

Reference: X.003-054-2021/1

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Dear Tenderers

**CONTRACT SANRAL X.003-054-2021/1**

**FOR THE SLOPE STABILISATION ON NATIONAL ROUTE N2 SECTION 13: GREY STREET AND MAKHANDA CUTTING, NATIONAL ROUTE N2 SECTION 19: LUCINGWENI CUTTING, AND NATIONAL ROUTE R410 SECTION 2: RARENI CUTTING**

**ADDENDUM NO.5**

This Addendum is issued in terms of Clause C.3.2 of the Tender Data and must be read in conjunction with and shall be deemed to form part of the Tender Document.

**The following items form part of Addendum no.5.**

- **Amendments to the tender document in line with Generic Addendum 1 of 2023\_2024.**
- **Issue of revised T1.1 Tender Notice.**

Kindly acknowledge receipt of this addendum by completing the ACKNOWLEDGEMENT OF ADDENDUM below. Failure to acknowledge this addendum may invalidate the Tender.

Yours sincerely,

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**PROCUREMENT OFFICE**  
**SANRAL SOUTHERN REGION**

**CONTRACT SANRAL X.003-054-2021/1**

**FOR THE SLOPE STABILISATION ON NATIONAL ROUTE N2 SECTION 13: GREY STREET AND MAKHANDA CUTTING, NATIONAL ROUTE N2 SECTION 19: LUCINGWENI CUTTING, AND NATIONAL ROUTE R410 SECTION 2: RARENI CUTTING**

**ADDENDUM 5**

**1. AMENDMENTS TO VOLUME 1 PROJECT DOCUMENT**

The following amendments and additions to the Project Document shall apply:

Page	Clause / Item	Amendment / Addition
Part T1: Tendering procedures		

T-4	T1.1	<p>Replace with the following:</p> <p>SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED</p> <p>CONTRACT SANRAL X.003-054-2021/1 FOR THE SLOPE STABILISATION ON NATIONAL ROUTE 2 SECTION 13: GREY STREET AND MAKHANDA CUTTING, NATIONAL ROUTE 2 SECTION 19: LUCINGWENI CUTTING, AND REGIONAL ROUTE 410 SECTION 2: RARENI CUTTING</p> <p><b>T1.1 TENDER NOTICE AND INVITATION TO TENDER (Incorporating SBD1)</b></p> <p>The South African National Roads Agency SOC Limited (SANRAL) invites tenders for slope stability measures at four (4) cuttings at the following site locations:</p> <ol style="list-style-type: none"> <li>1. Grey Street cutting on National Route 2 Section 13, km 51.17 – km 51.54</li> <li>2. Makhanda cutting on National Route 2 Section 13, km 52.08 – km 52.33</li> <li>3. Lucingweni cutting on National Route 2 Section 19, km 67.97 – km 68.09</li> <li>4. Rareni cuttings on Regional Route 410 Section 2, km 39.48 – km 40.22</li> </ol> <p>This project is in the province of the Eastern Cape in the Sarah Baartman, Alfred Nzo and Chris Hani District Municipal areas and the Makana, Umzimvubu and Sakhisizwe Local Municipal areas. The approximate duration is 24 months including 3 months for the Mobilisation Period.</p> <p>CIDB Regulation 25(1B) will not be applicable to this contract.</p> <p>Only tenderers who are registered on the National Treasury Central Supplier Database as stated in the Tender Data C.2.1.1, are eligible to tender.</p> <p>It is estimated that tenderers should have a CIDB contractor grading designation of 8 CE or higher, however tenderers attention is drawn to clause C.2.1.1 of the Tender Data when submitting their tender.</p> <p>Tenders from tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, will not be accepted.</p> <p>It is a requirement of this project that the successful tenderer subcontract a minimum of 40 percent (40%) or higher as tendered of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data.</p> <p><b>TENDER DOCUMENTS</b></p> <p>Tender documents are available from Friday, 19 May 2023 at no cost in electronic format downloaded from the SANRAL's website by the following link: <a href="https://www.nra.co.za/sanral-tenders/status?region_id=national">https://www.nra.co.za/sanral-tenders/status?region_id=national</a>.</p> <p>Tenderers must have access to MS Office ©2013 and Acrobat Adobe ©9.0, or similar compatible software.</p> <p>Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to Friday, 26 May 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive.</p>
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		<p><b>TENDERER'S MEETING</b></p> <p>A tender clarification briefing presentation is available to be downloaded from the SANRAL website by the following link: <a href="https://www.nra.co.za/sanral-tenders/status?region_id=national">https://www.nra.co.za/sanral-tenders/status?region_id=national</a>. A non-compulsory clarification briefing meeting will be held via a virtual platform on Tuesday, 02 June 2023 where the project will be presented. A link to the clarification briefing meeting will be sent to tenderers who complete and submit a Certificate of Intention to Submit a Tender (Form A1.1).</p> <p>A tenderer's representative cannot represent more than one tenderer at the tender briefing meeting.</p> <p><b>COMPLETION AND DELIVERY OF TENDERS</b></p> <p>The closing time for receipt of tenders is 11h00 on Friday, 30 June 2023. Telegraphic, telephonic, telex, email, facsimile and late tenders will not be accepted. Tenders may only be submitted in the format as stated in the Tender Data.</p> <p>Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.</p> <p>Queries relating to issues arising from these documents may be addressed to:</p> <p>E-mail: <a href="mailto:ProcurementSR2@sanral.co.za">ProcurementSR2@sanral.co.za</a></p> <p>Tel: (041) 398 3200</p>
T-9	C2.1 Eligibility	<p>Delete the following:</p> <p>b) Local production and content (Forms A3.5 and A3.6)</p> <p style="padding-left: 40px;">Delete b) in its entirety.</p> <p>d) Pre-qualification criteria for preferential procurement (Form C1.1)</p> <p style="padding-left: 40px;">Delete d) in its entirety.</p>

T-19	C3.11 Evaluation of Tender offers	<p><b>Evaluating price and preference</b></p> <p><b>Delete and replace with:</b></p> <p><b>Evaluating price and preference</b></p> <p>i. <b>80/20 preference point system for acquisition of goods and services for Rand value equal to or above R2 000 and up to R50 million</b></p> <p>The following formula will be used to calculate three points out of 80 for price:</p> $Ps = 80(1 - (Pt - Pm) / Pm)$ <p>Where:</p> <p>Ps is the points scored for price of tender under consideration. Pt is the price of the tender under consideration; and Pm is the price of the lowest acceptable tender.</p> <p>ii. <b>90/10 preference point system for acquisition of goods and services for Rand value above R50 million</b></p> <p>The following formula will be used to calculate three points out of 90 for price:</p> $Ps = 90(1 - (Pt - Pm) / Pm)$ <p>Where:</p> <p>Ps is the points scored for price of tender under consideration. Pt is the price of the tender under consideration; and Pm is the price of the lowest acceptable tender.</p> <p>In the event that the calculated value is negative, the allocated score shall be 0 (zero).</p> <p><b>Scoring preference (Specific Goals):</b></p> <p>Points for specific goals will be awarded according to the table below:</p> <table><tr><th rowspan="2">Specific goals</th><th rowspan="2">Criteria</th><th colspan="2">10 points</th><th colspan="2">20 points</th></tr><tr><th>Point allocation</th><th>Max points</th><th>Point allocation</th><th>Max points</th></tr><tr><td rowspan="9">B-BBEE level scorecard of the tendering entity.</td><td>B-BBEE Level 1</td><td>1,00</td><td rowspan="9">1</td><td>2.00</td><td rowspan="9">2</td></tr><tr><td>B-BBEE Level 2</td><td>0,90</td><td>1.80</td></tr><tr><td>B-BBEE Level 3</td><td>0,60</td><td>1.20</td></tr><tr><td>B-BBEE Level 4</td><td>0,50</td><td>1.0</td></tr><tr><td>B-BBEE Level 5</td><td>0,40</td><td>0.80</td></tr><tr><td>B-BBEE Level 6</td><td>0,30</td><td>0.60</td></tr><tr><td>B-BBEE Level 7</td><td>0,20</td><td>0.40</td></tr><tr><td>B-BBEE Level 8</td><td>0,10</td><td>0.20</td></tr><tr><td>Non-compliant contributor</td><td>0</td><td>0</td></tr><tr><td rowspan="4">*Percentage black ownership of the tendering entity.</td><td>&lt; 51 % black ownership</td><td>0</td><td rowspan="4">5</td><td>0</td><td rowspan="4">10</td></tr><tr><td>≥ 51 to &lt; 70 % black ownership.</td><td>1</td><td>2</td></tr><tr><td>≥ 70 to &lt; 100 % black ownership.</td><td>2</td><td>4</td></tr><tr><td>100 % black ownership</td><td>5</td><td>10</td></tr><tr><td rowspan="4">Percentage Subcontracting to Targeted Enterprises</td><td>Min 40 % subcontracting</td><td>0</td><td rowspan="4">4</td><td>0</td><td rowspan="4">8</td></tr><tr><td>&gt;40 to &lt; 45 % subcontracting</td><td>1</td><td>2</td></tr><tr><td>≥ 45 to &lt; 50 % subcontracting</td><td>2</td><td>4</td></tr><tr><td>≥ 50 % subcontracting</td><td>4</td><td>8</td></tr></table> <p>Points for specific goals will be awarded according to the table below:</p> <p>1. The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:</p> <ul style="list-style-type: none"><li>- 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</li><li>- 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</li></ul>	Specific goals	Criteria	10 points		20 points		Point allocation	Max points	Point allocation	Max points	B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	1,00	1	2.00	2	B-BBEE Level 2	0,90	1.80	B-BBEE Level 3	0,60	1.20	B-BBEE Level 4	0,50	1.0	B-BBEE Level 5	0,40	0.80	B-BBEE Level 6	0,30	0.60	B-BBEE Level 7	0,20	0.40	B-BBEE Level 8	0,10	0.20	Non-compliant contributor	0	0	*Percentage black ownership of the tendering entity.	< 51 % black ownership	0	5	0	10	≥ 51 to < 70 % black ownership.	1	2	≥ 70 to < 100 % black ownership.	2	4	100 % black ownership	5	10	Percentage Subcontracting to Targeted Enterprises	Min 40 % subcontracting	0	4	0	8	>40 to < 45 % subcontracting	1	2	≥ 45 to < 50 % subcontracting	2	4	≥ 50 % subcontracting	4	8
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		<p>i. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and</p> <p>ii. The certificate shall:</p> <ul style="list-style-type: none"> <li>- be valid at the tender closing date; and</li> <li>- have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or</li> <li>- 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</li> <li>- 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</li> </ul> <p>iii. A valid BBBEE Certificates shall contain:</p> <ul style="list-style-type: none"> <li>- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.</li> <li>- Value-Added Tax number, where applicable.</li> <li>- 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.</li> <li>- B-BBEE status with corresponding procurement recognition level.</li> <li>- The relevant Codes used to issue the B-BBEE verification certificate.</li> <li>- 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.</li> <li>- Financial period which was used to issue the B-BBEE Verification Certificate.</li> </ul> <p>iv. A valid Sworn Affidavit shall contain:</p> <ul style="list-style-type: none"> <li>- Name/s of deponent as they appear in the identity document and the identity number.</li> <li>- 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.</li> <li>- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.</li> <li>- Percentage black ownership, black female ownership and whether they fall within a designated group.</li> <li>- Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.</li> <li>- 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</li> <li>- B-BBEE status level. An enterprise can only have one status level.</li> <li>- Date deponent signed and date of Commissioner of Oath must be the same.</li> <li>- 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</li> </ul> <p>v. Compliance with any other information requested to be attached to Returnable Schedule Form C1; and</p> <p>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.</p> <p>2. Black ownership</p> <ul style="list-style-type: none"> <li>i) The bidder must complete Form C1.3: Black ownership declaration.</li> <li>ii) *Verification of ownership will be based on share certificate. SANRAL reserves the right to engage with the shareholders.</li> </ul> <p>3. Sub-contracting:</p> <ul style="list-style-type: none"> <li>i) Tenderers must complete Form C1.4: Sub-contracting declaration.</li> </ul> <p><b>Sub-contracting</b></p> <p>If the tender documents indicate that the tenderer intends sub-contracting more than 25% of the value of the contract to any other person not qualifying for at least the status level that the tenderer qualifies for, 0 (zero) points for B-BBEE level (under Specific Goals) shall be awarded, unless the intended sub-contractor is an EME that has the capacity to execute the sub-contract.</p>
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		<p><b>Criteria for breaking deadlock</b></p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.</p>
<p align="center"><b>Part T2: Returnable Schedules</b></p>		
T-23	T2.1 Returnable Schedules	<p>Add the following new forms: (See attached)</p> <p>Form C1.3: Black ownership declaration</p> <p>Form C1.4: Sub-contracting declaration</p>
T-25	T2.2 RETURNABLE SCHEDULES	<p>Add the following new forms to the Table of Content:</p> <p>FORM C1.3: BLACK OWNERSHIP DECLARATION</p> <p>FORM C1.4: SUB-CONTRACTING DECLARATION</p>
T-43	FORM A3.3	Replace with the attached format
T-46	FORM A3.5	<p>Delete the Notes to tenderer 1.</p> <p>Delete the reference to Preferential Procurement Regulations, 2017.</p> <p>Delete clauses 1.1, 1.2, 1.3 and 1.4 and renumber the remaining clauses.</p> <p>In clause 2, in the Notes to compiler, delete: and should correspond with the list in the Tender Data</p> <p>Under Local Content Declaration, delete clause (e).</p> <p>Under Local Content Declaration, delete reference to Part C4: Appendix 8 and replace with reference to Part C4: Appendix 7</p>
T-52	FORM A3.6	Delete the Notes to tenderer 1.
T-66	FORM A13	<p>Replace Form A13 with the attached form.</p> <p>The title of the forms is not changed.</p>
T-72	FORM C1.2	<p>Replace Form C1.2 (see attached)</p> <p>Amend the title.</p> <p><b>FORM C1.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)</b></p>



T-93	FORM F1	C1.2 / SBD6.1  Replace:  “PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017  With  “PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)”  Add reference to Form C1.3 and C1.4										
Part C1: Agreements and Contract Data												
C2-3	Form C1.1.1 Form of Offer	Delete Clause 5 and replace with the following:  5. PREFERENCE CLAIMED  I/we claim; a B-BBEE contributor status level ..... (as per Returnable Schedule Form C1.2: Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022 (incorporating SBD6.1), a Percentage black ownership ..... (as per Returnable Schedule Form C1.3), and Percentage Subcontracting to Targeted Enterprises ..... (as per Returnable Schedule Form C1.4). In the event of any difference between the above stated B-BBEE contributor status level and the B-BBEE Verification Certificate attached to Form C1.1, the B-BBEE Verification Certificate shall apply. In the event of any difference between the above stated Percentage black ownership and the Share certificate information, the Share certificate shall apply. In the event of any difference between the above stated Percentage Subcontracting to Targeted Enterprises and the Subcontracting percentage recorded in Form C1.4, the information in Form C1.4 shall apply.										
C2-8	Form C1.1.3 Appendix to Form of Acceptance	Add the following to Notes to compiler 3:  <b><i>This shall include the contractual required subcontracting percentage if the tendered subcontract percentage is less than the minimum prescribed 40%.</i></b>										
C2-48	C1.2.2 Appendix to Tender: Contract Data – Information provided by the Employer	Replace the data for Clause A4.4, with the following:  The percentage of the contract value that may be sublet is dependent on the Minimum Targeted Enterprise subletting targets and shall not exceed the Maximum Subcontracting allowed % as per the following table: <table><tr><td>Minimum Targeted Enterprise (TE) subletting ( % )</td><td>Maximum Subcontracting allowed ( % )</td></tr><tr><td>≤40</td><td>60</td></tr><tr><td>&gt;40 to &lt;45</td><td>65</td></tr><tr><td>≥45 to &lt;50</td><td>70</td></tr><tr><td>≥50</td><td>80</td></tr></table>	Minimum Targeted Enterprise (TE) subletting ( % )	Maximum Subcontracting allowed ( % )	≤40	60	>40 to <45	65	≥45 to <50	70	≥50	80
Minimum Targeted Enterprise (TE) subletting ( % )	Maximum Subcontracting allowed ( % )											
≤40	60											
>40 to <45	65											
≥45 to <50	70											
≥50	80											

Page	Clause / Item	Amendment / Addition
<b>Part C2: Pricing Data</b>		
		<i>None in this Addendum</i>
<b>Part C3: Scope of Works</b>		
	Part C3 Scope of Works: Section B: Specification Data: SANRAL Standard Specification Sections: Section D D1003 Target Group Participation: D1003.04 Contract Participation Goal (CPG)	Delete the Specification Data for CPG for Targeted Enterprise (but keep the minimum contribution by target groups unchanged) and replace with:  Minimum percentage of the greater of either 40% or the C1.1.1 Form of Offer stated percentage, of the Final Contract Value by the end of the contract to Targeted Enterprises.  The Final Contract Value for purposes of this clause, is defined in clause D1003.04.
	Part C3 Scope of Works: Section B: Specification Data: SANRAL Standard Specification Sections: Section D	Delete D1007 Tender Process for Targeted Enterprise as well as its Sub-Clause and Specification Data.
	Part C3 Scope of Works: Section D: Stakeholder and Community Liaison, and Targeted Labour and Targeted Enterprises Utilisation and Development	Delete all references to Preferential Procurement Regulations, 2017.

	Part C3 Scope of Works: Section D: Stakeholder and Community Liaison, and Targeted Labour and Targeted Enterprises Utilisation and Development: D1003.05 Contract Participation Performance (CPP)	In (b) CPP Penalties, replace the Penalty for Targeted Enterprises formula with the following: $\text{Penalty Targeted Enterprises} = 1.0 \times ((\text{TE} - \text{TGE}) + \text{Sum} (\text{TE}_n - \text{TGE}_n) - 1.2 \times \text{TE}_{mv} - 1.2 \times \text{TE}_{dp})$		
<b>Part C4: Site Information</b>				
Page	Item	Amendment / Addition	Unit	Quantity
		None in this addendum 6		

**2. ADDITIONAL INFORMATION**

*None in this Addendum.*

**3. CLARIFICATIONS TO QUESTIONS FROM TENDERERS**

None.

**FORM A3.3: DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES****CONTRACT SANRAL X.003-054-2021/1****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 the institution's supply chain management system;**
  - (b) **committed fraud or any other improper conduct in relation to such State system;**
  - (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? <b>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 <i>audi alteram partem</i> rule was applied.</b> The Database of Restricted Suppliers now resides on the National Treasury website ( <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> ) and can be accessed by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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)? <b>The Register for Tender Defaulters can be accessed on the National Treasury website ((<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>))</b> by clicking on its link at the bottom of the home page.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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 <input type="checkbox"/>	No <input type="checkbox"/>
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.

Signature: .....

Name: .....

Position: .....

Date: .....

Name of tenderer: .....

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**FORM A13: FORM SBD1 – INVITATION TO BID AND TERMS AND CONDITIONS FOR BIDDING****PART A****INVITATION TO BID****YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED**

BID NUMBER:	SANRAL X.003-054-2021/1	CLOSING DATE:	30 June 2023	CLOSING TIME:	11:00
DESCRIPTION	FOR THE SLOPE STABILISATION ON NATIONAL ROUTE N2 SECTION 13: GREY STREET AND MAKHANDA CUTTING, NATIONAL ROUTE N2 SECTION 19: LUCINGWENI CUTTING, AND NATIONAL ROUTE R410 SECTION 2: RARENI CUTTING				
<b>BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
SANRAL – Southern Region					
20 Shoreward Drive, Bay West					
Gqeberha (Port Elizabeth)					
6025					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Procurement Office		CONTACT PERSON	Procurement Office	
TELEPHONE NUMBER	N/A		TELEPHONE NUMBER	N/A	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	<a href="mailto:procurementSR2@sanral.co.za">procurementSR2@sanral.co.za</a>		E-MAIL ADDRESS	<a href="mailto:procurementSR2@sanral.co.za">procurementSR2@sanral.co.za</a>	
<b>SUPPLIER INFORMATION</b>					
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

<p>ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p>ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES, ANSWER THE QUESTIONNAIRE BELOW]</p>
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#### 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**

<b>1. BID SUBMISSION:</b>
<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. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b></p> <p>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.</p> <p>1.4. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).</b></p>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
<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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.</p> <p>2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE <a href="http://WWW.SARS.GOV.ZA">WWW.SARS.GOV.ZA</a>.</p> <p>2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.</p> <p>2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.</p> <p>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.</p> <p>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."</p>

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

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....

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

DATE: .....



**FORM C1.3.: BLACK OWNERSHIP DECLARATION****CONTRACT SANRAL X.003-054-2021/1****Note to tenderer:**

- Verification of ownership will be based on share certificate. SANRAL reserves the right to engage with the shareholders. In the event of any difference between the percentage ownership claimed below and the percentage ownership as per the share certificate, the share certificate shall apply.
- Attach share certificate/s

<i>No.</i>	<i>Name and Surname</i>	<i>Percentage</i>
	<i>Additional table may be submitted if the space provided is insufficient</i>	
<i>Total % black ownership</i>		

- I CERTIFY THAT THE INFORMATION FURNISHED 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

FORM C1.4: SUB-CONTRACTING DECLARATION

CONTRACT SANRAL X.003-054-2021/1

TOTAL SUB-CONTRACTING TO TARGETED ENTERPRISES PERCENTAGE (%)	_____ %
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- I CERTIFY THAT THE INFORMATION FURNISHED 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

## FORM C1.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (SBD 6.1)

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

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

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

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

### 1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
<b>Total points for Price and Specific Goals</b>	<b>100</b>

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

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

## 2. DEFINITIONS

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

## 3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

### 3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

## 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
  - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
  - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

The specific goals allocated points in terms of this tender	Criteria	Number of points allocated (90/10 system)	Number of points allocated (80/20 system)	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)
B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	1,00	2.00		
	B-BBEE Level 2	0,90	1.80		
	B-BBEE Level 3	0,60	1.20		
	B-BBEE Level 4	0,50	1.0		
	B-BBEE Level 5	0,40	0.80		
	B-BBEE Level 6	0,30	0.60		
	B-BBEE Level 7	0,20	0.40		
	B-BBEE Level 8	0,10	0.20		
	Non-compliant contributor	0	0		
Percentage black ownership of the tendering entity.	< 51 % black ownership	0	0		
	≥ 51 to < 70 % black ownership.	1	2		
	≥ 70 to < 100 % black ownership.	2	4		
	100 % black ownership	5	10		
Percentage Subcontracting to Targeted Enterprises	Min 40 % sub-contracting	0	0		
	> 40 to < 45 % subcontracting	1	2		
	≥ 45 to < 50 % sub-contracting	2	4		
	≥ 50 % sub-contracting	4	8		

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

## 5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number: .....

5.3. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One-person business/sole propriety

☐ Close corporation

☐ Public Company

☐ Personal Liability Company

☐ (Pty) Limited

☐ Non-Profit Company

☐ State Owned Company

[TICK APPLICABLE BOX]

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

- 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.

	..... <b>SIGNATURE(S) OF TENDERER(S)</b>
<b>SURNAME AND NAME:</b>	.....
<b>DATE:</b>	.....
<b>ADDRESS:</b>	.....
	.....
	.....
	.....

**The South African National Roads Agency SOC Limited**  
**P.O. Box 415**  
**Pretoria**  
**0001**

**ACKNOWLEDGEMENT OF ADDENDUM NO. 5**

I \_\_\_\_\_

Representing \_\_\_\_\_

Hereby acknowledge that I have received the above Addendum and that I am conversant with the contents thereof.

**SIGNATURE:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

This Addendum is to be read in conjunction with and shall be deemed to form part of the Contract Documents.

You must therefore acknowledge receipt of this addendum by emailing this form to the South African National Roads Agency SOC Limited at [ProcurementSR2@sanral.co.za](mailto:ProcurementSR2@sanral.co.za) and the original must be attached to the Returnable Schedules.

**Failure to acknowledge receipt of this addendum` may invalidate the Tender.**

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