SANRAL

BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED

CONTRACT SANRAL: C.002-024-2026/1S

SCM REFERENCE: NRA 2026/0653

CONSULTING ENGINEERING SERVICES FOR THE TRAINING AND CONSTRUCTION MANAGEMENT SERVICES FOR A COMMUNITY DEVELOPMENT PROJECT TO UPGRADE ACCESS ROADS AND STORMWATER SYSTEM IN AND AROUND KWAGGAFONTEIN A NEAR NATIONAL ROAD R573 SECTION 2 FROM KM 36.20 TO KM 48.00

ISSUE DATE:	**03 JULY 2026**
BRIEFING SESSION DATE:	**14 JULY 2026 @ 09H00**
CLOSING DATE:	**04 AUGUST 2026**
CLOSING TIME:	**12:00 PM**

VOLUME 3
BASE DATE: JULY 2026
BOOK 1 OF 3

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PART T1: TENDERING PROCEDURES

SBD1 FORM
INVITATION TO BID

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SANRAL					
BID NUMBER:	C.002-024-2026/1S	CLOSING DATE:	29 JULY 2026	CLOSING TIME:	12:00
DESCRIPTION	CONSULTING ENGINEERING SERVICES FOR THE TRAINING AND CONSTRUCTION MANAGEMENT SERVICES FOR A COMMUNITY DEVELOPMENT PROJECT TO UPGRADE ACCESS ROADS AND STORMWATER SYSTEM IN AND AROUND KWAGGAFONTEIN A NEAR NATIONAL ROAD R573 SECTION 2 FROM KM 36.20 TO KM 48.00				

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT *(STREET ADDRESS)*
SANRAL Gauteng Provincial Office
Physical Address:
38 Ida Street, Menlo Park, Pretoria, 0081
(GPS dms (WGS84) 25° 46' 39.9" S and 28° 16' 29.4" E)

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:	
CONTACT PERSON	Procurement Officer	CONTACT PERSON	Procurement Officer
TELEPHONE NUMBER	N/A	TELEPHONE NUMBER	N/A
FACSIMILE NUMBER	N/A	FACSIMILE NUMBER	N/A
E-MAIL ADDRESS	ProcurementNR7@sanral.co.za	E-MAIL ADDRESS	ProcurementNR7@sanral.co.za

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	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	☐Yes ☐No [IF YES ENCLOSE PROOF]		**ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?**	☐Yes ☐No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐ YES ☐ NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐ YES ☐ NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐ YES ☐ NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐ YES ☐ NO

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

REGISTER AS PER 2.3 BELOW.

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, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER 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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.

2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.

2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.

2.6 WHERE NO TCS PIN 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 FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE 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: .....

T1.1 TENDER NOTICE AND INVITATION TO TENDER

The South African National Roads Agency SOC Limited (SANRAL) invites tenders for CONSULTING ENGINEERING SERVICES FOR THE TRAINING AND CONSTRUCTION MANAGEMENT SERVICES FOR A COMMUNITY DEVELOPMENT PROJECT TO UPGRADE ACCESS ROADS AND STORMWATER SYSTEM IN AND AROUND KWAGGAFONTEIN A NEAR NATIONAL ROAD R573 SECTION 2 FROM KM 36.20 TO KM 48.00

This project is in the province of **Mpumalanga Province** and in the district municipality of **Nkangala (Thembisile Hani Local Municipality)**. The approximate duration is 21 months.

It is a condition of this Tender that the successful Bidder shall subcontract a minimum of thirty percent (30%) of the Final Contract Value to Targeted Enterprise(s).

Only tenderers who are registered on the National Treasury Central Supplier Database are eligible to tender.

TENDER DOCUMENTS

Tender documents are available from **03 JULY 2026** for free download from National Treasury's eTender Publication Portal (http://www.etenders.gov.za)

A compulsory briefing session

A compulsory briefing session will be conducted **Virtually** on the **14 JULY 2026**, at **09H00** for a period of **± 2 hours**. The briefing session will start punctually and information will not be repeated for the benefit of Respondents arriving late.

Briefing meeting link:

Microsoft Teams meeting
Join: https://teams.microsoft.com/meet/338783167427501?p=MXEmLz1D0NSonx4xFt
Meeting ID: 338 783 167 427 501
Passcode: Nq7uA78w

Late arrivals (15 Minutes late) will not be allowed to participate in the meeting, and their submissions shall be declared non-responsive. A tenderer's representative cannot represent more than one tenderer at the tender briefing meeting.

A tender clarification briefing presentation will be sent to all Bidders who attended the briefing session. It is the responsibility of the Bidder to ensure they receive the presentation.

Closing Date

The closing date and time for receipt of tenders is **04 AUGUST 2026 @ 12 pm** (South African Time). Tenders must be placed inside the tender box at:

Location of tender box:
Reception Area
The Gauteng Provincial Office
The South African National Roads Agency SOC Ltd
38 Ida Street
Menlo Park
Pretoria
0081

- Telephonic, telegraphic, telex, facsimile, e-mailed tenders will NOT be accepted.
- No late tenders will be accepted after closing date and time.
- Bidders to ensure that their names and contacts details are reflected on the cover page of the bid document.
- Tenders may only be submitted on the tender documentation that is issued.
- Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

T.1.2 TENDER DATA

The conditions of tender are the standard conditions of tender as contained in Annexure C of the 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. (see www.cidb.org.za).

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 above-mentioned Standard Conditions of Tender.

Clause Number	Data
C.1	**GENERAL**
C.1.1	**Actions** The Employer is The South African National Road Agency SOC Limited (SANRAL). The Employer's domicilium citandi et executandi (permanent physical business address) is: 48 Tambotie Avenue Val de Grace Pretoria, 0184
C.1.2	**Tender Document** The tender documents issued by the Employer comprise: **Part T1: Tendering Procedures** T1.1 Tender notice and invitation to tender (White) T1.2 Tender data **Part T2: Returnable Schedules** T2.1 List of returnable documents T2.2 Returnable schedules **Part C1: Agreements and contract data** C1.1 Form of offer and acceptance (Yellow) C1.2 Contract data (Yellow) **Part C2: Pricing data** C2.1 Pricing instructions (assumptions) (Yellow) C2.2 Pricing Schedules / Bills of Quantities (Yellow) **Part C3: Scope of work** C3 Scope of work (Blue) **Part C4: Project Information** C4 Project Information (Green) **Part D** Part D: Stakeholder and community liaison, and targeted Labour and Targeted Enterprises utilisation and development (Green) **Part C5: Annexures** (White)
C.1.4	**Communication and employer's agent**

	The language for communications is English. The Employer's agent can be contacted at **ProcurementNR7@sanral.co.za**

C.1.5	**Cancellation and Re-Invitation of Tenders**
C.1.5.1	An employer may, prior to the award of the tender, cancel a tender if a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation. b) funds are no longer available to cover the total envisaged expenditure; or c) no acceptable tenders are received. d) there is a material irregularity in the tender process.
C.1.5.2	The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised
C.1.5.3	An employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.
C.1.6	**Procurement procedures**
C.1.6.1	General Unless otherwise stated in the tender data, a contract will, subject to C.3.13, be concluded with the tenderer who in terms of C.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.
C.2	**Tenderer's Obligations**
C.2.1	**Eligibility**
C.2.1.1	Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.
C.2.1.2	Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders. Joint Ventures are eligible to submit tenders provided that: • every member of the joint venture is registered with the CSD
C.2.2	**Cost of tendering** Tender documents are available from eTenders and SANRAL website at no cost.
C.2.3.	**Check documents** Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission
C.2.4	**Confidentiality and copyright** Confidentiality and copyright of documents Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.
C.2.6	**Acknowledge addenda** Failure to apply instructions contained in addenda may render a tenderer's offer non-responsive in terms of condition of tender C.3.8.

C.2.7	**Clarification meeting** The arrangements for a compulsory briefing session are as stated in the Tender Notice and Invitation to Tender (T1.1). Tenderers must 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. .
C.2.8	**Seek clarification** Request clarifications at least eight (8) working days before the closing date.
C.2.9	**Insurance** No insurance is provided by the Employer.
C.2.10 C.2.10.3 C.2.10.4	**Pricing the tender offer** The rates and prices shall be adjusted as specified in the conditions of contract clause 13.8 Adjustments for Changes in Costs Tenderers are required to state the rates, amounts and currencies in Rand.
C.2.11	**Alterations to documents** Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations
C.2.12	Alternative tender offers will not be considered.
C.2.13 C.2.13.2	**Submitting a tender offer** The tenderer is required to submit all returnable schedule as printed copy and in .pdf format (saved on a flash drive)

C.2.13.3	**Only the following needs to be submitted:**
	
	a. Volume 3 – Printed copy and flash drive
	
	The following information has to be submitted in printed hard copy and flash drive:
	• The 1st file in pdf format which contains:
	  • Scanned copy of Form of Offer (pdf)
	  • Scanned copies of all returnable schedules and attachments (pdf)
	  • Scanned copy of Pricing Schedule (pdf)
	• A 2nd file in Excel format
	  • Completed pricing schedule
	
	b. Alternative offers will not be considered.
	
	In the event of any discrepancy between the contents of the electronically priced schedule and the electronically provided pricing schedule in pdf format, the contents of the provided pdf format shall be taken as the valid contents. For the information provided by the tenderer as part of his submission, e.g. rates, the signed print-out shall be taken as the valid submission.

C.2.13.5	**The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are: As indicated in the Tender Notice** Tenders must be submitted during office hours (09:00 to 16:00) Monday to Friday at the Employer's address. It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register in the name of the tendering entity. In cases where the tender document is couriered to the regional office clear instructions to the person delivering the document must be given that the register

	must still be completed in the name of the tendering entity.
C.2.13.7	Place and seal the printed and bound hard copy and flash drive in an envelope clearly marked “TENDER” and bearing the Employer’s name, the contract number and description, the tenderer’s authorised representative’s name, the tenderer’s postal address and contact telephone numbers.
C.2.14	**Information and data to be completed in all respects** Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may waive any nonconformities in the tender. Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may request the tenderer to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities in the tender related to documentation requirements.
C.2.15	The closing time for submission of tender offers is **12:00 pm on the 04 AUGUST 2026**
C.2.16 C.2.16.1	**Tender offer validity** Hold the tender offer(s) valid for **twelve (12) weeks** for acceptance by the employer at any time during the validity period stated after the closing time stated in the tender data
C.2.17	**Clarification of tender offer after submission** Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.
C.3	The Employer’s undertakings
C.3.1 C.3.1.1	**Respond to requests from the tenderer** The Employer shall respond to clarifications received up to 3 (three) working days before tender closing date.
C.3.2	**Issue Addenda** The employer shall issue addenda until 10 (ten) working days before tender closing date.
C.3.3	**Return late tender offers** Tender offers received after the closing time stated in the Tender Data will be returned, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.
C.3.4 C.3.4.1	**Opening of tender submissions** There will be public opening of tenders approximately 1 hour after tender closing, At the location of Tender box. Tender opening register will be made available to all bidders who submitted a bid.
C.3.7	**Grounds for rejection and disqualification** Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices. In the event of disqualification, the Employer may, at its sole discretion, claim damages from the tenderer and impose a specified period during which tender offers will not be accepted from the offending tenderer and, the Employer shall inform the National Treasury in writing.
C.3.8 C.3.8.2	**Test for responsiveness** A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender

	documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would: a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work, b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified. Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
C.3.9	**Arithmetical errors, omissions, discrepancies and imbalanced unit rates**
C.3.9.1	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 in words shall govern. Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3.11 for: a. the gross misplacement of the decimal point in any unit rate;
C.3.9.2	b. omissions made in completing the pricing schedule or bills of quantities; or c. arithmetic errors in: i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or ii) the summation of the prices. Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices.
C.3.9.3	Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows: a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the
C.3.9.4	product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, 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 govern, and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.
C.3.10	**Clarification of Tender Offer** Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

C.3.11	**Evaluation of tender offers** **Stage 1 Test for responsiveness as outlined by the clause C3.8 above.** **Stage 2 Mandatory Administration Criteria** 1. Bid is received before the closing date and time. 2. Bidder has completed section 1: SBD 1 Form. 3. Bidder has submitted a completed and signed Form of offer. 4. Bidder is registered with CSD 5. Bidder has Valid Letter of Good Standing issued in accordance with the Compensation for Occupational Injuries and Diseases Act (COIDA). 6. Attendance of compulsory briefing session. 7. x1 Contract Engineer has an active professional registration with Engineering Council of South Africa as Professional Engineer or Professional Technologist. **Stage 3 Functionality Evaluation Criteria** Functionality is the terminology used to define the technical ability of the Tenderer, based on experience to deliver the required product in accordance with the specialized quality, reliability, and functionality. The functionality evaluation will be conducted by the Evaluation Committee which comprises of various skilled and experienced members from diverse professional disciplines. The evaluation process will be based on functionality criteria. The criteria will be as follows: Points allocated for Functionality shall be evaluated in accordance with the criteria as listed below. Total Quality points allocated shall be 100. Tenderer must score minimum score per each sub-criterion and an overall minimum threshold of 75 points out of 100 is required to be achieved for the tender to be eligible for further evaluation. **The Bidder shall submit a list of successfully completed projects that are relevant and/or similar in scope to the works required under this tender. Only projects completed within the last fifteen (15) years shall be considered for evaluation. Active or ongoing projects will not be accepted.** **Forms B1 and B4 must be completed in full and duly signed by the authorised representative of the Bidder. Failure to complete and sign both forms in full will result in a score of zero (0) points being awarded for this criterion.** **For each project submitted in Form B1, the Bidder shall provide:** **a) A reference letter from the Client (Project Owner) confirming the successful completion of the project and containing:** • **the current contact details of the Client's representative;** • **the construction value of the project; and** • **the date of completion; and** **b) A copy of the Letter of Award.** **For each project submitted in Form B4, the Bidder shall provide:** **a) A list of contactable references, including the names, positions, telephone numbers and email addresses of the respective representatives, who are able to confirm the Key Person's involvement, role and period of engagement on the respective projects.** **Failure to submit the required supporting documentation for any project listed in Forms B1 or B4 shall result in that project not being considered for evaluation purposes.**

Evaluation Criteria	Minimum Points	Maximum Points
BIDDER EXPERIENCE IN PROVIDING ENGINEERING PROFESSIONAL SERVICES WORK IN RELEVANT /SIMILAR SCOPE OF WORKS: Maximum of three (3) projects will be evaluated: - a) If a project has a construction value of R0 Million and up to but excluding R45 Million (inclusive of VAT) **[0]** b) If a project has a construction value of R45 Million and up to but excluding R60 Million (inclusive of VAT) **[9]** c) If a project has a construction value of R60 Million and above (inclusive of VAT) **[12]**	***27***	***36***
2. KEY PERSONNEL: CONTRACT ENGINEER Maximum of three (3) projects will be evaluated: - Project relevant experience a) If a project has a construction value of R0 Million and up to but excluding R45 Million (inclusive of VAT) **[0]** b) If a project has a construction value of R45 Million and up to but excluding R60 Million (inclusive of VAT) **[12]** c) If a project has a construction value of R45 Million and above (inclusive of VAT) **[15]**	***33***	***45***
Contract Engineer Qualification & Experience: a) Pr. Eng or Pr Tech Eng with 5 to 10 years of experience post qualification **[15]** b) Pr. Eng or Pr Tech Eng with more than 10 years of experience post qualification **[19]**	***15***	***19***
Total	**75**	**100**

Stage 4 Price and Preference

This is the final stage of the evaluation process and will be based on the PPPFA preference point system.

Bidders will be ranked by applying the preferential point scoring 90/10 for bids with the rand value above R50 million and 80/20 for bids with rand value of up to R 50 million (all applicable taxes included),

- If the lowest acceptable bid price is up to and including R50 000 000 (all applicable taxes included) then the 80/20 preferential point system will apply to all acceptable bids; or
- If the lowest acceptable bid price is above R50 000 000 (all applicable taxes included) then the 90/10 preferential point system will apply to all acceptable bids

SANRAL will utilise the following formula in its evaluation of Price:

PS = 90 $\left(1 - \frac{Pt - Pmin}{Pmin}\right)$ or PS = 90 $\left(1 - \frac{Pt - Pmin}{Pmin}\right)$

Where:

Ps = Score for the Bid under consideration

Pt = Price of Bid under consideration

Pmin = Price of lowest acceptable Bid

Specific goals	Criteria	10 points		20 points	
		Point allocation	Maximum points	Point allocation	Maximum points
B-BBEE Level	Level 1	10.00	10.00	20.00	20.00
	Level 2	9.00		18.00	
	Level 3	6.00		14.00	
	Level 4	5.00		12.00	
	Level 5	4.00		8.00	
	Level 6	3.00		6.00	
	Level 7	2.00		4.00	
	Level 8	1.00		2.00	
	Non-compliant contributor	0.00		0.00	

Criteria for breaking deadlock

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.

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.

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.

C.3.13 **Acceptance of tender offer**

The conditions stated in clauses C.3.13(a) to (f) of the Conditions of Tender as well as the following additional clauses C.3.13(g) to (l) shall be applied as objective criteria in terms of section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) and as compelling and justifiable reasons in terms of Conditions of Tender clause C.3.11:

g) the tenderer or any of its directors is not listed on National Treasury's Register of Tender Defaulters or Restricted Suppliers, or the Employer's database, in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) as a tenderer or person prohibited from doing business with the public sector;

h) the tenderer has not abused the Employer's supply chain management system; and

i) the tenderer has not failed to perform on any previous contract and has not been given a written notice to this effect.

j) the tenderer is tax compliant. The recommended tenderer who becomes non-compliant, prior to award, shall be notified and must become compliant within 7 working days of the date of being notified. A recommended tenderer who remains non-compliant after the 7 working days of being notified, shall be declared non-responsive.

k) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer. The licensed compensation insurer shall be approved by Department of Labour in terms of Section 80 of the Compensation for Injury and Disease Act, 1993 (Act No. 130 of 1993).

m) Price negotiations.

If the price offered by a tenderer scoring the highest points is not market related, the Organ of state may not award the tender to that tenderer.

	The Organs of state may – Negotiate a market related price with the tender scoring the highest points or cancel the tender; • If the tenderer does not agree to a market related price, negotiate a market related price with the tenderer scoring the second highest points or cancel the tender; • If the tenderer scoring the second highest points does not agree to a market related price, negotiate a market related price with the tenderer scoring the third highest points or cancel the tender; • If a market related price is not agreed as envisaged in paragraph 2(iii), the organ of state must cancel the tender. (n) Perform a risk analysis on the preferred tenderer to ascertain if any of the following might present an unacceptable commercial risk to the employer: **The due diligence will take into consideration the following:** • Integrity risk evaluation; • Operations, activities, locations and key customers; • Risk rating (i.e. high risk, medium to high risk, medium risk or low risk) of the tenderer. a) As part of this bid and subsequent contract, the tender requires a minimum of 30% sub-contracting. b) The following documents will be required at award stage: • Duly/fully signed Subcontracting Agreement between Main Contractor and Subcontractor/s specifying percentage that will be set aside for the subcontract and the scope of work that will be executed by the subcontract. • Valid B-BBEE Certificate/Sworn Affidavit.
C.3.16	**Registration of the award** SANRAL will notify unsuccessful tenderers when the tender process has been concluded. Any unsuccessful tenderer may request a debriefing in writing as specified in Clause C.3.18.
C.3.17	**Provide copies of the contracts** The number of paper copies of the signed contract to be provided by the Employer is 1.
C.3.18	**Provide written reasons for actions taken** All requests from tenderers shall be in writing.
ADDITIONAL CONDITIONS OF TENDER CLAUSES	
SC3.19	**Jurisdiction** 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.

PART T2: RETURNABLE SCHEDULES

PART T2.1 LIST OF RETURNABLE DOCUMENTS

The list of returnable documents is shown in the following table, with the status of those documents incorporated into the contract indicated.

FORM	LIST OF RETURNABLE DOCUMENTS	STATUS
INVITATION TO BID	**SBD 1 FORM**	
FORM A2:	CERTIFICATE OF AUTHORITY FOR SIGNATORY	
FORM A3:	JOINT VENTURE AGREEMENT	
FORM A4:	DECLARATION OF TENDERER'S CURRENT STATUS OF ANY DEBT OUTSTANDING TO SANRAL	
FORM A5:	DECLARATION FORM - MANAGEMENT OF DOMESTIC PROMINENT INFLUENTIAL PERSONS, FOREIGN PROMINENT PUBLIC OFFICIALS AND FOREIGN INFLUENTIAL NATIONALS	
FORM A6	CERTIFICATE OF FRONTING PRACTICES	
FORM A7	REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE	
FORM A8:	DECLARATION OF TENDERER'S LITIGATION HISTORY	
FORM A9:	CERTIFICATE OF TAX COMPLIANCE STATUS	
FORM A10:	SCHEDULE OF DEVIATIONS OR QUALIFICATIONS BY TENDERER	
FORM A11 (SBD4):	BIDDER'S DISCLOSURE (SBD4)	
FORM A12 (SBD6.1):	PREFERENCING SCHEDULE - TENDERER'S B-BBEE VERIFICATION	
FORM A13:	POPIA	
FORM A14:	CERTIFICATE OF PERMISSION TO CONDUCT DUE DILIGENCE INVESTIGATION	
FORM A15:	DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	
FORM A16:	SCHEDULE OF ADDENDA TO TENDER DOCUMENTS	
FORM A17:	CERTIFICATE OF INSURANCE COVER	
FORM A18:	TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS	
FORM A19:	SCHEDULE OF CURRENT COMMITMENTS	
FORM A20:	CERTIFICATE OF COMPLIANCE WITH COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT,1993	
FORM A22:	DECLARATION OF TENDERER'S FINANCIAL SUBMISSION	
FORM A23:	COMPLIANCE WITH LABOUR LEGISLATION DECLARATION	
FORM A24:	CERTIFICATE OF SINGLE TENDER SUBMISSION	
FORM B1	SCHEDULE OF WORK EXPERIENCE	
FORM B4:	KEY PERSONNEL EXPERIENCE	

CONTINUED VALIDITY OF RETURNABLE DOCUMENTS

The successful Respondent will be required to ensure the validity of all returnable documents, including but not limited to its valid proof of B-BBEE status, for the duration of any contract emanating from this RFP. Should the Respondent be awarded the contract [the Agreement] and fail to present Sanral with such renewals as and when they become due, Sanral shall be entitled, in addition to any other rights and remedies that it may have in terms of the eventual Agreement, to terminate such Agreement immediately without any liability and without prejudice to any claims which Sanral may have for damages against the Respondent.

Signed:……..….Date:……..……..

Name:…….……Position…….

Tenderer:……..……..

FORM A2: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Notes to tenderer:

1. The signatory for the tenderer shall confirm his/her authority thereto by attaching on the tendering company's letterhead a duly signed and dated copy of the relevant resolution of the board of directors/partners. Submit a copy of the resolution on printed and bound hard copy and flash drive.
2. In the event that the tenderer is a joint venture, a certificate is required from each member of the joint venture clearly setting out:
   - authority for signatory,
   - undertaking to formally enter into a joint venture contract should an award be made to the joint venture,
3. The resolution below is given as an example of an acceptable format for authorisation, but submission of this page with the example completed shall not be accepted as authorisation of the tenderer's signatory.
4. In the event that authorisation is for more than one project, then all projects shall be listed in the copy of the resolution of the Board of Directors/Partners.

By resolution of the board of directors/partners passed at a meeting held on .....

Mr/Ms whose signature appears below, has been duly authorised to sign all documents in connection with the tender for contract no. **C.002-024-2026/1S CONSULTING ENGINEERING SERVICES FOR THE TRAINING AND CONSTRUCTION MANAGEMENT SERVICES FOR A COMMUNITY DEVELOPMENT PROJECT TO UPGRADE ACCESS ROADS AND STORMWATER SYSTEM IN AND AROUND KWAGGAFONTEIN A NEAR NATIONAL ROAD R573 SECTION 2 FROM KM 36.20 TO KM 48.00**

.....

.....

and any contract which may arise therefrom on behalf of (enter name of tenderer in block capitals) .....

.....

SIGNED ON BEHALF OF THE COMPANY: .....

.....

IN HIS/HER CAPACITY AS:.....

DATE: .....

SIGNATURE OF SIGNATORY: .....

WITNESSES: …… ……..
SIGNATURE SIGNATURE

……
……..
NAME (print) NAME (print)

Signed:……..……Date:……..……..

Name:……Position……

Tenderer:……..……

FORM A3: JOINT VENTURE AGREEMENT

Bidder Name	**Contact Detail (Name, Cellphone, Email)**	**Share % in the JV**
Lead Bidder:		
Total		100

Tenderer:
In the event of a Joint Venture, attach to this form a signed and properly completed Joint Venture Agreement
Lead Bidder shall have Majority share certificate.

Signed:……..……Date:……..……..

Name:…….……Position…….

Tenderer:……..……

FORM A4: DECLARATION OF TENDERER'S CURRENT STATUS OF ANY DEBT OUTSTANDING TO SANRAL

Notes to tenderer:

1. **The signatory for the tenderer (as per Form A2) shall complete and sign this form declaring the current status of (any) debt outstanding to SANRAL.**
2. **In the event that the tenderer is a Joint Venture, a declaration is required from each member of the Joint Venture.**

I, the undersigned, ... declare that:

(i) the tenderer or any of its Directors/Members do not have any debt outstanding to SANRAL, other than what is listed below:

.....

.....

.....

.....

(ii) the tenderer and/or any of its Directors/Members freely, voluntarily and without undue duress unconditionally authorises SANRAL to set off any debts agreed to which is due and payable by the tenderer or any of its Directors/Members in terms of this declaration against any moneys due to the tenderer or any of its Directors/Members.

(iii) to the best of my knowledge the above information is true and accurate.

Signed and sworn before me at ……. on the …….. day of

…… 20……..

……..
SIGNATURE

The deponent having:

1. Acknowledged that he/she knows and understands the contents hereof;
2. Confirmed that he/she has not objection to the taking of the prescribed oath;
3. That he/she considered the prescribed oath as binding upon his/her conscience; and
4. The Regulations contained in the Government Gazette Notice R1258 of July 1972 and R 1648 of August 1977 having been complied with.

……..
COMMISSIONER OF OATHS

Signed:……..……Date:……..……..

Name:…….……Position……

Tenderer:……..……

FORM A5: Domestic Prominent Influential Persons (DPIP) OR Foreign Prominent Public Officials (FPPO)

Notes to Tenderer:

1. In line with a policy on the management of Prominent Influential Persons (PIP's), the purpose of this declaration form is to ensure maintenance and monitoring of the business relationships with prominent, influential stakeholders who have domestic and/or foreign influence as far as the procurement under the management of the Employer is concerned. This is done to mitigate the Employer's perceived association, reputational, operational or legal risk, as it strives to foster and maintain fair and transparent business relations. (This policy is available on the Employer's website: www.nra.co.za)
2. It is compulsory that all prospective and existing tenderers conducting business with the Employer, who potentially meet the definition of DPIP's, FPPO's or FIN's, complete this form by supplying credible information as required and submit together with their tender document.
3. Tenderers are required at the tender stage to declare any DPIP's, FPPO's or FIN's involved in their tenders, as part of their submission.
4. Further, that tenderers shall at the tender stage furnish the Employer of all information relating to namely, shareholders names, identity numbers and share certificates of the individual and/or transaction concerned using the form below, for verification purposes, including where applicable, confirmation as it relates to:
    i. Knowledge of any offence within the meaning of Chapter 2, Section 12 and 13 of Prevention and Combating of Corrupt Practices Act No 4 of 2006; and/or
    ii. Knowledge of any offence within the meaning of Chapter 3 of Prevention of Organised Crime Act No 121 of 1998 as it relates to any of the shareholders, directors, owners and/or individual link to the tenderer.
5. Tenderers undertake that should it be discovered that the information provided in the table below is fraudulently or negligently misrepresented, then Chapter 9, Section 214 and 216 of Companies Act No 17 of 2008 shall apply to shareholders, directors, owners and/or individual link to the tenderer.
6. Should the tenderer fail to declare or supply the Employer with credible information in the prescribed form, the tender may be rendered invalid.
7. Should the Employer, in the process of conducting verification and investigation of information supplied by the tenderer find out that the information poses a reputational risk, the tender shall be rendered invalid.
8. The following definitions shall apply:
    i. "Board" means the Board of Directors or the Accounting Authority of the Employer.
    ii. "Business relationship" means the connection formed between the Employer and external stakeholders for commercial purposes.
    iii. "DD" means Due Diligence.
    iv. "Domestic Prominent Influential Person" means an individual who holds an influential position, including in an acting position for a period exceeding 6 (six) months, or has held at any time in the preceding 12 (twelve) months, in the Republic, as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017.
    v. "DPIP" means a Domestic Prominent Influential Person.
    vi. "Family members and known close associates" means immediate family members and known close associates of a person in a foreign or domestic prominent position, as the case may be, as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017.
    vii. "Foreign Influential National" means an individual who is not a South African citizen or does not have a permanent residence permit issued in terms of the Immigration Act No 13 of 2002, who possesses personal power that induces another person to give consideration or to act on any basis other than the merits of the matter.
    viii. "Foreign Prominent Public Official" means (as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017) an individual who holds or has held at any time in the preceding 12 (twelve) months, in any foreign country a prominent public function.
    ix. "FPPO" means a Foreign Prominent Public Official.
    x. "Improper influence" means personal power that induces another person to give consideration or to act on any basis other than the merits of the matter.
    xi. "The Employer" means the South African National Roads Agency SOC Limited (SANRAL) with registration number 1998/009584/30.
    xii. "Senior Management" means the Executive Committee or its individual members.
9. A separate declaration is required from each DPIP, FPPO and FIN. In the event that the tenderer is a Joint Venture (JV), a separate declaration from each DPIP, FPPO and Fin from each of the Joint Venture (JV) members, is required.

Prominent Influential Persons (PIP's) Reporting Form

IDENTIFICATION PARTICULARS					
Primary Particulars	First Name	Surname		Middle Name	ID/Passport Number
Country Details	Country of Origin		Citizenship	Current Country of Residence	
CURRENT STATUS AND BACKGROUND					
Current Occupation	Occupational Title			Status	
				Active	Non-active
Is the potential/business partner (mark with an "X" whichever is applicable):					
a DPIP	a FPPO	a FIN	Family member or Close Associate of a DPIP/FPPO/FIN?		

KNOWN BUSINESS INTERESTS				
No	Name of Entity	Role in Entity	Status	
1			Active	Non-active
2				
3				
4				
5				

MEDIA REPORTS / OTHER SOURCES OF INFORMATION
(Please reference all known negative or damaging media reports associated with the DPIP/FPPO/FIN)

Reporting Person/s:

Full names:		
Designation:		
Department:		
Head of Department:		
Head of Department's signature:	Date:	
Reporting Person's signature:	Date:	

DECLARATION / UNDERTAKING BY THE TENDERER

I, the undersigned, ...

declare that:

i. the information furnished on this declaration form is true and correct.

ii. I accept that, any action may be taken against me should this declaration prove to be false.

Signed:……..……Date:……..……..

Name:……Position……

Tenderer:……..……

FORM A6: CERTIFICATE OF FRONTING PRACTICES

Fronting Practices

Window-dressing: This includes cases in which black people are appointed or introduced to an enterprise on the basis of tokenism and may be:

- Discouraged or inhibited from substantially participating in the core activities of an enterprise; and
- Discouraged or inhibited from substantially participating in the stated areas and/or levels of their participation.

Benefit Diversion: This includes initiatives implemented where the economic benefits received as a result of the B-BBEE Status of an enterprise do not flow to black people in the ratio as specified in the relevant legal documentation.

Opportunistic Intermediaries: This includes enterprises that have concluded agreements with other enterprises with a view to leveraging the opportunistic intermediary's favourable B-BBEE status in circumstances where the agreement involves:

- Significant limitations or restrictions upon the identity of the opportunistic intermediary's suppliers, Service Providers, clients or customers;
- The maintenance of their business operations in a context reasonably considered improbable having regard to resources; and
- Terms and conditions that are not negotiated at arms-length on a fair and reasonable basis.

Responsibility to Report Fronting

In order to effectively deal with the scourge of Fronting, verification agencies, and/or procurement officers and relevant decision makers are encouraged to obtain a signed declaration from the clients or entities that they verify or provide business opportunities to, which states that the client or entity understands and accepts that the verification agency, procurement officer or relevant decision maker may report Fronting practices to **the dti**. Intentional misrepresentation by measured entities may constitute fraudulent practices, public officials and verification agencies are to report such cases to **the dti**.

Fronting Indicators

• The black people identified by an enterprise as its shareholders, executives or management are unaware or uncertain of their role within an enterprise;
• The black people identified by an enterprise as its shareholders, executives or management have roles of responsibility that differ significantly from those of their non-black peers;
• The black people who serve in executive or management positions in an enterprise are paid significantly lower than the market norm, unless all executives or management of an enterprise are paid at a similar level;
• There is no significant indication of active participation by black people identified as top management at strategic decision making level;
• An enterprise only conducts peripheral functions and does not perform the core functions reasonably expected of other, similar, enterprises;
• An enterprise relies on a third-party to conduct most core functions normally conducted by enterprises similar to it;
• An enterprise cannot operate independently without a third-party, because of contractual obligations or the lack of technical or operational competence;
• The enterprise displays evidence of circumvention or attempted circumvention;
• An enterprise buys goods or services at a significantly different rate than the market from a related person or shareholder;

• An enterprise obtains loans, not linked to the good faith share purchases or enterprise development initiatives, from a related person at an excessive rate; and
• An enterprise shares all premises and infrastructure with a related person, or with a shareholder with no B-BBEE status or a third-party operating in the same industry where the cost of such premises and infrastructure is disproportionate to market-related costs.

DECLARATION

I, the undersigned, ...

in submitting the accompanying tender on behalf of the tenderer do hereby make the following statements that I certify to be true and complete in every respect:

1. I have read and understand the contents of this certificate.
2. I accept that the Employer may report fronting practices to the Department of Trade and Industry and the B-BBEE Commissioner.
3. I accept that intentional misrepresentation by measured entities may constitute fraudulent practices that shall be reported to the Department of Trade and Industry and the B-BBEE Commissioner.

Signed:……..……Date:……..……..

Name:……Position…….

Tenderer:……..……

FORM A7: REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE

The tenderer shall provide a copy supplier registration from the National Treasury Central Supplier Database (www.treasury.gov.za). Tenderers who are not registered on the Central Supplier Database at tender closure will be declared non-responsive. In the case of a Joint Venture a printed copy supplier registration from must be provided for each member of the Joint Venture.

Name of Service Provider: .....

Central Supplier Database Supplier Number: .....

Supplier Commodity: .....

Delivery Location: .....

Signed:……..……Date:……..……..

Name:……Position…….

Tenderer:……..……

FORM A8: DECLARATION OF TENDERER'S LITIGATION HISTORY

Note to tenderer:
The tenderer shall list below details of any litigation with which the tenderer (including its directors, shareholders or other senior members in previous companies) has been involved with any organ of state or state department within the last ten years. The details must include the year, the litigating parties, the subject matter of the dispute, the value of any award or estimated award if the litigation is current and in whose favour the award, if any, was made.

CLIENT	OTHER LITIGATING PARTY	DISPUTE	AWARD VALUE	DATE RESOLVED

Signed:……..……Date:……..……..

Name:…….……Position…….……

Tenderer:……..……

FORM A9: CERTIFICATES OF TAX COMPLIANCE

The Tenderer shall complete the declaration below.

I, ... (name)
the undersigned in my capacity as ..... (position)
on behalf of ..... (name of company)
herewith grant consent that SARS may disclose to the South African National Roads Agency SOC Limited (SANRAL) our tax compliance status.

For this purpose our unique security personal identification number (PIN) is .....

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

Signed:……..……Date:……..……..
Name:……Position…….
Tenderer:……..……

FORM A10: SCHEDULE OF DEVIATIONS OR QUALIFICATIONS BY TENDERER

PAGE	DESCRIPTION

Signed:……..……Date:……..……..

Name:……..……Position…….

Tenderer:……..……

FORM A11: BIDDER'S DISCLOSURE SBD4

Notes to tenderer:

i. Definitions:

a) "State" means:

- 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);
- any Municipality of Municipal Entity;
- Provincial Legislature;
- National Assembly or the National Council of Provinces; or
- Parliament.

b) "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.

ii. In the case of a joint venture (JV), a separate declaration form is to be completed and submitted by each JV member.

iii. 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 restricted from doing business with the State.

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 interest[1] 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

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.

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

If so, furnish particulars:
……
……

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

[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.

OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE BE FALSE.

Signed:……..……Date:……..……..

Name:…….……Position…….

Tenderer: …….

FORM A12:TENDERER'S B-BBEE VERIFICATION CERTIFICATE (INCORPORATING SBD 6.1)

Notes to Tenderer:

A valid B-BBEE verification certificate must be submitted.

1.The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:
-
the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; or
-
in the event that the Measured Entity operates in more than one sector or a sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of annual revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes; and
i.The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and
ii.The certificate shall:
-

- be valid at the tender closing date; and
- -
- have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or
- -
- be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and
- -
- have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C.2.15); and

iii.A valid BBBEE Certificates shall contain:
-

- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.
- Value-Added Tax number, where applicable.
- The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes.
- B-BBEE status with corresponding procurement recognition level.
- The relevant Codes used to issue the B-BBEE verification certificate.
- Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate.

Financial period which was used to issue the B-BBEE Verification Certificate.
iv.A valid Sworn Affidavit shall contain:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage black ownership, black female ownership and whether they fall within a designated group.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
- Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue. The valid format of the Financial Year-End is Day/Month/Year
- B-BBEE status level. An enterprise can only have one status level
- Date deponent signed and date of Commissioner of Oath must be the same.
- Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest, and

v.Compliance with any other information requested to be attached to Returnable Schedule Form C1; and
vi.In the event of a Joint Venture (JV), a project-specific consolidated (SANRAL project number indicated) valid B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted.

Signed:……..……Date:……..……..

Name:…….……Position……

Tenderer:……..……

FORM A13: PROTECTION OF PERSONAL INFORMATION

1. The following terms shall bear the same meaning as contemplated in Section 1 of the Protection of Person information act, No.4 of 2013.("POPIA"):

   consent; data subject; electronic communication; information officer; operator; person; personal information; processing; record; Regulator; responsible party; special information; as well as any terms derived from these terms.

2. Sanral will process all information by the Respondent in terms of the requirements contemplated in Section 4(1) of the POPIA:

   Accountability; Processing limitation; Purpose specification; Further processing limitation; Information quality; Openness; Security safeguards and Data subject participation.

3. The Parties acknowledge and agree that, in relation to personal information that will be processed pursuant to this RFP, the Responsible party is "Sanral" and the Data subject is the "Respondent". Sanral will process personal information only with the knowledge and authorisation of the Respondent and will treat personal information which comes to its knowledge as confidential and will not disclose it, unless so required by law or subject to the exceptions contained in the POPIA.

4. Sanral reserves all the rights afforded to it by the POPIA in the processing of any of its information as contained in this RFP and the Respondent is required to comply with all prescripts as detailed in the POPIA relating to all information concerning Sanral.

5. In responding to this bid, Sanral acknowledges that it will obtain and have access to personal information of the Respondent. Sanral agrees that it shall only process the information disclosed by Respondent in their response to this bid for the purpose of evaluating and subsequent award of business and in accordance with any applicable law.

6. Sanral further agrees that in submitting any information or documentation requested in this RFP, the Respondent is consenting to the further processing of their personal information for the purpose of, but not limited to, risk assessment, assurances, contract award, contract management, auditing, legal opinions/litigations, investigations (if applicable), document storage for the legislatively required period, destruction, de-identification and publishing of personal information by Sanral and/or its authorised appointed third parties.

7. Furthermore, Sanral will not otherwise modify, amend or alter any personal data submitted by the Respondent or disclose or permit the disclosure of any personal data to any third party without the prior written consent from the Respondent. Similarly, Sanral requires the Respondent to process any personal information disclosed by Sanral in the bidding process in the same manner.

8. Sanral shall, at all times, ensure compliance with any applicable laws put in place and maintain sufficient measures, policies and systems to manage and secure against all forms of risks to any information that may be shared or accessed pursuant to this RFP (physically, through a computer or any other form of electronic communication).

9. Sanral shall notify the Respondent in writing of any unauthorised access to information, cybercrimes or suspected cybercrimes, in its knowledge and report such crimes or suspected crimes to the relevant authorities in accordance with applicable laws, after becoming aware of such crimes or suspected crime. The

Respondent must take all necessary remedial steps to mitigate the extent of the loss or compromise of personal information and to restore the integrity of the affected personal information as quickly as is possible.

10. The Respondent may, in writing, request Sanral to confirm and/or make available any personal information in its possession in relation to the Respondent and if such personal information has been accessed by third parties and the identity thereof in terms of the POPIA. The Respondent may further request that Sanral correct (excluding critical/mandatory or evaluation information), delete, destroy, withdraw consent or object to the processing of any personal information relating to the Respondent in Sanral's possession in terms of the provision of the POPIA and utilizing Form 2 of the POPIA Regulations.

11. In submitting any information or documentation requested in this RFP, the Respondent is hereby consenting to the processing of their personal information for the purpose of this RFP and further confirming that they are aware of their rights in terms of Section 5 of POPIA

    Respondents are required to provide consent below:

YES		NO	

12. Further, the Respondent declares that they have obtained all consents pertaining to other data subject's personal information included in its submission and thereby indemnifying Sanral against any civil or criminal action, administrative fines or other penalty or loss that may arise as a result of the processing of any personal information that the Respondent submitted.

13. The Respondent declares that the personal information submitted for the purpose of this RFP is complete, accurate, not misleading, is up to date and may be updated where applicable.

    Signature of Respondent's authorised representative: _____
    Should a Respondent have any complaints or objections to processing of its personal information, by Sanral, the Respondent can submit a complaint to the Information Regulator on https://www.justice.gov.za/inforeg/, click on contact us, click on complaints.IR@justice.gov.za

Signed:……..……Date:……..……..
Name:…….……Position……
Tenderer:……..……

FORM A14: CERTIFICATE OF PERMISSION TO CONDUCT DUE DILIGENCE INVESTIGATION

Notes to tenderer

1. The tenderer shall complete the declaration below.
2. In the event of a Joint Venture (JV), each member of the JV shall comply with the above requirements.

I, (name), the undersigned in my capacity as (position), on behalf of (name of company), herewith grant consent that SANRAL or any of their appointed Service Providers may conduct a due diligence investigation on (name of company) to evaluate our ability to perform the contract as stipulated in the Standard Conditions of Tender, Clause C.3.13(b).

In addition, any information in this regard requested by SANRAL or any of their appointed Service Providers, shall be submitted within the timelines of the request.

Signed:.....Date:.....

Name:.....Position.....

Tenderer:.....

FORM A15: DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

Notes to tenderer:

1. **This declaration:**
   a. **must form part of all tenders submitted.**
   b. **in the case of a joint venture (JV), must be completed and submitted by each member of the JV**
2. **This form serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse and/or misused the State's procurement of the supply chain management system.**
3. **The tender of any tenderer may be disregarded if that tenderer or any of its directors have –**
   a. **abused and/or misused the State's procurement and/or supply chain management system;**
   b. **committed fraud, corruption, or any other improper conduct in relation to such State system; and/or**
   c. **has been charged with fraud, corruption or any other improper conduct whether of a criminal or civil nature during the course and scope of rendering services to the state or any other party and/or entity; or**
   d. **failed to perform on any previous contract [with the State].**
4. **In order to give effect to the above, the following questionnaire must be completed and submitted with this tender.**

4.1	Is the tenderer or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? **Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/ Authority of the institution that imposed the restriction after the *audi alteram partem* rule was applied.** The Database of Restricted Suppliers now resides on the National Treasury website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes □	No □
4.1.1	If Yes, furnish particulars:		
4.2	Is the tenderer or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combatting of Corrupt Activities Act (No. 12 of 2004)? **The Register for Tender Defaulters can be accessed on the National Treasury website (**(www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes □	No □
4.2.1	If Yes, furnish particulars:		
4.3	Was the tenderer or any of its directors convicted by a court of law (including a court outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes □	No □
4.3.1	If Yes, furnish particulars:		
4.4	Was any contract between the tenderer and any organ of State terminated during the past five years on account of failure to perform on or comply with the contract?	Yes □	No □
4.4.1	If Yes, furnish particulars:		

CERTIFICATION

I, the undersigned, ...

certify that the information furnished on this declaration form is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Signed:……..……Date:……..……..

Name:…… Position…….

Tenderer:……..……

FORM A16: SCHEDULE 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.		

Signed:……..……Date:……..……..

Name:……Position…….

Tenderer:……..……

FORM A17: CERTIFICATE OF INSURANCE COVER

Note to Tenderer:

1. 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 Contractor's Equipment

Company:

Value:

- Insurance for Contractor's Personnel

Company:

Value:

- General public liability

Company:

Value:

- SASRIA

Company:

Value:

Signed:……..……Date:……..……..

Name:…….……Position…….

Tenderer:……..……

FORM A18: TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS

Notes to tenderer:

1. The tenderer shall attach to this form:
   1. a letter (dated less than 3 months prior to the tender closing date) from a registered Financial Service Provider (registered with the FSB) which :
      1. Provides banking details and declares how the entity conducts its account; and
      2. confirms that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) available to meet the construction cash flow requirements estimated for the subject contract, or a written confirmation from any registered financial institution); or
   2. a letter (dated less than 3 months prior to the tender closing date) from the tenderer's independent registered accountant confirming that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) to meet the construction workflow requirements estimated for the subject contract. The confirmation by an independent registered accountant must indicate that the review, to be conducted in terms of ISRS4400, was done in terms of the Section 30 and Regulation 29 of the Companies Act No. 71 of 2008 (a letter (dated less than 3 months prior to the tender closing date) from the tenderer's financial sponsorship confirming that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) to meet the construction workflow requirements estimated for the subject contract If the Tenderer does not have financial means, the tender may be declared non-responsive in terms of clause C.3.13(b) of the Tender Data.
   3. The Tenderer (and in the event of a joint venture, the joint venture member's combined) shall have available capital in excess of 7.5% of contract value.
   4. In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.

Option 1 - Letter to be on the tenderer's registered Financial Service Provider's letter head

RE: ACCOUNT CONDUCT AND/OR CASHFLOW CONFIRMATION

To Whom It May Concern:

We hereby confirm that *(Insert Tenderer's Name)* has been banking with xxxx Bank for a period of xxx years and the account has been conducted in a satisfactory manner.

The *(Insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R…… for contract *(insert contract number), (Note to tenderer; if cashflow confirmation is provider by another institution, delete this paragraph).*

i) Name of Account Holder:.....

ii) Account number: .....

iii) Bank name: .....

iv) Branch number: .....

v) Bank and branch contact details: .....

RE: ACCOUNT CONDUCT

To Whom It May Concern:

We hereby confirm that *(Insert Tenderer's Name)* has been banking with xxxx Bank for a period of xxx years and the account has been conducted in a satisfactory manner.

vi) Name of Account Holder:.....

vii) Account number: .....

viii) Bank name: .....

ix) Branch number: .....

x) Bank and branch contact details: .....

Option 2 - Letter to be on the tenderer's independent registered accountant letter head

RE: CASHFLOW CONFIRMATION (independent registered accountant)

To Whom It May Concern:

The *(Insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R…… for contract *(insert contract number)*.

Option 3 - Letter to be on tenderer's financial sponsorship letter head

RE: CASHFLOW CONFIRMATION (Financial sponsorship)

To Whom It May Concern:

The *(Insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R…… for contract *(insert contract number)* through a financial sponsorship from *(Insert Financial Sponsor's Name)*.

Signed:……..Date:……..……..

Name:…… Position…….

Tenderer:……

FORM A19: SCHEDULE OF CURRENT COMMITMENTS

Notes to tenderer:

1. The tenderer shall list below all contracts currently under construction or awarded and about to commence and tenders for which offers have been submitted but awards not yet made.
2. In the event of a joint venture enterprise, details of all the members of the joint venture shall similarly be attached to this form.
3. The lists must be restricted to not more than 20 contracts and 20 tenders. If a tenderer's actual commitments or potential commitments are greater than 20 each, those listed should be in descending order of expected final contract value or sum tendered.

Table 1: CONTRACTS AWARDED				
Employer	Project	Expected total value of contract (incl. VAT)	Duration (Months)	Expected completion date

Table 2: TENDERS NOT YET AWARDED				
Employer	Project	Sum Tendered (incl. VAT)	Tendered Duration (Months)	Expected commencement

Signed:.....Date:.....

Name:.....Position.....

Tenderer:.....

FORM A20: CERTIFICATE OF COMPLIANCE WITH COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

Notes to tenderer:

1. Discovery that the tenderer has failed to make proper disclosure may result in SANRAL terminating a contract that flows from this tender on the ground that it has been rendered invalid by the tenderer's misrepresentation.
2. The tenderer shall attach to this Form evidence that he is registered and in good standing with the compensation fund or with a licensed compensation insurer who is approved by the Department of Labour in terms of section 80 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) (COID).
3. The tenderer is required to disclose, by also attaching documentary evidence to this form, all inspections, investigations and their outcomes conducted by the Department of Labour into the conduct of the tenderer at any time during the 36 months preceding the date of this tender.

Signed:…… Date:……..……..

Name:…….……Position…….

Tenderer:……..……

FORM A22: DECLARATION OF TENDERER'S FINANCIAL SUBMISSION

Notes to tenderer:

1. The signatory for the tenderer shall complete and sign this form declaring his/her understanding of the document taking note of the points extracted below as contained in the tender document.
2. If the tenderer is a joint venture, a separate declaration is required from each member of the Joint Venture.

I, the undersigned, declare that:

1. I have submitted a balanced tender and have not tendered any negative rates. We accept the risk of doing any work at our own tendered rates. I will rebalance my unit rates on request from the Employer where any unduly low rates are pointed out. I realise that by balancing my unit rates my tender amount will remain unchanged.
2. I am aware of Clause D1009 and confirm that it was considered in finalizing the submitted BOQ.
3. I am aware that the approval and structuring of work packages including the scope and extent of the work packages ultimately lies with the Project Management Team (PMT).
4. We understand and accept Clause D1003 relating to the calculation of penalties/bonuses with respect to CPG Targets and accept any penalty arising from it.
5. I am aware that sections M200, M300, M400, M600, M7100, M7200 will be performed by the Main Contractor for 60 months and will not be sublet.
6. Series M1000 can be performed by the Main Contractor for any duration of the contract or sublet in terms of Part D. This allowance should be monitored in order to still achieve the required CPG targets of the contract.
7. All other sections will be performed for the initial 6 months or until subcontractors have been appointed in term of Part D of this document whichever comes first. These remaining sections will be performed by Targeted Enterprises for the remainder of the Contract unless otherwise instructed be the Engineer in cases of emergency.
8. No subcontracting shall be allowed unless it follows the Part D subletting process.

The above information is to the best of my knowledge true and accurate.
SIGNATURE:

Signed and sworn before me at …… on the …..…… day of …….…… 20…

The deponent having:

i. acknowledged that he/she knows and understands the contents hereof;
ii. confirmed that he/she has no objection to the taking of the prescribed oath;
iii. that he/she considered the prescribed oath as biding upon his/her conscience; and

_____
COMMISSIONER OF OATHS

Signed:……..……Date:……..……..

Name:…….……Position…….

Tenderer:……..……

FORM A23: COMPLIANCE WITH LABOUR LEGISLATION DECLARATION

Note to tenderer:
1. Tenderers must be registered with the Bargaining Council for the Civil Engineering Industry (BCCEI) or the relevant Bargaining Council.
2. Tenderers must append to this schedule (Form A23: Compliance with Labour Legislation) a letter of compliance / letter of good standing in terms of the relevant Government Gazette that indicates compliance/validity at the time of tender or obtain such upon being requested to do so in writing and within the period contained in such a request, failing which their tenders will be declared non-responsive.
3. Only those tenders submitted by tenderers who are in good standing with the BCCEI or any relevant applicable legislated bargaining council at the time of the tender award will be declared responsive.
4. Each party to a Consortium/Joint Venture shall append separate certificates for each party in the above regard.
5. The tenderer, by signing this schedule, declares that it will comply with all labour legislation, as may be applicable.

Signed:……..…Date:……..……..

Name:…….……Position…….

Tenderer:……..……

FORM A24: CERTIFICATE OF SINGLE TENDER SUBMISSION

Notes to tenderer:

1. **This certificate serves as a declaration by the tenderer that a single tender was submitted.**
2. **In the case of a Joint Venture (JV), a separate certificate is to be completed and submitted by each JV member.**

DECLARATION

I, the undersigned, ……..……. in submitting the accompanying tender on behalf of the tenderer do hereby make the following statements that I certify to be true and complete in every respect:

1. I have read and understand the notes to, and the contents of, this certificate.
2. I understand that the accompanying tender and any other tender shall be disqualified in the event that I, including a Joint Venture partner participate in more than 1 (one) tender.

Signed:……..……Date:……..…….

Name:…….……Position…….

Tenderer:……..……

FORM B1: SCHEDULE OF WORK EXPERIENCE

Note to tenderer:

- **For each project listed in Form B1, the Bidder shall submit all supporting documentation required in terms of the Functionality Evaluation Criteria set out in Clause C.3.11. Failure to submit the required supporting documentation for a listed project shall result in that project not being considered for purposes of the functionality evaluation.**

Client Name	Client Contact Person	Client contact details: Email & Phone number	Project NAME	Project Description	Project VALUE (Incl. VAT)	Start date – End Date

Signed:.....Date:.....

Name:.....Position.....

Tenderer:.....

FORM B4: KEY PERSONNEL EXPERIENCE

Bidder must attach Professional Registration and Qualification for Key Personnel

- Contract Engineer has an active professional registration with Engineering Council of South Africa as Professional Engineer or Professional Technologist.

For each project listed in Form B4, the Bidder shall submit all supporting documentation required in terms of the Functionality Evaluation Criteria set out in Clause C.3.11. Failure to submit the required supporting documentation for a listed project shall result in that project not being considered for purposes of the functionality evaluation.

Contract Engineer						
Name						
Professional Registration						
Professional Registration Number						
Highest Qualification						
NQF Level						
Client Name	Client Contact Person	Client contact details: Email & Phone number	Project NAME	Project Description	Project VALUE (Incl. VAT)	Start date – End Date

Signed:……..……..Date:……..……..

Name:……..……..……Position…….

Tenderer:……..…….