



the dr&pw

Department:
Roads And Public Works
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

NORTHERN CAPE DEPARTMENT OF ROADS AND PUBLIC WORKS

TENDER NO. DRPW 023/2023

CONTRACT NO. NC662

**UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND
PROVINCIAL BOARDER NEAR HEUNINGVLEI PHASE 1 (FROM KM 0.00 - KM
20.00)**

CIDB GRADING CLASS 9CE

NORTHERN CAPE DEPARTMENT OF ROADS AND PUBLIC WORKS P.O. Box 3132 Kimberley 8300 Contact Person: Mr. G. Thupe Telephone: (053) 839 2100 Fax: (053) 839 2291 Email: Gabi.Thupe@vodamail.co.za	BAITHUSI CONSULTING cc 06 Oliewenpark, 1st Avenue Bloemfontein 9301 Contact Person: Mr P Makwela Telephone: (051) 430 1811 Cell: 076 076 3271 E-mail: peterm@baithusi.co.za
Name of Tenderer: CIDB Registration Number:	

**TENDER DOCUMENT
VOLUME 3
BOOK 1 OF 3 (TENDERING PROCEDURES AND RETURNABLE SCHEDULES)**

CLOSING DATE: 21 MAY 2024

LIST OF CONTRACT DOCUMENTS

The following documents form part of this contract:

- Volume 1:** The General Conditions of Contract for construction works – 3rd Edition (2015), issued by the South African Institution of Civil Engineering, which the tenderer shall purchase himself. (See note 1 below).
- Volume 2:** The COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard October 2020 edition), issued by the Committee of Transport Officials which the tenderer shall obtain himself.
- Volume 3:** The Project Document, containing the tender notice, Conditions of Tender, Tender Data, Returnable Schedules, general and particular conditions of contract, project specifications, Pricing Schedule, Form of offer and Project Information is issued by the Employer (see note 3 below). The Employer's Form of Acceptance and any correspondence from the selected tenderer, performance security-demand guarantee, and all addenda issued during the period of tender will also form part of this volume once a successful tenderer has been appointed.

The conditions of tender are the standard conditions of tender as contained in Annexure C of the STANDARD FOR UNIFORMITY IN ENGINEERING AND CONSTRUCTION WORKS CONTRACTS, AUGUST 2019: Standard conditions of tender, document, which the tenderer may download himself from the CIDB website

<https://www.cidb.org.za/download/100/procurement-documents-templates-and-guidelines/6157/standard-for-uniformity-august-2019.pdf>

- Volume 4:** Books of construction drawings for tender purposes
- Volume 5:** The structural drawings
- Volume 6:** Materials Investigation and Utilisation Information
- Volume 7:** Environmental Management Plan report
- Volume 8:** Project Occupational Health and Safety Specification

Notes to tenderer:

- 1. Volume 1 is obtainable from SAICE, Private Bag X200, Halfway House, 1685. Tel: (011) 8055947/8, e-mail: civilinfo@saice.org.za.**
- 2. Volume 2: The COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard October 2020 edition) is obtainable from NCDRPW and can be downloaded free of charge from the NCDRPW's website www.nra.co.za.**

Information provided by a tenderer over and above the above elements of volume 3 shall be treated as information only and will only be bound into the document if the tenderer notes on Form C: Schedule of Variations or deviations that the information has a bearing on the tender price.

NORTHERN CAPE DEPARTMENT OF ROADS AND PUBLIC WORKS
UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND PROVINCIAL
BOARDER NEAR HEUNINGVLEI PHASE 1

TENDER No. DRPW 023/2023

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NORTHERN CAPE DEPARTMENT OF ROADS AND PUBLIC WORKS
UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND PROVINCIAL
BOARDER NEAR HEUNINGVLEI PHASE 1

TENDER No. DRPW 023/2023

PART T1 TENDERING PROCEDURES

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T1.1. TENDER NOTICE AND INVITATION TO TENDER

TENDER No. DRPW 023/2023

UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND PROVINCIAL BOARDER NEAR HEUNINGVLEI PHASE 1.

The Northern Cape Department of Roads and Public Works hereby invites tenders for the Upgrading of a Section of Main Road 974 between Laxey and Provincial Boarder near Heuningvlei Phase 1. This project is in the Northern Cape Province in the district municipality of John Taolo Gaetsewe of Joe Morolong Local Municipality. The approximate duration is 22 months including 2 months for the Mobilisation Period.

Only tenderers who are registered on the National Treasury Central Supplier Database as stated in the Tender Data C.2.1.1, are eligible to tender.

It is a requirement of this project that the successful tenderer subcontract a minimum of 30 percent (30 %) or higher as tendered of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data.

It is estimated that tenderers should have a CIDB contractor grading designation of 9CE or higher, however tenderers attention is drawn to clause C.2.1.1 of the Tender Data when submitting their tender.

Tenders from tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, will not be accepted.

TENDER DOCUMENTS

Tender documents are available as from the **16 April 2024** at no cost in electronic format downloaded from the etender website by the following link: <https://www.etenders.gov.za/> or ncrpw.ncpg.gov.za

NB: Bidders must bring their Site meeting Certificate which is Part of the Bid document to the briefing which will be Signed by the Project Manager on the day of the Compulsory Briefing.

A **COMPULSORY TENDER CLARIFICATION MEETING** will be held on **Tuesday, 07 May 2024 at 11h00** at Department of Roads & Public Works Northern Cape

Tebogo Leon Tume Complex
9-11 Stockroos Street
Squarehill Park,
KIMBERLEY
8301

A tenderer's representative cannot represent more than one tenderer at the tender briefing meeting.

The closing time and date for receipt of tenders is **Tuesday, 21 May 2024 at 11h00** at the Department of Roads & Public Works, Tender Box, Tebogo Leon Tume Complex, 9-11 Stockroos Street, Squarehill Park, KIMBERLEY, 8301.

Telegraphic, telephonic, telex, facsimile, electronic, e-mail and late tenders will not be accepted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data

Queries relating to issue arising from these documents may be addressed to:

e-mail: admin@baithusi.co.za copy fosam@baithusi.co.za

T1.2. TENDER DATA

The conditions of tender are the standard conditions of tender as contained in Annexure C of the CONSTRUCTION INDUSTRY DEVELOPMENT BOARD (CIDB) STANDARD FOR UNIFORMITY IN ENGINEERING AND CONSTRUCTION WORKS CONTRACTS as per Government Notice No. 423 published in Government Gazette No. 42622 of 08 AUGUST 2019 and as amended from time to time.

<https://www.cidb.org.za/wp-content/uploads/2021/07/Standard-for-Uniformity-August-2019.pdf>

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between the Tender Data and the standard conditions of tender.

Each item of data given below is cross-referenced to the clause marked "C" in the Standard Conditions of Tender to which it mainly applies.

The additional conditions of tender are:

Clause number	Tender Data								
C.1	GENERAL								
C.1.1 <u>C.1.1.1</u>	<p>Actions</p> <p>The Employer is The Northern Cape Department of Roads and Public Works (NCDRPW).</p> <p>The Employer's domicilium citandi et executandi (permanent physical business address) is:</p> <p>Tebogo Leon Tume Complex 9-11 Stockroos Street Squarehill Park, KIMBERLEY 8301</p> <p>The Employer's address for communication relating to this project is:</p> <table data-bbox="363 1827 1174 1966"> <tr> <td>POSTAL</td> <td>DELIVERY</td> </tr> <tr> <td>P.O. Box 3132</td> <td>9-11 Stockroos Street</td> </tr> <tr> <td>KIMBERLEY</td> <td>Squarehill Park</td> </tr> <tr> <td>8300</td> <td>KIMBERLEY</td> </tr> </table>	POSTAL	DELIVERY	P.O. Box 3132	9-11 Stockroos Street	KIMBERLEY	Squarehill Park	8300	KIMBERLEY
POSTAL	DELIVERY								
P.O. Box 3132	9-11 Stockroos Street								
KIMBERLEY	Squarehill Park								
8300	KIMBERLEY								

	8301
C.1.1.2	The employer and the tenderer and all their agents and employees involved in the tender 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. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer 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.
C.1.2	<p>Tender Documents</p> <p>The tender documents issued by the Employer comprise the following documents:</p> <p>Part T1: Tendering procedures</p> <p>T1.1 - Tender notice and invitation to tender .....(White)</p> <p>T1.2 - Tender data .....(Pink)</p> <p>Part T2: Returnable Schedules</p> <p>T2.1 - List of returnable documents .....(Yellow)</p> <p>T2.2 - Returnable schedules .....(Yellow)</p> <p>THE CONTRACT</p> <p>Part C1: Agreements and Contract data</p> <p>C1.1 - Form of Offer and Acceptance .....(Yellow)</p> <p>C1.2 - Contract data .....(Yellow)</p> <p>Part C2: Pricing data</p> <p>C2.1 - Pricing Instructions .....(Yellow)</p> <p>C2.2 - Pricing Schedule/ Bill of Quantities .....(Yellow)</p> <p>Part C3: Scope of work</p> <p>C3.1 - Project Scope of work .....(Blue)</p> <p>C3.2 - Tender Drawings .....(White)</p> <p>Part C4: Site information</p>

	<p>C4 - Site information .....(Green)</p> <p>Part C5 - EPWP Guidelines .....(White)</p>
C.1.3	<p>Interpretation</p> <p>The tender documents have been drafted in English. The contract arising from the invitation of tender shall be interpreted and construed in English.</p>
C.1.4	<p>Communication and employer's agent</p> <p>The Employer's Agent (Engineer) is: Name: Baithusi Consulting cc Address: 06 Oliewenpark, 1st Avenue, Westdene, Bloemfontein, 9301 Tel: 076 076 3271 E-mail: peterm@baithusi.co.za</p> <p>The language for communications shall be in English.</p>
Clause Number	Data
C.2	Tenderer's Obligation
C.2.1	<p>Eligibility</p> <p>Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:</p> <p>(a) CIDB registration (Form AE)</p> <p>Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, for a 9CE class of construction work, are eligible to have their tenders evaluated:</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> 1. every member of the joint venture is registered with the CIDB: 2. the lead partner has a contractor grading designation in the CE class of

construction work; or not lower than one level below the required grading designation in the class of works construction works under considerations and possess the required recognition status.

3. 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(7A) of the Construction Industry Development Regulations.

Tenderers whose CIDB registration expires within the tender validity period, need to demonstrate that there is a reasonable chance of being registered in the appropriate grading designation during the tender evaluation period, by submitting a copy of their timely application for CIDB registration, with their tender submission.

Tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, are not eligible to have their tenders evaluated.

Category of tender	Upper limits per CIDB Regulations 17 (effective 7 October 2019)	Employer's allowable margin
CE1	R500 000	The Employer will use its discretion in terms of CIDB Practice Note 3 on allowable margins to be accepted
CE2	R1 000 000	
CE3	R3 000 000	
CE4	R6 000 000	
CE5	R10 000 000	
CE6	R20 000 000	
CE7	R60 000 000	
CE8	R200 000 000	
CE9	No Limit	

This contract is not classified in terms of CIDB Regulation 25(1B), and the value of the contract may, for the purpose of CIDB Regulation 25(1), not be taken at its annual value.

The tender will be declared non-responsive if:

- The Tenderer is not registered on CIDB within the required contractor grading and category prior to evaluation of submission.
- The Tenderer is suspended by CIDB and where the tenderer has not provided proof that they have settled their outstanding CIDB annual fees or proof that they have made arrangements to pay outstanding CIDB annual fees has been made or proof of compliance with tax was submitted to CIDB, the tender will be declared non-responsive.
- The Tenderer has not declared interest of application to upgrade the grading.

	<p>(b) National Treasury Central Supplier Database (CSD) (Form AC)</p> <p>Tenderers, or in the event of a joint venture, each member of the joint venture, must be registered on the Central Supplier Database at the closing date for tender submissions. Tenders received from such tenderers who do not comply with this requirement, will be considered non-responsive.</p> <p>Prospective suppliers should self-register on the CSD website www.csd.gov.za.</p> <p>(c) Subcontracting</p> <p>The Successful Tenderer must subcontract a minimum of 30% of the contract value to:</p> <p>an EME or QSE which is at least 51% owned by black people living in rural or undeveloped areas in the following manner Joe Morolong Local Municipality - John Taolo Gaetsewe District Municipality- Northern Cape</p> <p>The Subcontractor/s shall meet the following requirements, as a single entity or Joint Venture</p> <ul style="list-style-type: none"> i) be an EME or QSE which is at least 51% owned by black people living in rural or undeveloped areas as per the above. ii) Contract Participation Goals (CPG) as per clause SCC 4.1.1 and Part F) are applicable <p>Failure to satisfy all the eligibility criteria will result in a non-eligible tender.</p>
<p>C.2.2</p> <p>C.2.2.1</p> <p>C.2.2.2</p>	<p>Cost of tendering</p> <p>Add the following to the clause:</p> <p>“Accept that the Employer will not compensate the tenderer for any costs incurred in attending briefing in the office of the Employer or Employer’s Agent”</p> <p>Tender documents are available from National Treasury and NCRPW website at no cost.</p>
<p>C.2.5</p>	<p>Reference documents</p> <p>‘General Conditions of Contract for Construction Works, Third Edition (2015)’ issued by the South African Institution of Civil Engineering (abbreviated title ‘General Conditions of Contract 2015’ – ‘GCC 2015’). This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020). This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>‘Occupational Health and Safety Act No. 85 of 1993’, ‘Occupational Health and Safety Amendment Act No. 181 of 1993’, and the ‘Construction Regulations, 2014’ (Government Notice No. R. 489 published in Government</p>

	<p>Gazette No. 40883 of 2 June 2017,). These documents are obtainable separately and Tenderers shall obtain their own copies.</p> <p>‘Construction Industry Development Board Act No. 38 of 2000’ as amended and the ‘Regulations in terms of the Construction Industry Development Board Act No. 38 of 2000’ (Government Notice No. R. 692 published in Government Gazette No. 26427 of 9 June 2004, as amended).</p> <p>In addition, Tenderers are advised, in their own interest, to obtain their own copies of the relevant Acts, Regulations and Standards referred to in this document as they are essential for the Tenderer to become acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and participation of targeted enterprises and labour.</p>
C.2.6	<p>Acknowledge addenda</p> <p>Failure to apply instructions contained in addenda issued by the Employer will render a Tenderer’s offer non-responsive in terms of Condition of Tender C.3.8. Test for Responsiveness.</p>
C.2.7	<p>Clarification meeting</p> <p>The arrangements for a Compulsory Clarification Meeting are as specified in the Tender Notice and Invitation to Tender.</p> <p>The onus rests with the tenderer to ensure that the person attending the clarification meeting on his behalf is appropriately qualified to understand all directives and clarifications given at that meeting.</p> <p>Tenderers shall sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list.</p> <p>A Compulsory Clarification Briefing meeting will be held on Tuesday, 07 May 2024 at 11h00. The venue for the compulsory clarification briefing meeting is at:</p> <p style="padding-left: 40px;">The Department of Roads and Public Works Main Board Room Tebogo Leon Tume Complex 9-11 Stockroos Street Floors Hostel Squarehill Park KIMBERLEY 8301</p>

	<p>NB: Bidders must bring their Site meeting Certificate which is Form A of the Bid document to the briefing which will be Signed by the Project Manager on the day of the Compulsory Briefing</p> <p>A tenderer's representative cannot represent more than one tenderer at the tender clarification briefing meeting.</p> <p>Please note that there will be No site visit. Tenderers who wish to visit site should use below site co-ordinate location:</p> <p>Start of Construction 26°43'15.23" S 23°09'57.46" E</p> <p>End of Construction 26°32'45.56" S 23°07'26.07" E.</p>
C.2.8	<p>Seek Clarification</p> <p>Request clarifications at least 7 working days before the closing time</p>
C.2.10 C.10.1 C.10.4	<p>Pricing the tender offer</p> <p>All Tenderers that are registered for Value Added Tax (VAT) with the South African Revenue Service (SARS) must include VAT in their tender offer.</p> <p>Tenderers are required to state the rates, amounts and currencies in Rand.</p>
C.2.11 C.2.11.2	<p>Alteration to documents</p> <p><u>Tenders submitted in accordance with these tender documents shall not have any qualifications.</u> Any point of difficulty of interpretation shall be cleared with the Employer's Agent as early as possible before submission of a tender. Should any query be found to be of significance, all tenderers will be informed accordingly by the Employer's Agent as early as possible.</p> <p><u>Tenders shall not be qualified by the conditions of tender of the tenderer himself.</u> Failure to comply with this requirement may cause the tender to become invalid.</p> <p>Should the tenderer, notwithstanding the above, wish to make any amendment or qualification of the tender documents, such amendment or qualification shall be set out explicitly in full details on Form C. Any qualification or amendment not set out on the prescribed form will not have any force and effect despite the fact that it may be contained elsewhere in the tender documents or in the covering letter to the tender. Any qualification or amendment appearing in or to be inferred from a program and submitted with any tender will not have any force and effect unless set out in writing in accordance with the above requirements.</p>
C.2.12	<p>Alternative tender offers</p> <p>A tenderer wishing to submit an alternative offer (excluding alternative offers of different contract duration, retention guarantees, discounted offers or different compliant material sources) shall first apply to the Employer for confirmation that the Employer's standards and requirements envisaged in the design are not</p>

compromised or reduced. Such confirmation must have been provided by the Employer in writing at least 5 (five) working days before the date of tender closing, or as extended by an addendum sent to all tenderers. The application shall not be submitted later than 7 (seven) working days before the date of tender closing given in Tender Data clause C.2.15, or as extended by an addendum sent to all tenderers.

The replacement of specified construction items like pipes, in situ culverts, kerbs and channels with similar products constructed of different materials (e.g. plastic products or pre-cast construction) are generally not acceptable as alternatives because construction using such alternative products would have been considered during the design stage and not selected as appropriate and because the Employer is able, post-award, to make proposals to or receive proposals from the contractor. However, if such alternative materials are considered acceptable by the employer's agent as giving the tenderer a financial advantage and/or not transferring risk, the qualification must be recorded on returnable schedule Form C: Schedule of Deviations or Qualifications by Tenderer.

If an alternative proposal is confirmed to be acceptable, calculations, drawings and all other pertinent technical information and characteristics as well as proposed modification of, or alternative to, the Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set in clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal.

Should an alternative structural design be proposed, the proposed alternative Pricing Data shall include an amount equal to 3% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed. If the alternative offer is accepted, this amount will serve as a negative prime cost sum under Part C section C1.2 to be deducted from the contractor's payment certificates. The Employer undertakes to provide full accounting of the amount expended for this contingent sum and if exceeded, no further payments shall be deducted. Failure by a tenderer to include the required amount for confirming the alternative design may render his alternative tender as non-responsive.

Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements.

The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the employer's costs in confirming the acceptability of the detailed design.

C.2.13	Submitting a tender offer
C.2.13.1	Parts of each tender offer communicated on paper shall be submitted as only original.
C.2.13.2	Add the following to the clause: Return all returnable documents to the employer after completing them in their entirety by writing legibly in non-erasable ink (including the Bill of Quantities). Failure to adhere to the bid will be disqualified.
C.2.13.3	Tender offers shall be submitted as an original only. Under no circumstances whatsoever may the tender forms be retyped or redrafted. Photocopies of the original tender documentation may be used, but an original signature must appear on such photocopies.
C.2.13.4	Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.
C.2.13.5	The employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are: Location of tender box: "Department of Roads and Public Works" Physical address: 9/11 Stokroos Street, Tebogo Leon Tume Complex, Squarehill Park, Kimberley, 8301," Or any of the other delivery addresses as indicated in the Tender Notice. Identification details: Tender reference number: DRPW023/2023 Title of Tender: Upgrading of a Section of Main Road 974 between Laxey and Provincial Boarder near Heuningvlei Phase 1. Closing date and time of the tender: As advertised
C.2.13.6	A two-envelope system is applicable. The tenderers should place and seal the returnable documents listed in the tender data in an envelope marked " financial proposal " which will be Pricing Data including Form of Offer and Acceptance, Scope of works and Project Information (Book 3 of tender document) and place the remaining returnable documents in an envelope marked " technical proposal " which will be T1 to T2 and C1.2 Contract Data (Book 1 and Book 2 of tender document) excluding Form of Offer

	and Acceptance. Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.
C.2.13.9	Telephonic, telegraphic, telefax, facsimile or e-mailed tender offers will not be accepted.
C.2.15	<p>Closing time</p> <p>The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.</p> <p>The closing time for submission of Tender Offers is: Tuesday, 21 May 2024 at 11h00</p>
C.2.16	<p>The tender offer validity</p> <p>The tender offer validity period is twenty-four (24) weeks, calculated from the date of bid closure.</p>
C.2.18	<p>Provide other material.</p> <p>The tenderer shall provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.</p>
C.20.19	<p>Inspections, tests and analysis</p> <p>Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.</p>
C.2.20	<p>Submit securities, bonds and policies</p> <p>The tenderer is required to submit with his tender a letter of intent from an approved insurer undertaking to provide the Performance Bond (<i>Performance Guarantee GCC2015</i>) to the format included in Part C1.3 of this procurement document</p>
C.2.23	<p>The tenderer is required to submit with his tender the following certificates:</p> <p>a) Certificate of Attendance at a Compulsory Tender Site Meeting or signature on Attendance Register.</p>

	<ul style="list-style-type: none"> b) Record of Addenda to Tender Documents. c) Copy of valid Tax Compliance Status letter with PIN issued. The certificate must be valid on the date on which the tender closes. d) Certificate of Authority of Joint Ventures/ Close Corporations/ Partnership/Company/Sole Proprietor (Certified Copies of the Identity Documents in the Case of Sole Proprietor). e) Compulsory Enterprise Questionnaire. f) Form of intent by a bank or insurance company to provide a performance guarantee. g) Schedule Registration Certificates of Entities - Joint Ventures/Close Corporations/Partnership/ Company/Sole Proprietor. h) Copy of Workmen's Compensation Registration Certificate (or proof of payment of contributions in terms of the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993) – a Letter of Good standing. i) Signed Form of Offer j) Legal Joint Venture Agreement (in case of Joint Venture). k) Fully completed and signed Standard Bidding Documents according to Standard for Uniformity in Engineering and Construction Works Contracts (SBD's Forms).
Clase Number	DATA
C.3	The Employer's undertaking
C.3.1	Respond to requests from tenderer
C.3.1.1	The employer shall respond to clarifications received up to 7 working days before tender closing date.
C.3.2	Issue Addenda The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 working days before tender closing date.
C.3.4	Opening of tender submissions
C.3.4.1	Only technical proposal (Book 1 and Book 2) will be opened during the tender submission.

C.3.5 C.3.5.1	<p>Two-envelope system</p> <p>A two-envelope system will be followed as per clause C.2.13.6. Only technical proposal will be opened during the tender submission</p>
C.3.7	<p>Grounds for rejection and disqualification</p> <p>In the event of disqualification, the Employer may, at his sole discretion, impose a specified period during which tender offers will not be accepted from the offending tenderer and report same to the CIDB and National Treasury in writing.</p>
C.3.8 C.3.8.2	<p>Test for responsiveness</p> <p>A Substantially responsive tender is a tender in which all of the material information and documentation submitted at close of tender contains non-material and non-conformities to the bid specifications but are not related to price. The correction of any such documentation or information, or the condonement for the non-inclusion of any such document or information may not be prejudicial towards the offer and claimed preference of any responsive tender or be construed to be giving an unfair advantage to any tender.</p> <p>A responsive tender is also one that conforms to all the terms, conditions, and scope of work of the tender documents, without material omissions. The test for a material omission is the same as the test for a material deviation or qualification.</p>
C.3.9 C.3.9.1	<p>Arithmetical errors, omissions, discrepancies and imbalanced unit rates</p> <p>Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount appearing in the summary to the Pricing Schedule shall govern.</p>
C.3.9.4	<p>Where the tenderer elects to confirm the correction of the errors, omissions or imbalanced rates, the tender offer shall be corrected as follows:</p> <ol style="list-style-type: none"> a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the unit rate shall govern, and the line item total shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted and the unit rate shall be corrected. b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall be corrected. c) Where the unit rates are imbalanced the tenderer shall adjust such rates by increasing or decreasing them and selected others while retaining the total of the prices derived after any other corrections made under (a) and (b) above.

	<p>Where there is an omission of a line item, no correction is possible, and the offer may be declared non-responsive.</p> <p>The tenderer is required to submit balanced unit rates for rate only items in the pricing schedule. The rates submitted for these items will be taken into account in the evaluation of tenders.</p> <p>If the Form of Offer is submitted but the Pricing Schedule is omitted, where rate only items are applicable; or If a signed Form of Offer is submitted with an incomplete pricing schedule (no summary to tender) that does not balance back to the Form of Offer and the Pricing schedule is incomplete; or If a signed Form of Offer is submitted with an incomplete pricing schedule that does not balance back to the Form of Offer and only summary of Pricing Schedule submitted; then the rates cannot be evaluated and the tender shall be declared non-responsive.</p>																		
C.3.11	Evaluation of tender offers																		
C.3.11.1	<p>Tenderers will be evaluated in terms of the evaluation criteria stipulated below:</p> <ul style="list-style-type: none"> (a) Evaluation for mandatory criteria (b) Evaluation in terms of Functionality (c) Evaluated in terms of Price and Preference point system as prescribed in the Preferential procurement regulations 2022. <p>Stage 1: Evaluation for mandatory criteria</p> <p>Refer to C3.13 of the Tender Data and Part T2 Returnable schedule.</p> <p>Stage 2: Evaluation in terms of Functionality</p> <p>Functionality of responsive bids submitted will be evaluated according to the predetermined criteria described below.</p> <p>A bid will not be evaluated further if it fails to meet the minimum threshold of total 75 points out of maximum 100 points for functionality as prescribed in the following tables:</p> <table border="1" data-bbox="416 1487 1369 1935"> <thead> <tr> <th></th> <th>FUNCTIONALITY CRITERIA</th> <th>POINTS ALLOCATED</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Experience</td> <td>50</td> </tr> <tr> <td>B1</td> <td>Key personnel A1 Contracts Manager</td> <td>25</td> </tr> <tr> <td>B2</td> <td>Key personnel A2 Construction Manager/Site Agent</td> <td>15</td> </tr> <tr> <td>B3</td> <td>Key personnel A3 Site Safety, Health, Environment and Quality (SHEQ) Officer</td> <td>10</td> </tr> <tr> <td>D</td> <td>TOTAL</td> <td>100</td> </tr> </tbody> </table>		FUNCTIONALITY CRITERIA	POINTS ALLOCATED	A	Experience	50	B1	Key personnel A1 Contracts Manager	25	B2	Key personnel A2 Construction Manager/Site Agent	15	B3	Key personnel A3 Site Safety, Health, Environment and Quality (SHEQ) Officer	10	D	TOTAL	100
	FUNCTIONALITY CRITERIA	POINTS ALLOCATED																	
A	Experience	50																	
B1	Key personnel A1 Contracts Manager	25																	
B2	Key personnel A2 Construction Manager/Site Agent	15																	
B3	Key personnel A3 Site Safety, Health, Environment and Quality (SHEQ) Officer	10																	
D	TOTAL	100																	

Key staff: Bidders must attach CV's and copies of qualifications of **Contracts Manager, Site Agent/Manager and Safety Officer** for points to be allocated Form P.1, Form P.2 and Form P.3 respectively. Failure to attach will result in no points being allocated.

COMPANY EXPERIENCE (Road Construction)

SUCCESSFUL COMPLETION OF SIMILAR PROJECTS IN THE LAST 10 YEARS FROM MINIMUM VALUE OF 50 MILLION EACH PROJECTS. ATTACH APPOINTMENT LETTERS WITH CORRESPONDING COMPLETION CERTIFICATES AND CLIENTS REFERENCE LETTERS. (NO SCORE WILL BE AWARDED IF THE ABOVE CERTIFICATES ARE NOT ATTACHED)

Quality Criteria	Sub criteria	A	B	C
		Tender rating (Score 1-5)	Weighting	Tenders Score (%) = (AxB)/5
Company Experience (Road Construction)	5 or more new roads and associated projects completed with a construction value of greater than R 50m in the last 10 Years (As proof, attach the letter of appointment and the completion certificates AND reference letter signed by the client.	5	50	
	3 to 4 new roads and associated completed with a construction value of greater than R 50m in the last 10 Years (As proof, attach the letter of appointment and the completion certificates AND reference letter signed by the client.	3		
	2 to 3 new roads and associated completed with a construction value of greater than R 50m in the last 10 Years (As proof, attach the letter of appointment and the completion certificates AND reference letter signed by the client.	2		
	1 roads new roads and associated completed with a construction value of greater than R 50m in the last 10 Years (As proof, attach the letter of appointment and the completion certificates AND reference letter signed by the client.	1		

KEY PERSONNEL				
POINTS ARE ALLOCATED FOR REQUIRED COMPETENCIES AND QUALIFICATIONS OF ALLOCATED PERSONNEL FOR THE PROJECT IN CONSIDERATION / REQUIRED KEY PERSONNEL ARE CONTRACTS MANAGER, CONSTRUCTION MANAGER/ SITE AGENT AND SITE SHEQ OFFICER				
Key Personnel Experience	Contracts Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 10 or more years in contracts management of new road construction and associated.	5		
	Maximum points will be allocated for Bidder with a suitably qualified and experienced construction manager (Contractor's Representative) who is registered with SACPCMP as Pr CM or with ECSA as Pr Eng or Pr Tech Eng			
	Contracts Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 7 to 9 years in contracts management of new road construction and associated.	3	25	
	Maximum points will be allocated for Bidder with a suitably qualified and experienced construction manager (Contractor's Representative) who is registered with SACPCMP as Pr CM or with ECSA as Pr Eng or Pr Tech Eng			
	Contracts Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 5 to 6 years in contracts management of new road construction and associated.	1		
	Maximum points will be allocated for Bidder with a suitably qualified and experienced construction manager (Contractor's Representative) who is registered with SACPCMP as Pr CM or with ECSA as Pr Eng or Pr Tech Eng			

	Site Manager	Site Agent/Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 10 or more years in contracts management of new road construction and associated.	5	15	
		Site Agent/Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 7 to 9 years in contracts management of new road construction and associated.	3		
		Site Agent/Manager on permanent basis with B-Sc / B.Tech in Civil, with relevant experience of 5 to 6 years in contracts management of new road construction and associated.	1		
	Safety Officer	Safety Officer with a minimum N:Diploma in relevant qualification and must be registered with SACPCMP as a Construction Health and Safety Officer (CHSO) on permanent basis with 10 Years experience in new road construction and associated.	5	10	
		Safety Officer with a minimum N:Diploma in relevant qualification and must be registered with SACPCMP as a Construction Health and Safety Officer (CHSO) on permanent basis with 7 to 9 years experience in new road construction and associated.	3		
		Safety Officer with a minimum N:Diploma in relevant qualification and must be registered with SACPCMP as a Construction Health and Safety Officer (CHSO) on permanent basis with 5 to 6 years experience in new road construction and associated.	1		
Maximum possible score for quality (M_s)				100	
<p>Note: All personnel to be in employ of the bidding enterprise. Bidding with multiple enterprises will not be allowed. The Department will disregard all experience of duplicated personnel. The Department reserve the right to assess the functionality ongoing to ensure compliance. The Department</p>					

	<p>must be apprised immediately if there is any change to the personnel identified in the tender document. Failure to comply with this requirement shall lead to contract termination. Any replacement must have equal or higher experience.</p>
	<p><u>Stage 3: Evaluated in terms of price and preference point system as prescribed in the Preferential procurement regulations 2022.</u></p> <p>Apply 90/10 Preference point system where a maximum of Ninety (90) tender adjudication points be awarded for price. Ten (10) points will be awarded for preference in terms of the Preferential Procurement Policy Framework Act, (Act 5 of 2000) and Preferential procurement regulations 2022.</p> <p>Specific goals points must be claimed using Returnable Schedule Form G - SDB 6.1 in accordance with the tenderer's Company and Intellectual Property Commission (CIPC) company registration documents, Central Supplier Database report, B-BBEE status level of contributor or Sworn affidavit as per construction sector code and proof of participation on job creation that is provided as returnable schedule Form V.</p> <p>The tenderer's B-BBEE Status Level Verification Certificate must comply with the requirements of Returnable Form V and be submitted as an attachment to the returnable schedule.</p> <p><u>Total Score for Price and Preference</u></p> <p>The points scored for a Tenderer in respect of Price will be added to the points scored in respect of Preference. Only the tender with the highest number of points may be selected, except in those instances permissible by legislation, practice notes or relevant policies.</p> <p><u>Criteria for breaking deadlock</u></p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.</p>

C.3.13	<p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> a) the tenderer is registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity b) the tenderer is in good standing with SARS according to the Central Supplier Database. c) the tenderer submits a letter of intent from an approved insurer undertaking to provide the Performance Bond to the format included in Part C1.3 of this procurement document. d) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation. e) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; f) the tenderer has not: <ul style="list-style-type: none"> i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect; g) the tenderer has completed the Compulsory Declaration and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process; h) The tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, for a 9CE class of construction work. i) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer; j) the tenderer is certified with: <ul style="list-style-type: none"> I. SANS ISO 9001 Quality Management System, SANS ISO 14001, Environmental Management Systems and SANS OHSAS 18001 Occupational Health; or II. SANS 1393 Construction Management System. k) The tendered did not tamper, dismantle or remove and documents from the tender document. All additional documentation must be attached to the tender document or attached in a separate file (Annexures). <p>The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.</p>
C.3.17	<p>Provide copies of the contracts</p> <p>The number of paper copies of the signed contract to be provided by the Employer is one (1).</p>

ADDITIONAL CONDITIONS OF TENDER:											
SC 3.19	<p>The additional conditions of tender are:</p> <p>Jurisdiction</p> <p>Unless stated otherwise in the tender data, each tenderer and the Employer undertake to accept the jurisdiction of the law courts of the Republic of South Africa.</p>										
CIDB 3.1	<p>CONTRACT SKILLS DEVELOPMENT GOAL (CSDG)</p>										
3.1.1	<p>The contractor shall attain or exceed the contract skills development goal in the performance of the contract or the execution of an order.</p>										
3.1.2	<p>The contract skills development goal shall be expressed as in 3.1.2.1 for engineering and construction works, design and build and services contracts, and as in 3.1.2.2 for professional services contracts.</p>										
3.1.2.1	<p>In the case of engineering and construction works contracts, design and build contracts and services contracts the contract skills participation goals, expressed in Rand, shall be no less than the sub-total multiplied by a percentage (%) factor given in Table 2 for the applicable class of construction works used in the application of the Construction Industry Development Regulations, issued in terms of the Construction Industry Development Board Act of 2000.</p> <p>Table 2: Contract skills development goals for different classes of engineering and construction works contracts</p> <table border="1"> <thead> <tr> <th colspan="2">Class of construction works as identified in terms of Regulation 25(3) of the Construction Industry Regulations 2004</th> <th>Construction skills development goal (CSDG) (%)</th> </tr> <tr> <th>Designation</th> <th>Description</th> <th></th> </tr> </thead> <tbody> <tr> <td>CE</td> <td>Civil engineering</td> <td>0.25</td> </tr> </tbody> </table> <p>https://www.cidb.org.za/wp-content/uploXCads/2023/03/practice-guideline-implementation-of-skills-standard-contractors-version-3.pdf</p>		Class of construction works as identified in terms of Regulation 25(3) of the Construction Industry Regulations 2004		Construction skills development goal (CSDG) (%)	Designation	Description		CE	Civil engineering	0.25
Class of construction works as identified in terms of Regulation 25(3) of the Construction Industry Regulations 2004		Construction skills development goal (CSDG) (%)									
Designation	Description										
CE	Civil engineering	0.25									

C.3.2	<p>CONTRACT PARTICIPATION</p> <p>(a) Contract Participation Target (Targeted Enterprise)</p> <p>A Targeted Enterprise is an entity to which the Contractor sub-contracts a percentage of the contract value.</p> <p>The Contract Participation target for local SMME's is 30% of the Contract value excluding Preliminary and Generals (P&G's) and Provisional sums. Upon appointment of the Contractor, 30% scope should be Sub Contractor to Targeted Local SMME's</p> <p>The following is the Sub Contractor or Local SMME's guideline:</p> <p>Local Subcontracting as a condition of tender for procurement above R30 million</p> <ol style="list-style-type: none"> 1. The minimum required for subcontracting is 30% for targeted local enterprises, as condition of tender; the tenderer must subcontract a minimum of 30% of the value of contract as stated above: <ul style="list-style-type: none"> • An EME or QSE which is at least 51% owned by Black People living in Rural or Undeveloped Areas in the following manner: Joe Morolong Local Municipality - John Taolo Gaetsewe District Municipality- Northern Cape; <p>In addition, Targeted Enterprise must be:</p> <ol style="list-style-type: none"> a) Registered with CIDB for CE class of works; b) Registered with National Treasury's Central Supplier Database c) COIDA compliant prior to award of the sub-contract where applicable <p>(b) Contract Participation Target (Targeted Labour)</p> <p>The Contract Participation Goal (CPG) for Targeted Local Labour is a Minimum of 8% of the final contract value excl. VAT by the end of the contract. The following is the breakdown of how the Labour CPG should be achieved:</p> <ol style="list-style-type: none"> (a) 55% Black people who are youth. (b) 40% Black women (c) 2% Black people who are persons with disabilities. <p>(c) Enterprise Development Support</p> <p>The Contractor shall provide internal mentorship for Targeted Enterprises to improve such Enterprise performance in a least two developmental/ Targeted Areas.</p> <p>The Contractor shall engage Targeted Enterprises in a least two developmental/ Targeted Areas to the extent that at least (5%) contract participation goal is achieved.</p> <p>https://www.cidb.org.za/wp-content/uploads/2021/04/Standard-for-Indirect-Targeting-for-Enterprise-Development-through-Construction-Works-Contracts.pdf</p>
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Construction Management Systems

In terms of sections 5(2) of the Construction Industry Development Board Act, 2000 (Act No. 38 of 2000) (the Act), the Construction Industry Development Board is empowered to promote best practice Standards. In terms of the CIDB Best Practice Contractor Recognition System, the Board has identified the following as best practices for contractor enterprises in Grades 5 to 9:

- a) certification to SANS ISO 9001 Quality Management System, SANS ISO 14001 Environmental Management Systems and SANS OHSAS 18001 Occupational Health and Safety Management System; or
- b) certification to SANS 1393 Construction Management System.

NORTHERN CAPE DEPARTMENT OF ROADS AND PUBLIC WORKS
UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND PROVINCIAL
BOARDER NEAR HEUNINGVLEI PHASE 1

TENDER No. DRPW 023/2023

T2. RETURNABLE DOCUMENTS

T2.1. LIST OF RETURNABLE DOCUMENTS

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Note: Failure to provide these documents will result in the tender not being evaluated

1. Documentation to demonstrate eligibility to have tenders evaluated

Compulsory Returnable Schedules are certified copies/originals of the following documents.

Failure to submit any of the documents listed below will automatically disqualify the Bid.

- a) Certificate of Attendance at a Compulsory Tender Site Meeting or signature on Attendance Register.
- b) Record of Addenda to Tender Documents
- c) Copy of valid Tax Compliance Status letter with PIN issued. The certificate must be valid on the date on which the tender closes.
- d) Certificate of Authority of Joint Ventures/ Close Corporations/ Partnership/Company/Sole Proprietor (Certified Copies of the Identity Documents in the Case of Sole Proprietor)
- e) Compulsory Enterprise Questionnaire
- f) Form of intent by a bank or insurance company to provide a performance guarantee.
- g) Schedule Registration Certificates of Entities - Joint Ventures/Close Corporations/Partnership/ Company/Sole Proprietor
- h) Copy of Workmen's Compensation Registration Certificate (or proof of payment of contributions in terms of the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993) – a Letter of Good standing.
- i) Signed Form of Offer
- j) Legal Joint Venture Agreement (in case of Joint Venture)
- k) Fully completed and signed Standard Bidding Documents according to Standard for Uniformity in Engineering and Construction Works Contracts (SBD 1, SBD 3, SBD 4, SBD 6.1, SBD 6.2 AND SBD 7)
- l) Certificate of SANS ISO 9001 Quality Management System, SANS ISO 14001 Environmental Management Systems and SANS OHSAS 18001 Occupational Health and Safety Management System; or certification to SANS 1393 Construction Management System

2. Returnable Schedules required for tender evaluation purposes.

The following Returnable Schedules must be fully completed and signed for, failure to do so will mean automatic disqualification:

- i. Schedule of Key Personnel - In terms of the Project Specification and the Conditions of Tender, unskilled workers may only be brought in from outside the local community if such personnel are not available locally.
- ii. Curriculum Vitae, and certified copies of qualifications,
- iii. Schedule of Tenderer's Experience (attach Appointment Letter or Completion Certificate)
- iv. Schedule of plant and equipment (attach proof of ownership / lease agreement)
- v. Contract Participation Goal Declaration
- vi. Certified B-BBEE Certificate issued by DTI / SANAS / Sworn Affidavit if preference points are claimed in respect of Broad-Based Black Economic Empowerment.
 - i. A letter of good standing (Bank ratings)
 - ii. Proposed Amendments, Qualifications and Alternatives
 - iii. Schedule of Sub-Contractors
 - iv. Annual financial statements for the preceding 3 financial years
 - v. Proposed execution programme
 - vi. Contractor's health and safety declaration
 - vii. Contractors safety plan
 - viii. Contractors environmental management plan

NOTE: An Attendance Register will be circulated at the Tender Briefing Meeting

NOTE: Bidders who fail to attend the compulsory Site Briefing Meeting, will be automatically disqualified

NOTE: Where any of the compulsory returnable schedules make a provision for signature, these schedules must be fully completed and signed. if not, the bid will be disqualified.

NOTE: Contractor must be registered on the Central Supplier Database

T2.2. RETURNABLE SCHEDULES

FORM A: CERTIFICATE OF ATTENDANCE AT A TENDER SITE MEETING

This is to certify that (*Tenderer*)
of (*address*).....
..... was represented by the
person named below at the compulsory meeting held for all tenderers at.....
.....

I / We acknowledge that the purpose of the meeting was to acquaint myself with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me to take account of everything necessary when compiling our rates and prices included in the tender.

Particulars of person attending the meeting:

Name: Signature:

Capacity: Date and Time:

Attendance of the above person at the meeting is confirmed by the Employer's representative, namely:

Name: Signature:

Capacity: Date and Time:

FORM B: RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:

	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed _____ Date _____
 Name _____ Position _____
 Tenderer _____

FORM C: PROPOSED AMENDMENTS AND QUALIFICATIONS

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer’s attention is drawn to clause 5.8 of SANS 10845-3 regarding the employer’s handling of material deviations and qualifications.

Page	Clause or item	Proposal

Signed _____ Date _____
 Name _____ Position _____
Tenderer _____

FORM D: SBD 1 – INVITATION TO BID AND TERMS AND CONDITIONS FOR BIDDING

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:		CLOSING DATE:	21 MAY 2024	CLOSING TIME:	11h00
DESCRIPTION	UPGRADING OF A SECTION OF MAIN ROAD 974 BETWEEN LAXEY AND PROVINCIAL BORDER NEAR HEUNINGVLEI PHASE 1				

THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
 BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
CONTACT PERSON		CONTACT PERSON	
TELEPHONE NUMBER		TELEPHONE NUMBER	
FACSIMILE NUMBER		FACSIMILE NUMBER	
E-MAIL ADDRESS		E-MAIL ADDRESS	

SUPPLIER INFORMATION

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
SUPPLIER COMPLIANCE STATUS	TCS PIN:	OR	CSD No:
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT (FOR EMEs& QEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER PART B:3 BELOW]
---	--	--	--

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1.	BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2.	ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT
1.3.	THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.
1.4.	THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7)
2. TAX COMPLIANCE REQUIREMENTS	
2.1	BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2	BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3	APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
2.4	BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
2.5	IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
2.6	WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7	NO BIDS WILL BE CONSIDERED FOR PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSON IN THE SERVICE OF STATE

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

**FORM E: PRICING SCHEDULE – FIRM PRICES
(PURCHASES)**

NOTE: ONLY FIRM PRICES WILL BE ACCEPTED. NON-FIRM PRICES (INCLUDING PRICES SUBJECT TO RATES OF EXCHANGE VARIATIONS) WILL NOT BE CONSIDERED

IN CASES WHERE DIFFERENT DELIVERY POINTS INFLUENCE THE PRICING, A SEPARATE PRICING SCHEDULE MUST BE SUBMITTED FOR EACH DELIVERY POINT

Name of bidder.....	Bid number.....
Closing Time ??	Closing date.....

OFFER TO BE VALID FOR.....DAYS FROM THE CLOSING DATE OF BID.

ITEM NO.	QUANTITY	DESCRIPTION	BID PRICE IN RSA CURRENCY ** (ALL APPLICABLE TAXES INCLUDED)
-	Required by:	.....
-	At:	..... .....
-	Brand and model	.....
-	Country of origin	.....
-	Does the offer comply with the specification(s)?		*YES/NO
-	If not to specification, indicate deviation(s)	.....
-	Period required for delivery	.....	*Delivery: Firm/not firm
-	Delivery basis	.....

Note: All delivery costs must be included in the bid price, for delivery at the prescribed destination.

** "all applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies.

*Delete if not applicable

FORM F: DECLARATION OF INTEREST

BIDDER'S DISCLOSURE

Notes to tenderer:SBD4

1. Definitions:

2.1. "State" means:

- i) any National or Provincial Department, National or Provincial Public Entity or Constitutional Institution within the meaning of the Public Finance Management Act, 1999 (Act No 1 of 1999);
- ii) any Municipality of Municipal Entity;
- iii) Provincial Legislature;
- iv) National Assembly or the National Council of Provinces; or
- v) Parliament.
- vi) "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.2. "Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

- 2. In the case of a joint venture (JV), a separate declaration form is to be completed and submitted by each JV member.
- 3. If the Form is omitted or blank; or if the tenderer found to have failed to declare conflict or declare false information, The tender will be declared non-responsive and should it be discovered after the award of a contract, contract maybe terminated and tenderer will be ultimately blacklisted.

PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. BIDDER'S DECLARATION

2.1. Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if

applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2. Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....
.....

2.3. Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

.....
.....

3. DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract

FORM G: NCP 6.1 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals

NB: BEFORE COMPLETING THIS FORM, TENDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

1.2 To be completed by the organ of state

a) The applicable preference point system for this tender is the 90/10 preference point system.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

- (a) Price; and
- (b) Specific Goals.

1.4 To be completed by the organ of state

The maximum points for this bid are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and SPECIFIC GOALS	100

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

- 1.6 The organ of state reserves the right to require of a tenderer, either before a tender is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the organ of state.

2. DEFINITIONS

- (a) “tender” means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;
- (b) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (c) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (d) “tender for income-generating contracts” means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and
- (e) “**the Act**” means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000);

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1 POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS:

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{\min} = Price of lowest acceptable tender

3.2 FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1 POINTS AWARDED FOR PRICE

A maximum of 80 or 90 points is allocated for price on the following basis:

80/20 or 90/10

$$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$$

Where

P_s = Points scored for price of tender under consideration

P_t = Price of tender under consideration

P_{max} = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

Note to tenderers: The tenderer must indicate how they claim points for each preference point system.)

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Enterprise with ownership of 51% or more by person/s who are black person/s	5			
Enterprise with ownership of 51% or more by person/s who are women	2			
Enterprise with ownership of 51% or more by person/s who are black youth	1			
Enterprise with ownership of 51% or more by person/s who are disabled	1			
Enterprise with ownership of 51% or more by person/s who are disabled	1			
Total	10			

5. **DECLARATION WITH REGARD TO COMPANY/FIRM**

5.1 Name of company/firm.....

5.2 Company registration number:

5.3 TYPE OF COMPANY/ FIRM

- Partnership/Joint Venture / Consortium
- One-person business/sole propriety
- Close corporation
- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

5.4 I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- (d) The information furnished is true and correct;
- (ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- (iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person’s conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:	.....
DATE:	.....
ADDRESS:	.....

SBD 6.2

FORM H: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for tenders referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

3. Does any portion of the goods or services offered have any imported content?

(Tick applicable box)

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrialdevelopment/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2017; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2017, the rates of exchange indicated in

paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2017, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2017.

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

LOCAL CONTENT DECLARATION: SUMMARY SCHEDULE (ANNEXURE C)

SATS 1286.2011

Annex C

Local Content Declaration - Summary Schedule

(C1) Tender No. _____
 (C2) Tender description: _____
 (C3) Designated product(s) _____
 (C4) Tender Authority: _____
 (C5) Tendering Entity name: _____
 (C6) Tender Exchange Rate: Pula _____ EU _____ GBP _____
 (C7) Specified local content % _____

Note: VAT to be excluded from all calculations

Calculation of local content							
Tender item no's	List of items	Tender price - each (excl VAT)	Exempted imported value	Tender value net of exempted imported content	Imported value	Local value	Local content % (per item)
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)

Tender summary			
Tender Qty	Total tender value	Total exempted imported content	Total Imported content
(C16)	(C17)	(C18)	(C19)

Signature of tenderer from Annex B _____

Date: _____

(C20) Total tender value _____
 (C21) Total Exempt imported content _____
 (C22) Total Tender value net of exempt imported content _____
 (C23) Total Imported content _____
 (C24) Total local content _____
 (C25) Average local content % of tender _____

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

(D1) Tender No.
 (D2) Tender description:
 (D3) Designated Products:
 (D4) Tender Authority:
 (D5) Tendering Entity name:
 (D6) Tender Exchange Rate:

Pula _____ EU _____ GBP _____

Note: VAT to be excluded from all calculations

A. Exempted imported content

				Calculation of imported content						Summary	
Tender item no's	Description of imported content	Local supplier	Overseas Supplier	Forign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Exempted imported value
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)	(D13)	(D14)	(D15)	(D16)	(D17)	(D18)
(D19) Total exempt imported value										R	O
This total must correspond with Annex C - C 21											

B. Imported directly by the Tenderer

				Calculation of imported content						Summary	
Tender item no's	Description of imported content	Unit of measure	Overseas Supplier	Forign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Tender Qty	Total imported value
(D20)	(D21)	(D22)	(D23)	(D24)	(D25)	(D26)	(D27)	(D28)	(D29)	(D30)	(D31)
(D32) Total imported value by tenderer										R	O

C. Imported by a 3rd party and supplied to the Tenderer

				Calculation of imported content						Summary	
Description of imported content	Unit of measure	Local supplier	Overseas Supplier	Forign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl VAT	Quantity imported	Total imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)
(D45) Total imported value by 3rd party										R	O

D. Other foreign currency payments

			Calculation of foreign currency payments		Summary of payments	
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange	Local value of payments	
(D46)	(D47)	(D48)	(D49)	(D50)	(D51)	
(D52) Total of foreign currency payments declared by tenderer and/or 3rd party						

Signature of tenderer from Annex B

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

Date:

This total must correspond with Annex C - C 23

SATS 1286.2011

Annex E

Local Content Declaration - Supporting Schedule to Annex C

(E1)	Tender No.		Note: VAT to be excluded from all calculations
(E2)	Tender description:		
(E3)	Designated products:		
(E4)	Tender Authority:		
(E5)	Tendering Entity name:		

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
(E9) Total local products (Goods, Services and Works)			R 0

(E10)	Manpower costs	(Tenderer's manpower cost)	R 0
(E11)	Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)	R 0
(E12)	Administration overheads and mark-up	(Marketing, insurance, financing, interest etc.)	R 0
(E13) Total local content			R 0
This total must correspond with Annex C - C24			

Signature of tenderer from Annex B

Date:

SBD 7.2

T3. CONTRACT FORM - RENDERING OF SERVICES

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SERVICE PROVIDER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SERVICE PROVIDER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

T4. PART 1 (TO BE FILLED IN BY THE SERVICE PROVIDER)

1. I hereby undertake to render services described in the attached bidding documents to (name of the institution)..... in accordance with the requirements and task directives / proposals specifications stipulated in Bid Number..... at the price/s quoted. My offer/s remain binding upon me and open for acceptance by the Purchaser during the validity period indicated and calculated from the closing date of the bid .
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Bidding documents, viz
 - Invitation to bid;
 - Tax clearance certificate;
 - Pricing schedule(s);
 - Filled in task directive/proposal;
 - Declaration of interest;
 - Declaration of bidder's past SCM practices;
 - Certificate of Independent Bid Determination;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my bid; that the price(s) and rate(s) quoted cover all the services specified in the bidding documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfillment of this contract.
5. I declare that I have no participation in any collusive practices with any bidder or any other person regarding this or any other bid.
6. I confirm that I am duly authorised to sign this contract.

NAME (PRINT)

CAPACITY

SIGNATURE

NAME OF FIRM

DATE

WITNESSES	
1	.....
	.

SBD 7.2

CONTRACT FORM - RENDERING OF SERVICES

T5.PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I..... in my capacity
as.....
accept your bid under reference numberdated.....for the rendering of services indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating service delivery instructions is forthcoming.
3. I undertake to make payment for the services rendered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice.

T6. DESCRIPTION OF T7. SERVICE	PRICE (ALL APPLICABLE TAXES INCLUDED)	COMPLETION DATE	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1

2

FORM I: COMPULSORY DECLARATION

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

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
Email:	
Telephone:	
Cell no	
Fax:	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Close Corporation registration number	
--	--

Section 3: SARS Information

Tax reference number	
VAT registration number:	<i>State Not Registered if not registered for VAT</i>

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
---	--

Section 5: National Treasury Central Supplier Database

Supplier number	
Unique registration reference number	

Section 6: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

Attach separate page if necessary

Section 7: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- a member of any municipal council
- a member of any provincial legislature
- a member of the National Assembly or the National Council of Province
- a member of the board of directors of any municipal entity
- an official of any municipality or municipal entity
- an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999)
- a member of an accounting authority of any national or provincial public entity
- an employee of Parliament or a provincial legislature

If any of the above boxes are marked, disclose the following:

Name of principal	Name of institution, public office, board or organ of state and position held	Status of service <i>(tick appropriate column)</i>	
		Current	Within last 12 months

*insert separate page if necessary

Section 8: Record of family member in the service of the state

family member: a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months been in the service of any of the following:

- a member of any municipal council
- a member of any provincial legislature
- a member of the National Assembly or the National Council of Province
- a member of the board of directors of any municipal entity
- an official of any municipality or municipal entity
- an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
- a member of an accounting authority of any national or provincial public entity
- an employee of Parliament or a provincial legislature

Name of family member	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 9: Record of termination of previous contracts with an organ of state

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

- Yes No (Tick appropriate box)

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

Section 10: Declaration

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

- i) neither the name of the tendering entity or any of its principals appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
 - b) National Treasury’s Database of Restricted Suppliers (see www.treasury.gov.za)

- ii) neither the tendering entity of any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc) or intention to not win a tender;
- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signed _____ Date _____
 Name _____ Position _____
 Enterprise name _____

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

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE: 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE: 5 Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE: 6 Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

FORM J: DECLARATION AND RETURNABLE DOCUMENTS

The following particulars must be furnished in relation to tenders for municipalities and municipal entities where:

- a) Consultancy services are required; and
- b) Goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT.

In the case of a joint venture, separate municipal declarations and returnable documents shall be submitted in respect of each partner.

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
Email:	
Telephone:	
Cell no	
Fax:	
Physical address	
Postal address	

Section 2: Declaration for consultancy services:

The enterprise has been awarded the following consultancy services by an organ of state during the last five years.

Name of organ of state	Estimated number of contracts	Nature of service, e,g, quantity surveying	Service similar to required service (yes / no) ?

Attach separate page as necessary

Section 3 Goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT

I / we certify that

1) *(tick one of the boxes):*

- The enterprise **is not** required by law to prepare annual financial statements for auditing
- The enterprise **is** required by law to have audited annual financial statements and attached the audited financial statements for the past three financial years, or since the establishment as the enterprise was established within the past three years

2) The enterprise and its directors has / have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days *(ie: all municipal accounts are paid up to date);*

3) Source of goods and / or services :

(tick one of the boxes and insert percentages if applicable):

- goods and / or services are sourced only from within the Republic of South Africa
- % of the total cost of goods and / or services will be sourced from outside the Republic of South Africa and the percentage of payment from the municipality or municipal entity which is expected to be transferred out of public is %

I furthermore confirm that the following contracts were awarded to the enterprise by an organ of state during the last five years and attached particulars of any material non-compliance or dispute concerning the execution of such contracts:

Name of organ of state	Estimated number of contracts	Nature of contracts

Attach separate page as necessary

I, the undersigned who warrants that I am duly authorised on behalf of the tendering entity, hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct

Signed _____

Date _____

Name _____

Position _____

Tenderer _____

FORM K: ANNUAL FINANCIAL STATEMENTS DECLARATION

T7.3. THE UNDERSIGNED, WHO WARRANTS THAT HE / SHE IS DULY AUTHORISED TO DO SO ON BEHALF OF THE RESPONDENT, CONFIRMS THAT:

- 1) The enterprise's financial year end is
- 2) The enterprise's financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable
- 3) The enterprise has compiled its financial accounts [tick one box]:
 - internally independently
- 4) The following statement applies to the enterprise [tick one box and provide relevant information]
 - enterprise has had its financial statements audited;

name of auditor
 - enterprise is required by law to have an independent review of its financial statements

name of independent reviewer
 - enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements
- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.
[Attach the income statement and the balance sheet contained in the financial statement]
- 6) The annual turnover for the last financial year is R
- 7) The total assets as at the end of the last financial year is R
- 8) The total liabilities as at the end of the financial year is R

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

Signed _____ Date _____

Name _____ Position _____

Tenderer

FORM L: CERTIFICATE OF AUTHORITY OF AN ENTITY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

(I) Company	(II) Close Corporation	(III) Partnership	(IV) Joint Venture	(V) Sole Proprietor

(I) CERTIFICATE FOR COMPANY

I, chairperson of the Board of Directors of, hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms, acting in the capacity of, was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Signature of Chairman:

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

(II) CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading
 as.....
 hereby authorises Mr/Ms.....,
 acting in the capacity of
 to sign all documents in connection with the tender for Contract No
 and any contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

(III) CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key members in the business trading
 as.....
 hereby authorises Mr/Ms.....,
 acting in the capacity of
 to sign all documents in connection with the tender for Contract No
 and any contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

Note: This certificate is to be completed and signed by all of the key partners upon who rests the direction of the affairs of the Partnership as a whole.

(IV) CERTIFICATE FOR JOINT VENTURE

We, the undersigned, being the key members in the business trading
as.....

hereby authorises
Mr/Ms.....,

acting in the capacity of
.....
....,

to sign all documents in connection with the tender for Contract No
..... and any contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead partner
.....
.....

Note: This certificate is to be completed and signed by all of the key partners upon who rests the direction of the affairs of the Partnership as a whole.

(V) CERTIFICATE FOR SOLE PROPRIETOR

[Important note to Tenderer: Certified copies of the Identity Documents must be included here in case of a Sole Proprietor]

I....., hereby confirm that I am the sole owner of the

business trading as:

Signature of Sole owner:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

FORM M: REGISTRATION CERTIFICATE OF AN ENTITY

[Important note to Tenderer: Registration Certificates for Companies, Close Corporations and Partnerships, certified copies of ID documents for Sole Proprietors, must be inserted here. In the case of a Joint Venture, a copy of a duly signed Joint Venture Agreement must be included]

FORM N: SCHEDULE OF THE TENDERER'S EXPERIENCE

The tenderer is to provide the following information regarding the five largest (minimum R50 Million and above) relevant projects of similar nature (**new roads and associated**) completed by the tenderer during the last ten years, in order of contract price. Only experience by the tendering entity, and **not by staff members**, shall be taken into account in awarding functionality points. **Only projects listed in the table below will be considered for acquiring points.**

[Attach Appointment letter and Completion certificate for each project listed.]

Employer: Contact Person and Telephone Number	Consulting Engineer: Contact Person and Telephone Number	Nature of Work	Value of Work (inclusive of VAT)	Date Completed or Expected to be Completed

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

FORM O: KEY PERSONNEL

In terms of the Project Specification and the Conditions of Tender, unskilled workers may only be brought in from outside the local community if such personnel are not available locally.

The Tenderer shall list below the personnel which he intends to utilize on the Works, including key personnel which may have to be brought in from outside if not available locally.

Category of Employee	Number of Persons	
	Personnel, Part of the Contractor's Organisation	Personnel to be contracted if not available within the employ of the company
#Contract Manager		
#Site Agent		
#Safety officers		
#Foremen		
Technicians, Surveyors, etc.		
Plant Operators		
Others:		

Notes. # The categories marked are Key Personnel.

SIGNATURE:

DATE:

(of person authorized to sign on behalf of the Tenderer)

2. SITE AGENT / SITE MANAGER

Name:	Date of birth:
Profession:	Nationality:
Qualifications:	
Professional Registration Number:	
Name of Employer (firm):	
Current position:	Years with firm:
<u>Employment Record:</u>	
<u>Experience Record Pertinent to Required service:</u>	

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications and my experience. **Also Attach Qualifications and ID copy**

.....
Signature of person named in the schedule

.....
Date

3. SAFETY OFFICER

Name:	Date of birth:
Profession:	Nationality:
Qualifications:	
Professional Registration Number:	
Name of Employer (firm):	
Current position:	Years with firm:
<u>Employment Record:</u>	
<u>Experience Record Pertinent to Required service:</u>	

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications and my experience. **Also Attach Qualifications and ID copy**

.....
Signature of person named in the schedule

.....
Date

FORM Q: SCHEDULE OF PROPOSED SPECIALIST SUB-CONTRACTORS

The Contractor hereby notifies the Employer of his intention to employ the following specialist Subcontractors for work in this contract.

If we are awarded a contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

	Name and address of proposed Subcontractor	Nature and extent of work	Previous experience with Subcontractor.
1.			
2.			
3.			
4.			
5.			

Signed

Date

.....

.....

Name

Position

.....

.....

Tenderer

.....

FORM R: SCHEDULE OF PLANT AND EQUIPMENT

The following are lists of major items of relevant equipment that I/we presently own or lease and will have available for this contract or will acquire or hire for this contract if my/our tender is accepted.

(a) Details of major equipment that is owned by and immediately available for this contract.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

(b) Details of major equipment that will be hired, or acquired for this contract if my/our tender is acceptable.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed _____ Date _____

Name _____ Position _____

Tenderer _____

Note: The Engineer made an assessment of the required plant, against which functionality points will be scored based on the above information supplied. **Only information from the tables above will be considered for points.**

[Proof of ownership of equipment listed in (a) above or letter of intent to hire to be inserted here]

**FORM S: COPY OF WORKMENS' COMPENSATION REGISTRATION
CERTIFICATE (OR PROOF OF PAYMENT OF CONTRIBUTIONS IN TERMS OF
THE COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT NO.
130 OF 1993)**

***[Certified Copy of the Certificate or Proof of Payment thereof obtained from the
Workmen's Compensation Commissioner to be inserted here]***

FORM T: TAX COMPLIANCE STATUS LETTER

The tenderer shall include as an attachment to their submission a copy of a valid Tax Compliance Status letter, which shall be obtained by the tenderer from the South African Revenue Service (SARS). The TSC letter must have a PIN valid on the date of closing of the Tender.

In the event of a joint venture each member shall comply with the above requirement.

[Copy of Valid Tax Compliance Status Letter obtained from SARS to be inserted here]

FORM U: FORM OF INTENT TO PROVIDE A PERFORMANCE GUARANTEE

[In case the Tenderer chooses to provide surety in the form of a Performance Guarantee (as per section C.1.2.2 Part B: Data provided by the Contractor):

The Tenderer must attach hereto a letter from the bank or institution with whom he has made the necessary arrangements, to the effect that the said bank or institution will be prepared to provide the required performance guarantee when asked to do so].

A Proforma is attached in this document under section C1.2.3 for the tenderers to use.

FORM V: B-BBEE CERTIFICATE

Attached hereto is my/our original (original certified copy) B-BBEE Certificate issued by a verification agency accredited by SANAS.

FORM W: CONTRACT PARTICIPATION GOAL DECLARATION

1. DEFINITIONS

The following definitions shall apply to this schedule:

- a) **Contract Participation Goal (CPG)** amount equal to the sum of: a) the wages and allowances for which the contractor contracts to engage targeted labour; and b) the value of supplies, services and works for which the contractor contracts targeted enterprises in the performance of the contract; exclusive of any value added tax or sales tax required by law, expressed as a percentage of the net amount of the contract.
- b) Targeted Labour: Individuals, employed by the contractor in the performance of the contract, who are defined as the target group in the contract and who permanently reside in the target area or who are recognized as being residents of the target area on the basis of identification and association with and recognition by the residents of the target area.
- c) Targeted Enterprises: Suppliers of goods, providers of services, providers of plant and transport, or manufacturers, and who are recognized by the Community Forum as being Local enterprises, or individuals permanently residing in the Local area that are potential emerging Local enterprises, and who are subcontracted by the Contractor for the contract as may be elected by the Contractor. The distinction of enterprises, suppliers and manufacturers is further made for weighting purposes. The standard definitions apply.
- d) Target Area (local) is defined as being within the Northern Cape Province, sub-divided into three priority areas as described in clause 11.1 of the Contract Specific Data by the Employer.
- e) Net Amount: is the Sum Tendered exclusive of any VAT, and before adding Contract Price Adjustment and Contingencies, in other words, the Total of the Schedules.
- f) FTE – Full-Time-Equivalent: One person-year of employment, which is equivalent to 230 effective person-days.
- g) WO – Work Opportunity: Paid work created for an individual on a project for any period of time.

2. SANCTIONS

In the event that the Tenderer fails to substantiate that any failure to achieve the Contract Participation Goal relating to the granting of a preference was due to quantitative under runs, the elimination of items, or any other reason beyond the Contractor's control which may be acceptable to the Employer, it shall be liable to pay to the Employer a financial penalty calculated in the following manner:

$$P = \frac{0,20 \times (D - D_0) \times NA}{(100)}$$

where

D = tendered Contract Participation Goal percentage.

Do = the Contract Participation Goal which the Employer's representative, based on the credits passed, certifies as being achieved upon completion of the Contract.

NA = Contract amount(excluding CPA, Contingency and VAT)

P = Rand value of penalty payable

3. CONTRACT SKILLS DEVELOPMENT GOAL (CSDG)

Table 2 CONTRACT SKILLS DEVELOPMENT GOALS FOR DIFFERENT CLASSES OF ENGINEERING AND CONSTRUCTION WORKS CONTRACTS

Class of construction works as identified in terms of Regulation 25(3) of the Construction Industry Regulations 2004		Construction skills development goal (CSDG) (%)
Designation	Description	
CE	Civil engineering	0.25

3.1 Achieving the contract skills development goal (CSDG)

3.1.1 The contractor shall achieve the measurable contract skills development goal by providing

opportunities to learners requiring structured workplace learning using one or a combination of any of the following in relation to work directly related to the contract or order.

Example: Training Target Calculation for a R80.7m CE contract

Sub-total	R80 700 000, 00
Contract duration	12 Months
CSDG	0,25%
Minimum CSDG target	0,25% x R80 700 000,00 = R201 750,00

To prevent a tender being non-responsive, the Contractor shall take note of the required CSDG percentage (%) as prescribed in the final tender summary section. The percentage (%) factor multiplied by the sub-total of the tender amount will determine the minimum CSDG that needs to be achieved on the contract.

<https://www.cidb.org.za/wp-content/uploads/2023/03/practice-guideline-implementation-of-skills-standard-contractors-version-3.pdf>

I / we hereby tender a Construction skills development goal (D1), calculated as follows:

$$\begin{aligned}
 D1 &= \dots\dots\dots \text{(Total towards CSDG factor (0.25\%)) multiply by} \\
 &\quad \dots\dots\dots \text{(Net Amount tendered)} \\
 &= \dots\dots\dots \text{Amount. (See example above)}
 \end{aligned}$$

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the firm or sole proprietor confirms that he / she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Name:

Duly authorized to sign on behalf of:
.....

Fax: Date:

3.2 PARTICIPATION IN JOB CREATION USING LOCAL LABOUR (Targeted Local Labour)

The Tenderer shall be required to participate in job creation (employment of targeted Local Labour) by executing various portions of the Works using local labour (unskilled or semi-skilled), recruited from the local community.

The creation of one job shall mean the employment, for any period of time, of one such unskilled or semi-skilled labourer from the targeted local community.

The number of jobs to be created using such local labour is inclusive of the local labour employed to execute various portions of the Works by both the Main Contractor, any specialised Subcontractors and Targeted Local Enterprise's,

The Contract Participation Goal (CPG) for Targeted Local Labour is a **Minimum of 8%** of the final contract value excl. VAT by the end of the contract.

The following is the breakdown of how the Labour CPG should be achieved:

- (d) 55% Black people who are youth.
- (e) 40% Black women
- (f) 2% Black people who are persons with disabilities.

The Contractor must achieve the targeted Labour Contract Participation target and failure will results in Contractor being penalised.

Penalty = Tender Sum excluding CPA and VAT x Tender Labor Content % - Actual Labour Content %

Signature:

Name:

Duly authorized to sign on behalf of:

Fax: Date:

4. PREFERENTIAL PROCUREMENT: SUBCONTRACTING

6.1 The regulation states that if feasible to contract above R 30 million, an organ of state must apply subcontracting to advance designated groups". Any bids between R10m and R30m, will apply

4.2 Definitions

4.2.1 "EME" means an exempted micro enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act. An EME is an enterprise including a sole propriety with an annual total revenue of R10 million or less.

4.2.2 "QSE" means qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act. A QSE is an enterprise with an annual total revenue of between R10 million and R50 million

4.3 Tenders must be advertised with a condition that tenderers who fail to comply with this requirement would be disqualified. Sub-contracting conditions:

- i. In the case of construction and built environment sectors, nothing prevents bidders/ contractors/ suppliers to select sub-contractors from the CIDB database who are registered on the CSD for the purposes of compliance with the minimum 30% compulsory sub-contracting provisions.
- ii. The successful bidder / appointed contractor must submit proof of a subcontracting arrangements between the main tenderer / appointed contractor and sub-contractor. The appointed Contractor must obtain approval from the Head of Department to appoint sub-contractors.
- iii. The responsibility for inclusion of compulsory subcontracting clause in the tender rests with the institution.
- iv. The responsibility to sub-contract with competent and capable sub-contractor's rests with the main contractor/ supplier.
- v. The contract will be concluded between the main contractor and the institution, therefore, the main contractor and not the sub-contractor would be held liable for performance in terms of its contractual obligations.
- vi. Main contractors/ suppliers are discouraged from subcontracting with their subsidiary companies as this may be interpreted as subcontracting with themselves and / or using their subsidiaries for fronting. Where primary contractor subcontracts with a subsidiary this must be declared in tender documents

- vii. **Tenders that do not meet subcontracting requirements are considered as being not acceptable tenders and must be disqualified and may not be considered for further evaluation or award.**
- viii. The report containing the list of potential subcontractors may be drawn by accessing the following link: www.csd.gov.za & www.cidb.co.za
- ix. Where no tenderer meets sub-contracting criteria, institutions must cancel the tender and investigate reasons for tenderers failing to meet compulsory sub-contracting.
- x. The tenderer must indicate in the table below the EME/QSE subcontractors he proposes to use in order to obtain the minimum specified subcontracting percentage of 30%
- xi. Sub-contracting will be finalised after award of the bid BUT bidders must indicate the items earmarked for sub-contracting on paragraph 6.4.

4.4 Sub-contracting Activities

In the table below, the tenderer **MUST INDICATE** the items in the bill of quantities that he identified for the subcontracting in order to obtain minimum specified contracting percentage of 30% as condition of the contract.

SCHEDULE ITEM NO	ITEM DESCRIPTION AS PER BOQ	VALUE (RANDS)
Total		

Tender Sum	
% of Tender Sum	

SIGNED ON BEHALF OF THE TENDERER:

FORM X: EXECUTION PROGRAMME

The Tenderer shall attach a preliminary programme reflecting the proposed sequence and tempo of execution of the various activities comprising the work for this Contract. The programme shall be in accordance with the information supplied in the Contract, requirements of the Project Specifications and with all other aspects of his Tender.

The Execution Programme must be based on the completion time as specified in the Contract Data.

PLEASE NOTE:

The cashflow projections from the contractor (to be submitted before commencement of the execution of the contract) must be in accordance with this execution plan in order to ensure proper cashflow management by the Department and to minimise delayed payments.

[The Tenderer must attach hereto a preliminary programme reflecting the proposed sequence and tempo of execution of the various activities comprising the work for this Contract].

SIGNATURE: DATE:

(of person authorised to sign on behalf of the Tenderer)

FORM Y: CONTRACTORS' HEALTH AND SAFETY DECLARATION

In terms of Clause 4(4) of the OHS Act 1993 Construction Regulations 2014 (referred to as "the Regulations" hereafter), a Contractor may only be appointed to perform construction work if the Employer is satisfied that the Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHS Act 1993 Construction Regulations 2014.

To that effect, a person duly authorised by the tenderer must complete and sign the declaration hereafter in detail.

Declaration by Tenderer

1. I the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and the OHS Act 1993 Construction Regulations 2014.

2. I hereby declare that my company has the competence and the necessary resources to safely carry out the construction work under this contract in compliance with the Construction Regulations and the Employer's Health and Safety Specifications.

3. I propose to achieve compliance with the Regulations by one of the following:
 - (a) From my own competent resources as detailed in 4(a) hereafter:
 *Yes / No
 - (b) From my own resources still to be appointed or trained until competency is achieved, as detailed in 4(b) hereafter:
 *Yes / No
 - (d) From outside sources by appointment of competent specialist subcontractors as detailed in 4(c) hereafter:
 *Yes / No

(* = delete whatever is not applicable)

4. Details of resources I propose:

(Note: Competent resources shall include safety personnel such as a construction supervisor and construction safety officer as defined in Regulation 6, and competent persons as defined in Regulations 7, 8, 10, 11, 12, 14, 15, 18, 21(1), 22, 26 and 27, as applicable to this contract)

(a) Details of the competent and qualified key persons from my company's own resources, who will form part of the contract team:

NAMES OF COMPETENT PERSONS	POSITIONS TO BE FILLED BY COMPETENT PERSONS

(b) Details of training of persons from my company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:

(i) By whom will training be provided?.....

(ii) When will training be undertaken?

(iii) List the positions to be filled by persons to be trained or hired:

.....
.....
.....

(c) Details of competent resources to be appointed as subcontractors if competent persons cannot be supplied from own company:

Name of proposed subcontractor:

.....

Qualifications or details of competency of the subcontractor:

.....
.....
.....

- 5. I hereby undertake, if my tender is accepted, to provide, before commencement of the works under the contract, a suitable and sufficiently documented Health and Safety Plan in accordance with Regulation 5(1) of the Construction Regulations, which plan shall be subject to approval by the Employer.
- 6. I confirm that copies of my company's approved Health and Safety Plan, the Employer's Safety Specifications as well as the OHS Act 1993 Construction Regulations 2014 will be provided on site and will at all times be available for inspection by the Contractor's personnel, the Employer's personnel, the Engineer, visitors, and officials and inspectors of the Department of Labour.
- 7. I hereby confirm that adequate provision has been made in my tendered rates and prices in the schedule of quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHS Act 1993 Construction Regulations 2014, and that I will be liable for any penalties that may be applied by the Employer in terms of the said Regulations (Regulation 30) for failure on the Contractor's part to comply with the provisions of the Act and the Regulations.
- 8. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer will mean that I am unable to comply with the requirements of the OHS Act 1993 Construction Regulations 2014, and accept that my tender will be prejudiced and may be rejected at the discretion of the Employer.

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

FORM Z: CONTRACTORS' SAFETY PLAN

[The Tenderer shall submit separately before commencement of the works, his Health and Safety Plan as required in terms of Regulation 5 of the Occupational Health and Safety Act 1993 Construction Regulations 2014, in compliance with the Employer's current Occupational Health and Safety Specifications as revised from time to time, and referred to in T2.1]

FORM AA: PRO FORMA NOTIFICATION FORM IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT 1993, CONSTRUCTION REGULATIONS 2014

[This form must be completed and forwarded, prior to commencement of work on site, by all Contractors that qualify in terms of Regulation 3 of the Construction Regulations 2014, to the office of the Department of Labour]

- 1. (a) Name and postal address of Contractor:.....
.....
- (b) Name of Contractor’s contact person:
Telephone number:
- 2. Contractor’s workman’s compensation registration number:
- 3. (a) Name and postal address of client:
.....
.....
- (b) Name of client’s contact person or agent:.....
Telephone number
- 4. (a) Name and postal address of designer(s) for the project:
- (b) Name of designer's contact person:
Telephone number
- 5. Name of Contractor’s construction supervisor on site appointed in terms of Regulation 6(1): Telephone number:
- 6. Name/s of Contractor’s sub-ordinate supervisors on site appointed in terms of regulation 6(2).
.....
- 7. Exact physical address of the construction site or site office:
- 8. Nature of the construction work:
- 9. Expected commencement date:
- 10. Expected completion date:
- 11. Estimated maximum number of persons on the construction site:
- 12. Planned number of subcontractors on the construction site accountable to Contractor: .

.....

13. Name(s) of subcontractors already chosen:

.....

.....

.....

SIGNED BY:

CONTRACTOR: DATE:

CLIENT: DATE:

FORM AB: FINANCIAL STATUS

[The Tenderer must attach hereto a letter of reference from his bank or financial institution showing the Tenderer's Bank Rating]

FORM AC: CSD REGISTRATION

[Central Supplier Database summary report to be inserted here]

FORM AD: SCHEDULE OF SPECIAL MATERIALS**Notes to tenderer:**

- 1. When called upon to do so, the tenderer shall substantiate the rates or prices with acceptable documentary evidence.**
- 2. Failure to complete this schedule adequately will result in the tenderers offer being rendered non-responsive in terms of tender condition 5.8.**

Each material dealt with as a special material in terms of clause 6.8.3 of the Contract Data is stated in the list below. The rates and prices for the special materials shall be furnished by the tenderer, which rates and prices shall not include VAT but shall include all other obligatory taxes and levies.

SPECIAL MATERIAL	UNIT*	RATE OR PRICE FOR THE BASE MONTH
Bitumen (Net Bitumen content) 60/70 Penetration grade bitumen MSP1 Invert Bitumen emulsion A-E2 Modified binder SE-1 Polymer Modified Bitumen binder Sacrosote 70 30% stable-grade emulsion 60% Spray-grade emulsion, anionic/cationic Steel Cement		

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

FORM AE: CERTIFICATE OF REGISTRATION WITH CIDB

The tenderer shall provide a printed copy of the Active Contractor's Listing off the CIDB website. (www.cidb.org.za). In the case of a Joint Venture, a printed copy of the Active Contractor's Listing must be provided for each member of the Joint Venture.

Name of Contractor:

Contractor Grading Designation:.....

CIDB Contractor Registration Number:

FORM AF: DETAILS OF INSURANCE COVER

Note to tenderer:

In the event of the tenderer being a joint venture/consortium the details of the individual members must also be provided.

The tenderer shall provide the following details of this insurance cover:

i) Name of Tenderer:

ii) Period of Validity:

iii) Value of Insurance:

- Insurance for Works and Construction Equipment

Company:

Value:

- Insurance for Contractor's Personnel

Company:

Value:

- General public liability

Company:

Value:

- SASRIA

Company:

Value:

SIGNED ON BEHALF OF THE TENDERER:.....

FORM AG: QUALITY MANAGEMENT SYSTEM

THE TENDERER SHALL ATTACH TO THIS FORM A CERTIFICATE OF SANS ISO 9001 QUALITY MANAGEMENT SYSTEM, SANS ISO 14001 ENVIRONMENTAL MANAGEMENT SYSTEMS AND SANS OHSAS 18001 OCCUPATIONAL HEALTH AND SAFETY MANAGEMENT SYSTEM;

or

CERTIFICATION TO SANS 1393 CONSTRUCTION MANAGEMENT SYSTEM