees was published as Board Notice 151 of 2014 in Government Gazette No.38324, 12 December 2014.

It briefly comprises of normal services as follows:

1. Stage 1: Inception
2. Stage 2: Concept and Viability
3. Stage 3: Design Development
4. Stage 4: Documentation and Procurement
5. Stage 5: Contract Administration and Inspection
6. Stage 6: Close-out

ANNEXURE C

APPOINTMENT LETTER



UMDONI

uMkhandlu. Munisipaliteit. Municipality

Tel: 039 976 1202 | Fax: 039 976 2044

Email: mmoffice@Umdoni.gov.za

Website: www.umdoni.gov.za

Cnr Bram Fischer and Williamson Streets Scottburgh | PO Box 19 Scottburgh 4180

Office of the Municipal Manager

Our Ref No:

Delivered: By Email

Enquiries: Mr S Xulu (PMU Manager)

Email address: sandilex@umdoni.gov.za / masis@umdoni.gov.za

19 April 2024

The Director/s; Mr MALUSI NTSHANGASE
SIMPULWAZI ENGINEERS CC
31 PETER KERCHHOFF STREET
PIETERMARITZBURG
3201

Contact: 033 345 7053

Fax: 033 345 7053 / 086 512 1301

Email: malusi@spzengineers.co.za

Attention: Mr. Malusi Ntshangase

Dear Sir

LETTER OF APPOINTMENT ON A TURNKEY BASIS FOR THE MONITORING AND CONSTRUCTION OF THE ADDITIONS AND REPAIRS TO UMZINTO SPORTS FIELD (WARD 13) PHASE 2 PROJECT

This letter serves to confirm that **SIMPULWAZI ENGINEERS CC** has been appointed on a Turnkey Basis for the Monitoring and Construction of the Additions and Repairs to Umzinto Sports Field (Ward 13) Phase 2 project.

There will be an SLA (Services Level Agreement) between Umdoni Municipality and Simphulwazi Engineers CC that will need to be signed before commencement of work. The appointment shall be in terms and guidelines of the latest General Conditions of Contract (GCC 2010 edition)

The total Contract Amount is a total of **R 3,000,000.00 including VAT** broken down as follows;

- Professional Fees – R 469 298.24
- Construction – R 2 530 701,76

The contract is for the 2024/2025 financial year.

For further engagements with regards to this matter, please do not hesitate to contact the Office of the Municipal Manager on 039 976 1202.

Yours faithfully,

Mrs TC Ndlela
Municipal Manager

Date: 19/04/2024


N.L.X
P.N



Kindly sign below in acceptance of this instruction and submit to this office by no later than seven (7) working days through:

Email: mmoffice@umdoni.gov.za

P.O BOX 19, SCOTTBURGH, 4180 or corner Bramfischer and Williamson Street, Scottburgh, 4180

I/We Ntokoza XABA representing, **SIMPULWAZI ENGINEERS CC** hereby accept/not accept the award of this tender as well as terms and conditions of this appointment according to content of this letter.

Signed  Date 13/05/2024

Witness 1  Witness 2 

ANNEXURE D

FEE APPRAISAL & DISBURSEMENT PLAN

MONITORING AND CONSTRUCTION OF THE ADDITIONS AND REPAIRS OF UMZINTO SPORTS FIELD (WARD 13) PHASE 2 PROJECT		
Professional Fees Breakdown		
Description	Rate	Cost
A) Normal Professional Services		
1. Professional Fees @ 14%	14%	R 408 085,43
B) Additional Professional Services		
1. EIA	R -	R -
2. Land Survey	R -	
3. Geotechnical Investigations	R -	
4. Sub-Total = A) + B) (Total Professional Fees Estimate Excl.VAT)		R 408 085,43
5. Add VAT @ 15%		R 61 212,81
6. TOTAL PROFESSIONAL FEES ESTIMATE		R 469 298,24
Normal Professional Fees per ECSA Gazette Stages (Breakdown)		
Stages	%	Amount (excl.VAT)
Stage 1: Inception (Feasibility / Assessment Study Stage)	5%	R 20 404,27
Stage 2: Preliminary Design	25%	R 102 021,36
Stage 3: Detailed Design	25%	R 102 021,36
Stage 4: Documentation and Procurement	15%	R 61 212,81
Stage 5: Contract Administration and Inspection	25%	R 102 021,36
Stage 6: Close - Out	5%	R 20 404,27
Total (excl.VAT)		R 408 085,43
Add 15% VAT		R 61 212,81
TOTAL (incl.VAT)		R 469 298,24

N.L.X P.N.I



Engineering consulting for peace of mind

31 Peter Kerchhoff Street
Pietermaritzburg
3201
Tel: 033 345 7053
Fax: 033 345 7053/ 086 512 1301
info@spzengineers.co.za

Simp Hulwazi Engineers

31 Peter Kerchhoff Street

Pietermaritzburg, 3201

Email: info@spzengineers.co.za, malusi@spzengineers.co.za

Telephone: 033 345 7053

Date: 09 September 2024

To Whom It May Concern,

**RE: APPOINTMENT ON A TURNKEY BASIS FOR MONITORING AND
CONSTRUCTION OF ADDITIONS AND REPAIRS TO UMZINTO SPORT FIELD
(WARD 13) PHASE 2 PROJECT**

This letter serves as official authorization for Mr. Ntokozo Lethukthula Xaba, ID No. 830109 5727 086, to act on behalf of Simphulwazi Engineers in the capacity of Site Manager for the above-mentioned project. Mr. Xaba is hereby authorized to oversee the signing of the Service Level Agreement (SLA) for UMzinto Sport Field as part of the Phase 2 Project under a Turnkey arrangement.

Mr. Xaba will represent Simphulwazi Engineers regarding the signing of the SLA for the above mentioned.

Should there be any queries regarding this authorization, please do not hesitate to contact our office.

Thank you for your cooperation.

Sincerely,

Malusi Ntshangase

Director, Simphulwazi Engineers

P.O. Box 11160

Dorpspruit

3206