

PROVINCE OF THE NORTHERN CAPE

DEPARTMENT OF ROADS & PUBLIC WORKS

PROCUREMENT DOCUMENTS FOR

APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE FOR A PERIOD OF 36 MONTHS.

AT

BID NO: DRPW 002/2023

Project Manager DRPW: Mr V Sidumo

SUBMISSION IS FOR THE FOLLOWING PANEL/S

PLEASE TICK THE APPROPRIATE BOX BELOW, YOU MAY SUBMIT FOR ALL PANELS

PANEL OF CONSULTANT	PANEL OF CONTRACTORS	PANEL OF IMPLEMENTING AGENT
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SERVICES PROVIDER NAME: _____

SIGNATURE: _____

Document can be downloaded at this website: <http://ncrpw.ncpg.gov.za>

It is bidder's responsibility to download and submit complete bid document



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PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT ROADS AND PUBLIC WORKS)					
BID NUMBER:	DRPW 002/2023	CLOSING DATE:	26 JUNE 2023	CLOSING TIME:	11H00am
DESCRIPTION	APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE FOR A PERIOD OF 36 MONTHS.				
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)					
DEPARTMENT OF ROADS AND PUBLIC WORKS, 9/11 STOKROOS STREET, TEBOGO LEON TUME COMPLEX					
SQUAREHILL PARK					
KIMBERLEY, 8301					
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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No			<input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No	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]
	[IF YES ENCLOSE PROOF]				
SIGNATURE OF BIDDER	DATE			
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)		N/A	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY	DRPW	CONTACT PERSON			
CONTACT PERSON	MR V SIDUMO	TELEPHONE NUMBER			
TELEPHONE NUMBER	0538392268	FACSIMILE NUMBER			
FACSIMILE NUMBER	053 8392291	E-MAIL ADDRESS			
E-MAIL ADDRESS	VSIDUMO@NCPG.GOV.ZA				

PART B TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
<p>1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.</p> <p>1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE</p> <p>1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.</p> <p>1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.</p>
2. TAX COMPLIANCE REQUIREMENTS
<p>2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.</p> <p>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.</p> <p>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.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.</p> <p>2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.</p>
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS
<p>3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>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.</p> <p>NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.</p>

If the correctional fluid is used to correct signatures, prices and descriptions this **will** lead to bids being regarded as non-responsive.

IMPORTANT NOTICE: DOCUMENT AVAILABILITY



PLEASE NOTE THAT THIS BID CLOSES AT
TEBOGO LEON TUME COMPLEX AT 9 -11
STOCKROSS STREET, SQUAREHILL, KIMBERLEY,
8301

TAKE NOTE - BIDDERS WHO WISH TO MAKE USE OF SPEED SERVICES MUST MARK DELIVERY "TO COUNTER" AND NOT "TO PRIVATE BAG/BOX" ON THE STICKER. BIDDERS MUST ALSO CONTACT THE OFFICE, STATING THEIR TRACKING NUMBER OF THE BID DOCUMENT.

**BID DOCUMENTS DEPOSITED ANYWHERE ELSE
WILL BE REGARDED AND TREATED AS LATE BID**

**THE BID DOCUMENT IS AVAILABLE ON THE
FOLLOWING WEBSITES**

<http://ncrpw.ncpg.gov.za>

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ASSESSMENT AND EVALUATION PROCESS

Each Proposal will undergo an intensive assessment and evaluation process by the Department, which will consist of 2 distinct stages, namely:

7.1 Administrative Compliance Assessment

The Administrative Compliance stage of assessment includes, or requires that:

- 7.1.1 Administrative Compliance Check that assesses whether all the submitted proposals have observed all the rules and protocols set out in this TENDER.
- 7.1.2 Has the respondent submitted all documents as outlined in the requirements of the TENDER.
- 7.1.3 Eligibility Compliance Check which assesses whether the respondent have passed the minimum requirements as out in section 4 of this tender.
- 7.1.4 It is compulsory that the Respondent meet the following minimum requirements. If a respondent does not meet these following minimum requirements, they will automatically be disqualified:

Should the Respondent not meet the minimum requirements reviewed as part of the Administrative Checks, then such Respondent shall be disqualified from the Tender process and no further evaluation shall take place. Respondents that meet the minimum requirements for Stage 1 shall proceed to be evaluated in accordance with Stage 2 criteria - Technical Compliance Assessment.

7.2 Technical Compliance Assessment

The Technical Compliance Assessment stage of the evaluation process includes or requires that:

- 7.2.1 The Respondent be assessed for technical compliance.
- 7.2.2 Technical compliance will be assessed based on functionality assessment criteria that have been developed by the Department and defined in Table 1,2 and 3 below. There is

a table for each specific panel and each panel will be scored according to its relevant table. Respondent scoring below 70 of the points noted in Table 1, 2 and 3 will be disqualified and will not be eligible for further evaluation or consideration.

- The requirements of the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022 (Government Gazette No. 47452) shall also apply, together with all other requirements as set out in the Tender Data.
- Failure to comply with above requirements will result in automatic disqualification of the bidder.
- DRPW reserves the right to withdraw any invitation to tender and/or re-advertise or to reject any tender or to accept a part of it. DRPW does not bind itself to accepting any tender.

DRPW 002/2023: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE FOR A PERIOD OF 36 MONTHS.

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of Board Notice 86 of 2010 in government Gazette No. 33239 of 28 May 2010, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (See www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of Tenderers as an Annex to this tender Data.

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

The following conditions in the Tender Data below shall apply to this tender:

Item Number

Tender Data

F.1. Communication and Employer's Agent

Attention is drawn to the fact that verbal information, given by the Employer's Agent during site visits / clarification meetings or at any other time prior to the award of the Contract, will not be regarded as binding on the Employer. Only information issued formally by the Employer's Agent in writing to Tenderers will be regarded as amending

the Tender Document.

The Employer's Agent is:

Name: Mr V Sidumo

9/11 Stokroos Street

Squarehill Park

KIMBERLEY, 8300

Tel.: (053) 8392268

E-mail: vsidumo@ncpg.gov.za

F.2 Tenderer's Obligations

F.2.1 Eligibility

Only those Tenderers who are registered with the **Construction Industry Development Board (CIDB)** Contractor Registration will be eligible to apply.

Joint Ventures are eligible to submit tenders provided that every member of the Joint Venture is registered with the CIDB.

F.2.2 Clarification Meeting

No clarification meeting.

F.2.3 Clarification of Tender Offer after Submission

A tender will be rejected as non-responsive if the Tenderer fails to provide any clarification requested by the Employer within the time for submission stated in the Employer's written request for such clarification.

F.2.4 Tax Clearance Certificate

Tenderers shall be registered and in good standing with the South African Revenue Service (SARS) on CSD, if non-compliant, the tenderer must submit evidence from SARS informing the Department of why it is non-compliant and when is the estimated resolution.

The BBBEE certificate will only be used for your identifying your level of BBBEE but will not be used for scoring on the 80:20, specific goals will be used for scoring.

F.2.5 CIDB Registration

A CIDB Registration in good standing is **compulsory** for this tender. (IMPLEMENTING PANELS AND CONTRACTORS PANEL)

F.3.1 Opening of Tender Submissions

Tenders will not be opened immediately after the closing time for receipt of tenders.

F. 3.2 Test for Responsiveness

Tenders will be considered non-responsive if, inter alia:

- a) the Tenderer does not comply with the CIDB contractor registration.
- b) the Tenderer has failed to clarify or submit any supporting documentation within the time for submission stated in the employers written request.
- c) the Tenderer is not registered with the CIDB.

F.3.3 Evaluation of Tender Offers

Functionality will be scored and a minimum of 60 out of the possible 100 is required to be evaluated any further.

In terms of DRPW Specific Goals, preference points must be awarded to a bidder in accordance with the table below:

Specific Goal	Number of Points
An EME or QSE which is at least 51% owned by black people	10
An EME or QSE which is at least 51% owned by black people who are youth	5
An EME or QSE which is at least 51% owned by black people who are women	10
An EME or QSE which is 51% owned by black people with disabilities	5
An EME or QSE which is 51% owned by black people living in rural or under developed areas	10
Maximum Points	20

The following must be noted for the allocation of 20 points:

A tenderer might be requested to submit proof of its B-BBEE status level of contributor.

A share certificate and or CIPC information of the company might be requested to be able to verify ownership.

- Any other relevant evidence can be requested from the tenderer to substantiate the claim for the 20
- points from any of the above specific goals on the table.
- CSD printout must accompany all submission documents.
- The above points can be increased, reduced and split to more than one specific goal, depending on the

- requirements of the bid and specifications, however when such is increased or reduced, the information
- must be published correctly to the bidder at the time of advert of tender, but total points must not exceed 20 points.
- Locality points will be allocated to any company with a valid verifiable address in the Northern Cape, the following eSystems will be used to verify locality; CIPC, SARS, CIDB, CSD and A lease agreement must have substantiating legitimate evidence relating to the Northern Cape, the address claimed, such as proof of rental payment and receipt of rentals by both the lessee and lessor.
- If the price offered by the tenderer scoring the highest points is not reasonable, DRPW must not award the contract to the tenderer.
- DRPW may negotiate a reasonable price with the tenderer scoring the highest points or cancel the tender.
- If the tenderer does not agree to a reasonable price, negotiate a reasonable price with the tenderer
- scoring the second highest points or cancel the tender.
- If the tenderer scoring the second highest points does not agree a reasonable price, negotiate a reasonable price with tenderer scoring the third highest points or cancel the tender.
- If a reasonable price is not agreed as envisaged, DRPW will must cancel the tender.

F.3.4 Risk Analysis

Notwithstanding compliance with regards to CIDB registration or any other requirements of the tender, the employer will perform a risk analysis in respect of the following:

- a) the Tenderer's ability to fulfil its obligations in terms of the tender document, that is, that the Tenderer can demonstrate that he/she possesses the necessary professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience, reputation, personnel to perform the contract, etc.

No Tenderer will be recommended for an award unless the Tenderer has demonstrated that he/she has the resources and skills required.

F.3.5 Acceptance of panel

The Employer does not bind itself to accepting any tender.

Tender offers will only be accepted if:

- (a) the Tenderer is registered and in good standing with the South African Revenue Service (SARS) and has submitted evidence in the form of an original valid Tax Clearance Certificate (for tender) issued by SARS or proof that he or she has made arrangements with SARS to meet his or her outstanding tax obligations; (CSD) will be used to validate tax matters at appointment stage)
- (b) the Tenderer or any of its Directors 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;
- (c) the Tenderer has not:
 - (i) abused the Employer's Supply Chain Management System; or
 - (ii) failed to pay municipal rates and taxes or service charges as applicable at the Tenderer's Head Office Municipality and such rates, taxes and charges are in arrears for more than three months. the Tenderer has completed the Compulsory Enterprise Questionnaire 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.

F.3.6 **Notice to unsuccessful Tenderers**

The Employer will publish the award of the advertised competitive bid on the eTender Publication Portal.

F.4.1 **Invalid tenders**

Tenders shall be considered invalid and shall be endorsed and recorded as such in the tender opening record, by the responsible official who opened the tender, in the following circumstances:

- (a) If the tender is not completed in non-erasable black ink;
- (b) The name of the Tenderer is not stated or is indecipherable.

F.4.2 **Combating abuse of the Supply Chain Management Policy**

In terms of the Its Supply Chain Management Policy, the Employer may reject the tender of any Tenderer if that Tenderer or any of its directors has:

- a) failed to pay municipal rates and taxes or municipal service charges and such rates, taxes and charges are in arrears for more than three months:
- b) failed, during the last five years, to perform satisfactorily on a previous contract with the Employer or any other organ of state after written notice was given to that Tenderer that
- c) performance was unsatisfactory.
- d) abused the supply chain management system of the Employer or has committed any improper conduct in relation to this system.
- e) been convicted of fraud or corruption during the past five years.
- f) willfully neglected, reneged on or failed to comply with any government, municipal or other public sector contract during the past five years; or been listed with the Register of Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004) or has been listed on National Treasury's database as a person or juristic entity prohibited from doing business with the public sector.

In this regard, Tenderers shall complete Schedules 3 as well as 5, Part T2.2: Returnable Schedules: Certificate of Independent Tender Determination and Declaration in terms of the Municipal Finance Management Act. Failure to complete these schedules may result in the tender not being considered.

F.4.14 Sub-Contracting

The Treasury regulation on sub-contracting shall apply to all DRPW projects over R50million. The local contractors registered solicited from CIDB will be made available to the main contractor.

F.4.15 Cost of tendering

Accept that, unless otherwise stated in the Tender Data, the Employer will not compensate the Tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

LIST OF RETURNABLE DOCUMENTS

Returnable Documents marked with an X in the Yes column must be completed and submitted with the bid, failure to comply with the requirements may invalidate your bid

No	Returnable Document	Yes	No
RETURNABLES DOCUMENTS FOR EVALUATION PURPOSE			
1	Compulsory Briefing Session Certificate	X	N/A
2	Resolution of Board of Directors	X	
3	Resolution of Directors Enter into Consortia of Joint Venture (if applicable)	X	
4	Special Resolution of Consortia or Joint Ventures (if applicable)	X	
5	Schedule of Proposed Subcontractors (if applicable)	X	
6	Capacity of the Tenderer	X	
7	NCP Standard Bidding Documents (NCP/SBD 4)	X	
8	Legal Joint Venture Agreement (if applicable)	X	
9	Compulsory Enterprise Questionnaire	X	
10	Central Supplier Database Report or Number	X	
11	Conformation of CIDB Registration	X	
RETURNABLE DOCUMENT NOT FOR EVALUATION PURPOSE – BUT WILL BE INCORPORATED IN A CONTRACT			
1	Service Level Agreement (only with successful bidder/s)		X
2	Record of Addenda to Tender Document (if Applicable)		
3	NCP/SBD 7 and 6.1		

RESOLUTION OF BOARD OF DIRECTORS (ignore if Certificate of Authority is attached)

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(legally correct full name and registration number, if applicable, of the Enterprise)

Held at _____ (place)

On _____ (date)

RESOLVED that:

1. The Enterprise submits a Bid / Tender to the DEPARTMENT OF ROADS & PUBLIC WORKS in respect of the following project:

DRPW 002/202023: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS (IMPLEMENTING AGENTS) TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE.

Bid / Tender Number: DRPW 002/2023 (Bid / Tender Number as per Bid / Tender Document)

2. *Mr/Mrs/Ms:

in *his/her Capacity as : _____ (Position in the Enterprise)

and who will sign as follows: _____

be, and is hereby, authorised to sign the Bid / Tender, and any and all other documents and/or correspondence in connection with and relating to the Bid / Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid / Tender to the Enterprise mentioned above.

	<i>Name</i>	Capacity	Signature
1			
2			
3			
4			

Note:

1. * Delete which is not applicable
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Bidding Enterprise
3. Should the number of Directors / Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page

ENTERPRISE STAMP

RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at _____ *(place)*

On _____ *(date)*

RESOLVED that:

3. The Enterprise submits a Bid /Tender, in consortium/Joint Venture with the following Enterprises:

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)

to the DEPARTMENT OF ROADS & PUBLIC WORKS in respect of the following project:

DRPW 002/2023: APPOINTMENT OF A PANEL OF SERVICE PROVIDERS (IMPLEMENTING AGENTS) TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE

(Project description as per Bid /Tender Document)

Bid / Tender Number: DRPW 002/2023 *(Bid / Tender Number as per Bid /Tender Document)*

4. *Mr/Mrs/Ms:

in *his/her Capacity as: _____ *(Position in the Enterprise)*

and who will sign as follows: _____

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

- 5. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
- 6. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address: _____

Postal Address: _____ (code)

 _____ (code)

Telephone number: _____ (code)

Fax number: _____ (code)

	<i>Name</i>	Capacity	Signature
1			
2			
3			
4			
5			

Note:

- * Delete which is not applicable
- NB.** This resolution must be signed by all the Directors / Members / Partners of the Bidding Enterprise
- Should the number of Directors / Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page

ENTERPRISE STAMP

SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture)*

	<i>Name</i>	Capacity	Signature
1			
2			
3			
4			
5			

Held at _____ *(place)*

On _____ *(date)*

RESOLVED that:

- A. The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the DEPARTMENT OF ROADS & PUBLIC WORKS in respect of the following project:

_____ *(Project description as per Bid /Tender Document)*

Bid / Tender Number: DRPW 002/2023 *(Bid / Tender Number as per Bid /Tender Document)*

- B. Mr/Mrs/Ms:

in *his/her Capacity as: _____ *(Position in the Enterprise)*

and who will sign as follows: _____

be, and is hereby, authorised to sign the Bid, and any and all other documents and/or correspondence in connection with and relating to the Bid, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.

- C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style _____
- D. The Enterprises to the Consortium/Joint Venture accept joint and several liability for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.
- E. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and

severally liable to the Department for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item D above.

- F. No Enterprise to the Consortium/Joint Venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.
- G. The Enterprises choose as the *domicilium citandi et executandi* of the Consortium/Joint Venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: _____

 _____ (code)

Business address: _____

 _____ (code)

Postal Address: _____

Telephone number: _____ (code)

Fax number: _____ (code)

	<i>Name</i>	Capacity	Signature
1			
2			
3			
4			
5			

Note:

1. * Delete which is not applicable
2. **NB.** This resolution must be signed by all the Duly Authorised Representatives of the Legal Entities to the Consortium/Joint Venture submitting this Bid
3. Should the number of Duly Authorised Representatives of the Legal Entities joining forces in this Bid exceed the space available above, additional names and signatures must be supplied on a separate page
4. Resolutions, duly completed and signed, from the separate Enterprises who participate in this Consortium/Joint Venture must be attached to the Special Resolution.

CAPACITY OF TENDERER

1. **WORK CAPACITY:** *(The Tenderer is requested to furnish the following particulars, attach additional pages if more space is required. Failure to furnish the particulars may result in the Tender being disregarded.)*

Skilled employees		Unskilled employees employed
Categories staff	Number	Categories of employees

- 1.1. **Provide full particulars of: (IF ANY)**

Machinery	Plant	Workshops

2. PARTICULARS OF COMMITMENTS WHICH THE TENDERER HAS PREVIOUSLY COMPLETED AND PRESENTLY ENGAGED WITH:

Current Projects (please attach annexure if space is insufficient) (IF APPLICABLE)

Project	Place (town)	Reference / Contact person	Contact Tel. No.	Contract amount	Contract period	Date of commencement	Scheduled date of completion

Previous projects (please attach annexure if space is insufficient) (IF APPLICABLE)

Project	Place (town)	Reference / Contact person	Contact Tel. No.	Contract amount	Contract period	Start Date	End Date

Name of Bidder	Signature as per resolution of board directors	Date

TAX REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligation

It is therefore essential to ensure that the person conducting business with the state are tax compliant at the awarding of price quotations or competitive bids as no price quotation or competitive bid may be awarded to persons who are not tax compliant

National Treasury Regulation 16A9.1 (d) requires an Accounting Office and Accounting Officer to reject any bid from a supplier who fails to provide written proof from the South African Revenue Service that, that supplier either has no tax obligations or has made arrangements to meet outstanding tax obligations

The Central Supplier database and tax compliance status PIN are approved methods that will be utilized to verify tax compliance as the SARS does not issue Tax Clearance Certificates but has made an online provision available, via eFiling, for bidder to print their own TCC which they can submit with their bids or price quotations

Where the recommended bidder is not tax compliant, the bidder will be notified in writing of their non-compliance status and will be granted seven calendar days, the bidder must then provide the procuring entity with proof of its tax compliance status, which will be verified on CSD or eFiling.

The Accounting Officer and Accounting Authority will reject a bid submitted by the bidder if such a bidder fails to provide proof of tax compliance status in terms of above.

Bidders are required to indicate their eFiling pin number, for the purpose of Tax Clearance Certificate / or Tax Complaint status verification

IMPORTANT NOTICE



PLEASE NOTE THE FOLLOWING:
WITH REFERENCE TO THE ATTACHED NCP 4:

1. The notes refer inhere, should be read in conjunction with the NCP 4 Questionnaire document.
2. It should be noted that the NCP4 Questionnaire serve as a tool to determine any conflict of interest that might rise, between the State and the Prospective bidder, or prospective bidder with other bidders bidding for the same project, or bidders with state officials who are part of the evaluation or adjudication process, or bidders with the other company/ business which does not bid for the same bid.
3. Bidders who fails to complete this questionnaire, to their best knowledge and in full, will result the bid being non responsive (Non Complaint). It should be noted that information furnished by bidder in response to NCP4 Questionnaire, its regarded as correct and true information, if it is found and proofing the state that the information provided by the bidder is not correct and not true, the state will regard the information as the intention of the bidder to mislead the state in the process of evaluating and adjudicating the bidder, therefore will render the bid being non responsive or non-complaint.
4. In case where the information furnished by the bidder in response to NCP4 Questionnaires is false, and its only realised after the bid has been awarded to the bidder, the state will take legal actions against the bidder, of which remedial action could be-:
 - a. Payment of penalties determine by court
 - b. Cancellation of the Project awarded
 - c. Listing of the Bidder and its Directors on National Treasury Database of Restricted Bidders.
5. Bidders are advised to mark only the correct or applicable answer to the questions, and the other option/ answer must be left unmarked. This relates to answering Yes Or No Questions.

Paragraph 2 (2.1 - 2.1.1)

Please note that “the state” means:

- (a) 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);
 - (b) any municipality or municipal entity;
 - (c) provincial legislature;
 - (d) national Assembly or the national Council of provinces; or
 - (e) Parliament.
- “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.
 - The department is at liberty to use the current project as reported in the bid document to confirm responses on this paragraph as well as any other means of information available.
 - Previous Twelve months in this context, is calculated back from the closing date of the bid to the same date, month of the previous year.
 - The bidder should disclose any work done for the state in this period.

Paragraph 2.3

- Please note that “Any interest in any other related companies ” in this context, means any business shares, directorship of directors/shareholders of the bidding company in other entity, company, business, that should be disclosed.
- The department is at liberty to use CIPC to confirm any interest in any other related companies.
- Please ensure that the document is fully completed, that is, if a paragraph/question (2.1 to 2.6) is not applicable to you indicate “N/A”. Please tick or circle the correct answer when responding to paragraph/questions 2.7 to 2.11, and provide information on allocated spaces ONLY (if applicable).

SHOULD YOU BE INVOLVED IN A JOINT VENTURE, BOTH PARTIES MUST FULLY DECLARE INTEREST. PLEASE ENSURE THAT YOU ARE AWARE OF ALL INTERESTED PERSONS WHO SHOULD DECLARE INTEREST.

THIS REQUEST IS MADE FOR THE SAKE OF TRANSPARANCY AND THE TIMEOUS CONCLUSION OF BIDS

BIDDER'S DISCLOSURE (NCP/SBD4)

1. 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.

2.2
2.2.1

Full Name	Identity Number	Name of State institution

ish 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:

.....

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

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.
- 3.4 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.
- 3.5 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.
- 3.6 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.

SBD 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, TENDERERS 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

(delete whichever is not applicable for this tender).

- a. The applicable preference point system for this tender is the **90/10** preference point system.
- b. The applicable preference point system for this tender is the **80/20** preference point system.
- c. Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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 tender are allocated as follows:

	POINTS
PRICE	80/90
SPECIFIC GOALS	20/10
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;
- (a) “**price**” means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;
- (b) “**rand value**” means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;
- (c) “**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
- (d) “**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

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

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

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

or

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = 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—
- 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
 - 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)

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm.....

4.4. Company registration number:

4.5. 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]

4.6. 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:

- i) 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:

CONTRACT FORM - PURCHASE OF GOODS/WORKS (NCP/SBD 7)

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

PART 1 (TO BE FILLED IN BY THE BIDDER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached bidding documents to (name of institution)..... in accordance with the requirements and 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 time of 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;
 - Proof of tax compliance status;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claim form for Preferential Procurement in terms of the Preferential Procurement Regulations;
 - Bidder's Disclosure form;
 - 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 goods and/or works 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
2.
DATE:	

CONTRACT FORM - PURCHASE OF GOODS/WORKS (NCP/SBD7.1)

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I.....in my capacity as..... accept your bid under reference number.....dated.....for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).
2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	POINTS CLAIMED FOR EACH SPECIFIC GOAL (IF APPLICABLE)

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

SIGNED ATON.....

NAME (PRINT)

SIGNATURE

OFFICIAL STAMP

WITNESSES

1.

2.

DATE

THE DEPARTMENT ROADS AND PUBLIC WORKS SPECIFIC GOAL DETERMINATION

For 80/20 preference point system;

80/20 preference point system for acquisition of goods or services with Rand value equal to or below R50 million

i. The following formula must be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value equal to or below R50 million, inclusive of all applicable taxes:

$$P_s = 80(1 - \frac{P_t - P_{min}}{P_t})$$

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration; and

P_{min} = Price of lowest acceptable tender

- ii. A maximum of 20 points may be awarded to a tenderer for the specific goals specified for the tender.
- iii. The points scored for the specific goal must be added to the points scored for the price and the total must be rounded to the nearest two decimal places.
- iv. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000, the contract must be awarded to the tenderer scoring the highest points.

The following table must be used to calculate the score out of 20 for specific goals: Specific Goal

Specific Goals	Number of Points
An EME or QSE which is at least 51% owned by black people	10
An EME or QSE which is at least 51% owned by black people who are youth	5
An EME or QSE which is at least 51% owned by black people who are women	10
An EME or QSE which is 51% owned by black people with disabilities	5
An EME or QSE which is 51% owned by black people living in rural or under developed areas	10
Maximum Point to Claim	20

The following must be noted for the allocation of 20 points

1. The 80/20 preferential point system

80/20 preferential point system for acquisition of goods and services with the Rand value equal to or below of R50 million all taxes applicable

The following formula will be applied to calculate the points out of 80 for price in respect of an invitation for tender with a Rand value equal to or below R50 million, inclusive of all applicable taxes;

- A tenderer might be requested to submit proof of its B-BBEE status level of contributor.
- A share certificate and or CIPC information of the company might be requested to be able to verify ownership.
- Any other relevant evidence can be requested from the tenderer to substantiate the claim for the 20 points from any of the above specific goals on the table.
- CSD printout must accompany all submission documents.
- The above points can be increased, reduced and split to more than one specific goal, depending on the requirements of the bid and specifications, however when such is increased or reduced, the information must be published correctly to the bidder at the time of advert of tender, but total points must not exceed 20 points.
- Locality points will be allocated to any company with a valid verifiable address in the Northern Cape, the following eSystems will be used to validate your Docelium (CIPC, SARS, CSD, Municipal Account in your Name or Company Name and A lease agreement which, must have substantiating legitimate evidence relating to the Northern Cape, the address claimed, such as proof of rental payment and receipt of rentals by both the lessee and lessor.
- If the price offered by the tenderer scoring the highest points is not reasonable, DRPW must not award the contract to the tenderer.
- DRPW may negotiate a reasonable price with the tenderer scoring the highest points or cancel the tender.
- If the tenderer does not agree to a reasonable price, negotiate a reasonable price with the tenderer scoring the second highest points or cancel the tender.
- If the tenderer scoring the second highest points does not agree a reasonable price, negotiate a reasonable price with tenderer scoring the third highest points or cancel the tender.
- If a reasonable price is not agreed as envisaged, DRPW must cancel the tender.

2. The 90/10 preference point system

90/10 preference point system for goods or services with Rand value above R50 million

- i. The following formula must be used to calculate the points out of 80 for price in respect of an invitation for a tender with a Rand value equal above R50 million, inclusive of all applicable taxes:

$$P_s = 90(1 - P_t - P_{\min})$$

P_{\min}

Where

P_s = Points scored for price of tender under consideration;

P_t = Price of tender under consideration; and

P_{\min} = Price of lowest acceptable tender

- ii. A maximum of 10 points may be awarded to a tenderer for the specific goals specified for the tender.
- iii. The points scored for the specific goal must be added to the points scored for the price and the total must be rounded to the nearest two decimal places.
- iv. Subject to section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000, the contract must be awarded to the tenderer scoring the highest points.

The following table must be used to calculate the score out of 10 for specific goals:
Specific Goal

Specific Goals	Number of Points
An EME or QSE which is at least 51% owned by black people	10
An EME or QSE which is at least 51% owned by black people who are youth	5
An EME or QSE which is at least 51% owned by black people who are women	10
An EME or QSE which is 51% owned by black people with disabilities	5
An EME or QSE which is 51% owned by black people living in rural or under developed areas	10
Maximum Point to Claim	10

The following must be noted for the allocation of 10 points

3. The 90/10 preferential point system

90/10 preferential point system for acquisition of goods and services with the Rand value equal to above R50 million all taxes applicable

The following formula will be applied to calculate the points out of 90 for price in respect of an invitation for tender with a Rand value above R50 million, inclusive of all applicable taxes;

- A tenderer might be requested to submit proof of its B-BBEE status level of contributor.
- A share certificate and or CIPC information of the company might be requested to be able to verify ownership.
- Any other relevant evidence can be requested from the tenderer to substantiate the claim for the 10 points from any of the above specific goals on the table.
- CSD printout must accompany all submission documents.
- The above points can be increased, reduced and split to more than one specific goal, depending on the requirements of the bid and specifications, however when such is increased or reduced, the information must be published correctly to the bidder at the time of advert of tender, but total points must not exceed 10 points.
- Locality points will be allocated to any company with a valid verifiable address in the Northern Cape, the following eSystems will be used to validate your Docelium (CIPC, SARS, CSD, Municipal Account in your Name or Company Name and A lease agreement which, must have substantiating legitimate evidence relating to the Northern Cape, the address claimed, such as proof of rental payment and receipt of rentals by both the lessee and lessor.
- If the price offered by the tenderer scoring the highest points is not reasonable, DRPW must not award the contract to the tenderer.
- DRPW may negotiate a reasonable price with the tenderer scoring the highest points or cancel the tender.
- If the tenderer does not agree to a reasonable price, negotiate a reasonable price with the tenderer scoring the second highest points or cancel the tender.
- If the tenderer scoring the second highest points does not agree a reasonable price, negotiate a reasonable price with tenderer scoring the third highest points or cancel the tender.
- If a reasonable price is not agreed as envisaged, DRPW must cancel the tender.



DEPARTMENT OF ROADS AND PUBLIC WORKS NORTHERN CAPE PROVINCE (DRPW)

TERMS OF REFERENCE

TERMS OF REFERENCE

TERMS OF REFERENCE FOR THE APPOINTMENT OF A PANEL OF SERVICE PROVIDERS TO UNDERTAKE THE IMPLEMENTATION OF VARIOUS INFRASTRUCTURE AND CONSTRUCTION PROJECTS IN ALL DISTRICT MUNICIPALITIES THROUGHOUT THE NORTHERN CAPE PROVINCE.

1. BACKGROUND

The Department of Roads and Public Works Northern Cape (DRPW) is committed to delivering infrastructure, and construction opportunities through integrated, sustainable infrastructure and construction projects. To achieve this vision, DRPW aims to establish panels of service providers in various categories, including consultancy, construction, and implementing agents, to facilitate the efficient and effective implementation of projects within the province.

DRPW invites service providers with experience in infrastructure and construction projects to express their interest in the execution of such works. The scope of work shall include the full range of services associated with the Public Works Infrastructure Program. The establishment of these panels aims to ensure a streamlined and efficient procurement process for engaging qualified service providers, promote transparency and fairness in the procurement process, foster a competitive environment for service providers, and enhance the quality and timeliness of project delivery within the province.

Since 1994, national priority projects have been used across sectors to reduce poverty in townships. The priority has been to increase the supply of public infrastructure at an accelerated pace and to develop sufficient infrastructure to close the gap between the existing infrastructure and the infrastructure that is needed. DRPW recognizes the critical role of the private sector in achieving this goal. Lessons learned about project management and implementation highlight the importance of well-planned and executed priority projects to deliver infrastructure at an accelerated pace.

Balanced partnerships, effective contracting and governance, a clear empowerment and transformation pathway, and shared risk and proceeds among all parties are critical to project success.

2. THE OBJECTIVES AND PURPOSE OF THE TENDER

- 2.1. The Northern Cape Province is faced with significant infrastructure shortages, leading to inadequate living conditions, and a lack of access to essential services and social infrastructure for a substantial portion of the population. This situation has exacerbated social inequalities and adversely impacted on the overall socio-economic growth of the province.
- 2.2. DRPW is issuing this tender to establish panels of service providers in various categories to facilitate the efficient and effective implementation of projects within the province. The selected service providers will help bridge the gap in the infrastructure and construction backlog and address the infrastructure needs of the province.
- 2.3. The service providers from the established panels will assist DRPW in addressing the infrastructure and project needs. Their services will be crucial in the planning, engineering, procurement, construction, and management of these projects, leading to the successful delivery of infrastructure and the alleviation of the infrastructure backlogs.
- 2.4. The primary purpose of establishing the panels of service providers is to address the spatial imbalances and infrastructure shortages within the various municipalities of the Northern Cape Province. By doing so, the selected service providers will contribute to improving the living conditions and quality of life for residents across the province. By addressing the current infrastructure, and construction needs, the province can work towards creating more equitable, accessible, and sustainable towns that promote social cohesion, economic growth, and overall well-being for all its residents.

3. PANEL CATEGORIES

The following three panels will be established:

CONSULTANTS PANEL
CONTRACTORS PANEL
IMPLEMENTING AGENT PANEL

3.4. CONSULTANTS PANEL

The Consultants Panel will comprise professional service providers in areas related to town planning, engineering services, quantity surveying, and other professional services. The panel will be responsible for providing expert advice, guidance, and solutions to ensure successful project delivery.

3.5. CONTRACTORS PANEL

The Contractors Panel will consist of service providers in the civil and built environment sectors, responsible for the servicing of stand and construction of top structures within the province. This panel will be tasked with providing services such as site preparation, infrastructure development, and construction of various projects.

3.6. IMPLEMENTING AGENT PANEL

The Implementing Agent Panel will include implementing agents who will be responsible for project implementation and management of conveyancers, consultants, contractors, and other service providers. Their responsibilities will include project planning, design management, procurement, coordination, project monitoring, quality management, claims management and reporting to ensure the timely and successful completion of projects.

4. REQUIREMENTS OF TENDER SUBMISSIONS PER PANEL.

4.1. CONSULTANT PANEL

All Respondent's responding to the submission should be addressing the following (where applicable, the appropriate documents must be attached): **RESPONDENTS ARE REQUIRED TO CLEARLY INDICATE ON THE FRONT OF THEIR DOCUMENT THE SPECIFIC PANEL THEY ARE APPLYING FOR.**

4.1.1 Cover Letter: A professional cover letter that introduces the Consulting firm and highlights its interest in the tender also indicating the panel for which you are submitting.

4.1.2 Consulting Team: A detailed description of the professional consulting team, including the roles, qualifications, and experience of each member. The team should include, but is not

limited to the following professionals: Principal Engineer, Engineering Technologist, Geotechnical engineers, Architect, Quantity Surveyor, Town Planner, Urban designers, Environmental consultants, and all other professional consultants needed to execute a project of this nature

- 4.1.3 The following information should be submitted for each inhouse professional or consulting firm:
- (a) Company names and profiles;
 - (b) Company representative's details (including contact details);
 - (c) Company's assigned professionals' CV's, ID's, qualifications and professional registrations;
 - (d) Applicable professional disciplines for which each company is appointed.
- 4.1.4 Experience of the Consultants: A list of the Consultants' experience in executing any projects of this nature within the Public Sector.
- 4.1.5 Locality of the Consultant: Proof of the Consultants' local Northern Cape office.
- 4.1.6 Consultants' returnable documents: The Consultants must provide the following documents as part of the submission.
- 4.1.6.1 CSD Registration
 - 4.1.6.2 Latest 3 years Audited Financial Statements: No minimum financial requirement needed
 - 4.1.6.3 B-BBEE Certificate
 - 4.1.6.4 Professional Indemnity
 - 4.1.6.5 Company Registration Documents
 - 4.1.6.6 Shareholders Agreement
 - 4.1.6.7 Shareholding Declaration signed by the accounting officer
 - 4.1.6.8 Directors Identity Documents
 - 4.1.6.9 Municipal Rates and Taxes
 - 4.1.6.10 Company Profile
- 4.1.7 Project Methodology and Method Statement: An in-depth description of how a typical project of this nature will be managed, from Inception to Close Out.
- 4.1.8 Impacts Plan: A comprehensive plan addressing the Consultants primary economic, social, and environmental impacts, demonstrating their commitment to sustainable development and the well-being of the community.

4.2. CONTRACTOR PANEL

All Respondent's responding to the submission should be addressing the following (where applicable, the appropriate documents must be attached): **RESPONDENTS ARE REQUIRED TO CLEARLY INDICATE ON THE FRONT OF THEIR DOCUMENT THE SPECIFIC PANEL THEY ARE APPLYING FOR.**

- 4.2.1 Cover Letter: A professional cover letter that introduces the Contractor and highlights its interest in the tender also indicating the panel for which you are submitting.
- 4.2.2 Project Team: A detailed description of the project team including the roles, qualifications, and experience of each member. The team should include, but is not limited to the following; Construction Project Manager, Construction Mangers, Site Managers, Quality Managers, Senior Admin Officer, Site Foreman, etc.
- 4.2.3 The following information should be submitted for each inhouse project team:
- (a) Company names and profiles;
 - (b) Company representative's details (including contact details);
 - (c) Company's assigned professionals' CV's, ID's, qualifications and professional registrations;
- 4.2.4 Experience of the Contractor: A list of the Contractors' experience in executing any Public Sector projects. Track record can include Services of Stands, Construction of Top Structures and other Infrastructure and Construction projects in the Public Sector.
- 4.2.5 Locality of the Contractor: Proof of the Contractors local Northern Cape office.
- 4.2.6 Contractors' returnable documents: The Contractor must provide the following documents as part of the submission.
- 4.2.6.1 CSD Registration
 - 4.2.6.2 CIDB Registration: CIDB grading of 5GB - 9GB **or** 1CE - 9CE or 5SB - 9SB is compulsory and in good standing at the time of closure of bid.
 - 4.2.6.3 Latest 3 years Audited Financial Statements: No minimum financial requirement needed.
 - 4.2.6.4 B-BBEE Certificate
 - 4.2.6.5 COIDA Certificate
 - 4.2.6.6 Contractors Health and Safety Declaration
 - 4.2.6.7 Company Registration Documents
 - 4.2.6.8 Shareholders Agreement
 - 4.2.6.9 Shareholding Declaration signed by the accounting officer

4.2.6.10 Directors Identity Documents

4.2.6.11 Municipal Rates and Taxes

4.2.6.12 Health and Safety Declaration

4.2.6.13 Company Profile

4.2.7 Project Methodology and Method Statement: An in-depth description of how a typical construction project of this nature will be managed, from Inception to Close Out.

4.2.8 Impacts Plan: A comprehensive plan addressing the Contractors primary economic, social, and environmental impacts, demonstrating their commitment to sustainable development and the well-being of the community.

4.3. IMPLEMENTING AGENT PANEL

All Respondent's responding to the submission should be addressing the following (where applicable, the appropriate documents must be attached): **RESPONDENTS ARE REQUIRED TO CLEARLY INDICATE ON THE FRONT OF THEIR DOCUMENT THE SPECIFIC PANEL THEY ARE APPLYING FOR.**

4.3.1 Cover Letter: A professional cover letter that introduces the Implementing Agent firm and highlights its interest in the tender also indicating the panel for which you are submitting.

4.3.2 Project and Consulting Team: A detailed description of the project team and professional consulting team, including the roles, qualifications, and experience of each member. The team should include, but is not limited to the following professionals: Principal Program Co-Ordinator, Principal Engineer, Construction Project Manager, Engineering Technologist, Senior Admin Officer, Chief Town Planner, GIS Specialist, Software Engineer, Environmental Specialist, Geo-technical Engineer, Accountant, Conveyancer, etc.

4.3.3 The following information should be submitted for each inhouse professional or consulting firm:

(a) Company names and profiles;

(b) Company representative's details (including contact details);

(c) Company's assigned professionals' CV's, ID's, qualifications and professional registrations;

(d) Applicable professional disciplines for which each company is appointed.

4.3.4 Experience of the Implementing Agent: A list of the Implementing Agent's experience in executing any Public Sector projects. Track record can include Town Planning, Services,

Top Structures and other Infrastructure and Construction projects.

- 4.3.5 Locality of the Implementing Agent: Proof of the Implementing Agent's local Northern Cape office.
- 4.3.6 Implementing Agent's returnable documents: The Implementing Agent must provide the following documents as part of their submission.
- 4.3.6.1 CSD Registration
 - 4.3.6.2 CIDB Registration: Both, CIDB grading 9GB **and** 9CE/9SB is compulsory.
 - 4.3.6.3 Latest 3 years Audited Financial Statements: Latest annual turnover for the year 2022/2023 should exceed R 800 million.
 - 4.3.6.4 B-BBEE Certificate
 - 4.3.6.5 COIDA Certificate
 - 4.3.6.6 Health and Safety Declaration
 - 4.3.6.7 Professional Indemnity
 - 4.3.6.8 Company Registration Documents
 - 4.3.6.9 Shareholders Agreement
 - 4.3.6.10 Shareholding Declaration signed by the accounting officer
 - 4.3.6.11 Directors Identity Documents
 - 4.3.6.12 Municipal Rates and Taxes
 - 4.3.6.13 Health and Safety Declaration
 - 4.3.6.14 Company Profile
- 4.3.7 Project Methodology and Method Statement: An in-depth description of how a typical project of this nature will be managed, from Inception to Close Out.
- 4.3.8 Procurement Methodology: details of how procurement of Local Contractors, Local Engineers and all other Local Service Providers will be done.
- 4.3.9 Project Management System: A detailed description of the project management system to be used, highlighting its capabilities and how it will facilitate information access for the Client.
- 4.3.10 Impacts Plan: A comprehensive plan addressing the Implementing Agent's primary economic, social, and environmental impacts, demonstrating their commitment to sustainable development and the well-being of the community.
- 4.3.11 Empowerment and Local Beneficiation Plan: A robust plan outlining the Implementing Agent's commitment to promoting the economic empowerment of black individuals,

including black women, youth, and persons with disabilities. The plan should also emphasize local beneficiation, ensuring that the project brings tangible benefits to the local community and contributes to socio-economic development.

The method of Submission must include all the following:

Important!!! EACH RESPONDENT SHOULD CLEARLY INDICATE ON HIS TENDER DOCUMENT FOR WHICH PANEL HE IS SUBMITTING.

- (a) Electronic submission on USB
- (b) Hard Copy x 1
- (c) Email, faxed submissions will not be accepted

5. THE SCOPE OF WORKS FOR EACH PANEL

5.1. CONSULTANTS PANEL

The scope of work for the Consultants Panel includes, but is not limited to:

- 5.1.1 Providing professional services in areas such as town planning, engineering designs, quantity surveying, environmental assessments, and other specialized services, tailored to the specific needs of each project.
- 5.1.2 Conducting feasibility studies and preparing technical reports to support decision-making, including evaluating alternative solutions and recommending the most suitable options.
- 5.1.3 Preparing project designs, plans, and specifications, ensuring they adhere to established standards, codes, and best practices.
- 5.1.4 Assisting in the preparation of project budgets and cost estimates, including conducting cost-benefit analyses and value engineering exercises.
- 5.1.5 Providing technical supervision and quality control during project implementation, ensuring that works are conducted according to the project specifications and within the agreed timeframes and budgets.
- 5.1.6 Conducting post-implementation evaluations and assessments to measure project success and identify lessons learned for future projects.

5.2. CONTRACTORS PANEL (5-9 GB or CE or SB)

The scope of work for the Contractors Panel includes, but is not limited to:

- 5.2.1 Site preparation, including earthworks, excavation, and site clearance, ensuring minimal disruption to the surrounding environment and community.
- 5.2.2 Construction of infrastructure projects, including foundation work, building erection, and finishing work, ensuring adherence to design specifications and quality standards.
- 5.2.3 Ensuring compliance with safety regulations, building codes, and environmental policies, including implementing appropriate measures to minimize risks and mitigate potential impacts.

5.2.4 Providing regular progress reports and updates to the implementing agents, detailing the status of ongoing works, any challenges faced, and proposed solutions.

5.2.5 Managing subcontractors and ensuring the quality of work performed, including conducting regular inspections, addressing any issues or deficiencies, and ensuring timely completion of tasks.

5.3. **IMPLEMENTING AGENTS PANEL (9GB, CE AND 9SB ONLY)**

The scope of work for the Implementing Agent's Panel includes, but is not limited to:

5.3.1 Project planning, including the development of project timelines, budgets, and resource allocations, ensuring optimal use of available resources.

5.3.2 Managing consultants, contractors, and other service providers, ensuring their work aligns with project objectives, specifications, and schedules.

5.3.3 Monitoring project progress against established milestones, timelines, and budgets, implementing corrective actions as needed to ensure successful project outcomes.

5.3.4 Ensuring compliance with all applicable laws, regulations, and policies throughout the project lifecycle, including obtaining necessary permits and approvals.

5.3.5 Identifying and addressing risks, challenges, and issues that may arise during project implementation, developing and implementing mitigation strategies to minimize potential impacts.

5.3.6 Providing regular progress reports and updates to DRPW and other relevant stakeholders, including details on project status, accomplishments, challenges, and future plans.

5.3.7 Ensuring the successful completion and close-out of projects, including the handover of completed works to DRPW or the relevant authorities, and conducting final inspections and evaluations.

5.3.8 Overseeing project management activities, including scope, schedule, and cost management, risk management, stakeholder communication, and quality control.

5.3.9 Managing procurement processes, including the preparation of bidding documents,

evaluation of proposals, and negotiation of contracts with selected service providers.

5.3.10 Collaborating with various stakeholders, such as government agencies, private sector partners, and development organizations, to increase the provincial baseline and explore alternative funding mechanisms for infrastructure and construction projects. This collaboration may involve engaging in public-private partnerships, identifying grant opportunities, and leveraging other financial resources to maximize project impact and achieve desired outcomes.

6. ECONOMIC EMPOWERMENT AND LOCAL BENEFICIATION

6.1 In line with the State's goals to promote economic empowerment of previously and currently disadvantaged populations, the Respondent is similarly required to promote economic empowerment, primarily within the locality of the development, and through the legitimate inclusion of disadvantaged groups in all aspects of planning, delivery and ownership.

6.1.1 Black Economic Empowerment

The Respondent shall commit to and ensure that:

- (a) A minimum of 30% of the shareholding in the entity proposed to plan, execute and develop the project is held by black persons (black persons as defined in Broad-Based Black Economic Empowerment Amendment Act 2013 (Act No 46 of 2013)), and that such minimum level of ownership by the black persons is maintained throughout the project's lifecycle.
- (b) A minimum of 30% of the value of the project shall be procured from black persons or other legal entities owned in majority by black persons (to the extent that the 30% of value is achieved), and that such procurement shall be distributed reasonably across built environment professionals, consultants, construction material suppliers, subcontractors, laborer's, etc., so appointed or procured from, and shall be maintained throughout the project's lifecycle.

6.2 Local Beneficiation

The Respondent shall commit to and ensure that:

Wherever practically possible all goods, services and labour be procured from entities based on the following criteria: in the demarcated wards in which the development is taking place, failing which the local municipality, then district or metropolitan municipality, then province or nationally.

7. ASSESSMENT AND EVALUATION PROCESS

Each Proposal will undergo an intensive assessment and evaluation process by the Department, which will consist of 2 distinct stages, namely:

7.1 Administrative Compliance Assessment

The Administrative Compliance stage of assessment includes, or requires that:

- 7.1.1 Administrative Compliance Check that assesses whether all the submitted proposals have observed all the rules and protocols set out in this TENDER.
- 7.1.2 Has the respondent submitted all documents as outlined in the requirements of the TENDER.
- 7.1.3 Eligibility Compliance Check which assesses whether the respondent have passed the minimum requirements as out in section 4 of this tender.
- 7.1.4 It is compulsory that the Respondent meet the following minimum requirements. If a respondent does not meet these following minimum requirements, they will automatically be disqualified:

Should the Respondent not meet the minimum requirements reviewed as part of the Administrative Checks, then such Respondent shall be disqualified from the Tender process and no further evaluation shall take place. Respondents that meet the minimum requirements for Stage 1 shall proceed to be evaluated in accordance with Stage 2 criteria - Technical Compliance Assessment.

7.2 Technical Compliance Assessment

The Technical Compliance Assessment stage of the evaluation process includes or requires that:

- 7.2.1 The Respondent be assessed for technical compliance.
- 7.2.2 Technical compliance will be assessed based on functionality assessment criteria that have been developed by the Department and defined in Table 1,2 and 3 below. There is a table for each specific panel and each panel will be scored according to it relevant table. Respondent scoring below 70 of the points noted in Table 1,2 and 3 will be disqualified and will not be eligible for further evaluation or consideration.

Table 1: Technical Assessment Criteria:**CONSULTANTS PANEL**

WEIGHTS AND VALUES FOR THE FUNCTIONALITY CRITERIA			
NO.	DESCRIPTION OF SPECIFIC COMPETENCIES	WEIGHT	
1	Qualification of key project team personnel involved on the project, minimum of 5 years of experience. Please attach copies of certificates and CV's	20	
	<ul style="list-style-type: none"> Professional Engineer (CV(s) attached. 		5
	<ul style="list-style-type: none"> Professional Specialist CV(s) attached. 		5
	<ul style="list-style-type: none"> Technical specialists + CV(s) attached. 		5
	<ul style="list-style-type: none"> Other Consultant CV(s) attached. 		5
	<ul style="list-style-type: none"> CV(s) without any attachment of qualifications mentioned above. 		0
All CV's, Qualification / Registration Certificates with relevant bodies for the proposed professional teams to be deployed on the project should be attached.			
2	Consultants' proven track record on previous experience in the Public Sector. This includes complete and active projects.	30	
	1. Appointed for consulting services R260 000 000 - R520 000 000		20
	2. Appointed for consulting services R130 000 000 - R260 000 000		15
	3. Appointed for consulting services R40 000 000 - 130 000 000		10
	4. Appointed for consulting services R13 000 000 - 40 000 000		5
	5. Appointed for consulting services R6 500 000 - 13 000 000		2
The Consultant must submit the contracts or appointment letters for verification purposes. (Any falsified evidence will be subjected to Treasury Investigation that might lead to being blacklisted from doing any business with the state)			
3	Locality of Developer (Attach proof of Local Provincial Northern Cape Office)	10	
4	Approach, methodology and implementation plan	20	
5	The Consultants' primary (local) economic, social, and environmental impacts plan.	20	
TOTAL POINTS FOR FUNCTIONALITY		100	

Table 2: Technical Assessment Criteria:**CONTRACTORS PANEL (5-9GB, CE AND SB)**

WEIGHTS AND VALUES FOR THE FUNCTIONALITY CRITERIA		
NO.	DESCRIPTION OF SPECIFIC COMPETENCIES	WEIGHT
1	Qualification of key project team personnel involved on the project, minimum of 5 years of experience. Please attach copies of certificates and CV's	
	<ul style="list-style-type: none"> Contracts Manager CV(s) attached. 	5
	<ul style="list-style-type: none"> Project Manager CV(s) attached. 	5
	<ul style="list-style-type: none"> Construction Manager CV(s) attached. 	5
	<ul style="list-style-type: none"> Site Manager CV(s) attached. 	3
	<ul style="list-style-type: none"> Quality Control Manager CV(s) attached. 	3
	<ul style="list-style-type: none"> H&S Manager CV(s) attached. 	3
	<ul style="list-style-type: none"> CV(s) without any attachment of qualifications mentioned above. 	0
All contractors must submit CV's, Qualification.		
2	Contractors proven track record on previous experience in the Public Sector. This includes competed and active projects.	
	1. Appointed and successfully completed project value R260 000 000 - R520 000 000	30
	2. Appointed and successfully completed project value R130 000 000 - R260 000 000	26
	3. Appointed and successfully completed project value R40 000 000 - 130 000 000	22
	4. Appointed and successfully completed project value R13 000 000 - 40 000 000	18
	5. Appointed and successfully completed project value R6 500 000 - 13 000 000	14
	The Contractor must submit the contracts or appointment letters for verification purposes. (Any falsified evidence will be subjected to Treasury Investigation that might lead to being blacklisted from doing any business with the state)	
3	Locality of Developer (Attach proof of Local Provincial Northern Cape Office).	10
4	Approach, methodology and implementation plan	20
5	The Contractors' primary (local) economic, social, and environmental impacts plan.	20
TOTAL POINTS FOR FUNCTIONALITY		100

Table 3: Technical Assessment Criteria:**IMPLEMENTING AGENT PANEL (9GB, CE AND SB ONLY)**

WEIGHTS AND VALUES FOR THE FUNCTIONALITY CRITERIA		
NO.	DESCRIPTION OF SPECIFIC COMPETENCIES	WEIGHT
1	Qualification of key project team personnel involved on the project, minimum of 5 years of experience. Please attach copies of certificates and CV's	15
	<ul style="list-style-type: none"> • Professional Engineer CV(s) attached. 3 	
	<ul style="list-style-type: none"> • Professional Architect CV(s) attached. 3 	
	<ul style="list-style-type: none"> • Professional Legal CV(s) attached. 3 	
	<ul style="list-style-type: none"> • Professional Quantity Surveyor CV(s) attached. 3 	
	<ul style="list-style-type: none"> • Professional Technician CV(s) attached. 2 	
	<ul style="list-style-type: none"> • Health and Safety Professional CV(s) attached. 1 	
	<ul style="list-style-type: none"> • CV(s) without any attachment of qualifications mentioned above. 0 	
All Implementing Agents must submit CV's, Qualification / Registration Certificates with relevant bodies for the proposed professional teams to be deployed on the project.		
2	Implementing Agents' proven track record on previous experience in the Public Sector. This includes completed and active projects.	20
	1. Appointed and successfully completed project value of R260 000 000 - R520 000 000 20	
	2. Appointed and successfully completed project value of R130 000 000 - R260 000 000 15	
	3. Appointed and successfully completed project value of R40 000 000 - 130 000 000 10	
	4. Appointed and successfully completed project value of R13 000 000 - 40 000 000 5	
	5. Appointed and successfully completed project value of R6 500 000 - 13 000 000 2	
The Implementing Agent must submit the contracts or appointment letters for verification purposes. (Any falsified evidence will be subjected to Treasury Investigation that might lead to being blacklisted from doing any business with the state)		
3	Locality of Developer (Attach proof of Local Provincial Northern Cape Office).	5
4	Approach, methodology and implementation plan	20
5	Procurement Methodology	10
6	Project Management System	10
7	The Implementing Agents primary (local) economic, social, and environmental impacts plan.	10
8	Empowerment and Local Beneficiation Plan	10
TOTAL POINTS FOR FUNCTIONALITY		100