



GAUTENG PROVINCE
ROADS AND TRANSPORT
REPUBLIC OF SOUTH AFRICA

TENDER NUMBER: DRT 08/08/2026

**ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF
GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS**

PROCUREMENT DOCUMENT

SEPTEMBER 2026

ISSUED BY:

HEAD OF DEPARTMENT
DEPARTMENT OF ROADS AND TRANSPORT
PRIVATE BAG X83
MARSHALLTOWN
2107

NAME OF TENDERING ENTITY:.....

ADDRESS:

.....

TEL NO. EMAIL:.....

**TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE
SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF
THREE YEARS**

CONTENTS

Colour

THE TENDER

PART T1 : TENDERING PROCEDURES

- T1.1 TENDER NOTICE AND INVITATION TO TENDER
T1.2 TENDER DATA

White
Pink

PART T2 : RETURNABLE DOCUMENTS

- T2.1 LIST OF RETURNABLE DOCUMENTS

Yellow

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

PART A		COVER INFORMATION			
YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE GAUTENG PROVINCE DEPARTMENT OF ROADS AND TRANSPORT					
BID NUMBER:	DRT 08/08/2026	CLOSING DATE:	13/10/2026	CLOSING TIME:	11H00am

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT:

DEPARTMENT OF ROADS AND TRANSPORT, GROUND FLOOR, 45 COMMISSIONER STREET, LIFE CENTRE BUILDING, JOHANNESBURG

SUPPLIER INFORMATION

NAME OF BIDDER: _____

POSTAL ADDRESS: _____

STREET ADDRESS: _____

TELEPHONE NUMBER:	CODE:		NUMBER:	
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CELLPHONE NUMBER: _____

FACSIMILE NUMBER:	CODE:		NUMBER:	
-------------------	-------	--	---------	--

E-MAIL ADDRESS: _____

VAT REGISTRATION NUMBER: _____

TCS PIN:		AND	CSD No:	
----------	--	------------	---------	--

SIGNATURE OF BIDDER		DATE	
---------------------	-------	------	--

CAPACITY UNDER WHICH THIS BID IS SIGNED

(Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)

BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:

DEPARTMENT/ PUBLIC ENTITY: GAUTENG DEPARTMENT OF ROADS AND TRANSPORT, SUPPLY CHAIN MANAGEMENT

E-MAIL ADDRESS: : SCMBIDADMIN.SCMBIDADMIN@gauteng.gov.za

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

PART B INVITATION TO REGISTER

1. STRUCTURE OF THE BID PACK

The Gauteng Department of Roads and Transport ("GDRT") invites bidders to submit tenders and proposals ("Tenders") in accordance with the rules set out in this bid for the ***ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS***

1.1. Structure

This Bid Pack is organised in sections consisting of several sub-sections, requiring certain supporting documents

Section	Description
1	Structure of the bid pack
2	Key Dates and Activities
3	GDRT's requirements (Framework)
4	GDRT's Panel Framework
5	Bid submission
6	Bid qualification
7	Additional clauses
8	Evaluation and qualification
9	Data sheet
10	Standard Bidding Documents (SBD's) and Returnable (s)

2. KEY DATES AND ACTIVITIES

2.1 This bid validity period is 120 days. However, the Department reserves the right to request all bidders to extend such validity period should the need arise.

The table below lists certain key dates and activities relevant from time of issuance of the bid up to and until the Closing Date:

No	Description	Date/Time
1	Compulsory site briefing will be held for this call for Expression of Interest	29/09/2026
2	Bidders to submit written questions/ clarifications. Each bidder is encouraged to consolidate all questions/ clarifications into one email . No questions will be entertained post the stipulated date	02/10/2026
3	GDRT to respond to written questions/ clarifications posed by bidders. Bidders are required to stay updated with these platforms for any additional communications/ addenda being issued	07/10/2026
4	Tenders Closing Date and Time	13/10/2026 11:00 AM

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

PART T1: TENDERING PROCEDURES

Part T1.1 Tender Notice and Invitation to Tender

THE GAUTENG PROVINCE, DEPARTMENT OF ROADS AND TRANSPORT REQUESTS INTERESTED TENDERERS TO BID FOR THE FOLLOWING TENDER:

TENDER NUMBER	SERVICE	COMPULSORY SITE BRIEFING	CLOSING DATE
DRT 08/08/2026	Establishment of a panel of Service providers for the supply and delivery of general road maintenance materials and tools for a period of three years	Venue: Main Boardroom, Department of Roads and Transport, 1215 Nico Smith Street, Koedoespoort, Pretoria Date: 29/09/2026 Time: 10h00 NB: Failure to attend site briefing will result in disqualification.	Date: 13/10/2026 Time: 11h00 Tender Box: Gauteng Department of Roads and Transport, Ground Floor, Life Centre Building, 45 Commissioner Street, Johannesburg. Tenderers are advised to timeously submit documents earlier than closing date to avoid crowding.

The Gauteng Department of Roads and Transport adhere to all relevant Acts, including but not limited to, the Constitution of the Republic of South Africa, the Black Economic Empowerment Act No. 53 of 2003, Preferential Procurement Policy Framework Act No. 5 of 2000, Employment Equity Act No. 55 of 1998 and the Public Finance Management Act No 1 of 1999.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

COMPULSORY/MANDATORY TENDER REQUIREMENTS:

Failure to submit the following required documents will render the bidders tender disqualified:

- In the case of joint ventures and consortia, a detailed signed agreement must be attached as part of the submitted tender document, which must be signed by all parties to the agreement detailing the percentage (%) split between the parties and portion/s of work to be shared.
- Fully complete and sign Standard Bidding Document, SBD 4 which forms part of the tender document.
- Bidders must attend the compulsory site briefing as indicated above:
 - The attendance register must be completed and will be used as proof of your attendance.
 - Bidders that did not attend the compulsory pre-bid meeting / site meeting will be disqualified.
 - The representative attending the compulsory pre-bid meeting / site briefing may only attend on behalf of one bidding enterprise and/or Joint Venture/Consortium/Trust.

NB: Bidders who are listed on the National Treasury's register of defaulters and restricted suppliers will be automatically disqualified.

OTHER KEY RETURNABLES:

- Tax compliance status pin (a consortium or joint ventures (including unincorporated consortia) must submit a consolidated Tax status pin of each partner in the consortium or joint ventures (including unincorporated consortia).
- Registration Documents of the business with the Companies and Intellectual Property Commission (CIPC) OR Master of the High Court in South Africa.
- Certified **ID copies** of company members and shareholders.
- CSD registration report.
- Completed and Signed Integrity Pact document which forms part of this tender document.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

FUNCTIONALITY EVALUATION:

Functionality will be scored out of 100 points and the minimum threshold to qualify is 70 points. Bidders who fail to meet the minimum threshold will not be considered for further evaluation. The evaluation criteria to score bidders on functionality is as follows:

Company Experience (Max 50 points)	Letter of Intent from the supplier/s (Max 30 points)	Bank Rating. (Max 20 points)
Bidders must submit purchase orders with corresponding invoices and delivery note with contract value for each supply and delivery of road maintenance materials and tools completed. (Failure to submit each purchase order, with corresponding invoice and delivery note for supply and delivery of road maintenance materials and tools will result in the bidder scoring zero points)	The bidder shall submit a signed Letter of Intent from the proposed supplier(s) of materials, consumables, equipment and tools to be supplied under this contract. The purpose of the Letter of Intent is to demonstrate that the bidder has secured reliable suppliers capable of supplying compliant materials throughout the duration of the contract. The Letter of Intent shall be issued on the supplier's official company letterhead and shall contain, as a minimum, the following information: 1. Full description of the service with tender number 2. Supplier's company name, physical address, contact details and company registration number. 3. Confirmation that the supplier will supply the bidder for the full duration of the contract. 4. Confirmation that adequate stock levels and supply capacity are available to meet the anticipated project requirements.	(Failure to submit proof of bank rating from the relevant bank will result in the bidder scoring zero points) NB: The date of bank stamp must be less than 12 months from the date of bid closure

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

	5. The letter must be signed by a duly authorised representative of the supplier. 6. An undertaking that all materials, consumables, equipment and tools supplied under this contract shall: • comply with all applicable South African legislation; • comply with the relevant South African National Standards (SANS), compulsory specifications issued by the National Regulator for Compulsory Specifications (NRCS), and any other applicable industry standards; • be new, free from defects and fit for their intended purpose; • where applicable, bear the appropriate certification marks or be accompanied by certificates of compliance, test certificates or manufacturer's quality certificates upon request by the Employer. (Failure to submit a letter of intent from supplier/s will result in the bidder scoring zero points)	
Total value of the supply and delivery of road maintenance materials and tools will be assessed as follows: (Max 50 points) • Supply and delivery with the value of R 5 000 000 and more: (50 points)	Letter of Intent from the supplier/s will be assessed as follows: (Max 30 points) • The letter from the supplier. (30 points) NB: Letter of intent will only be considered for points if ALL the	Bank rating will be assessed as follows: (Max 20 points) Rating A: (20 points) Rating B: (15 points)

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- Supply and delivery with the value between (R 4 000 000 – R 4 999 999) (40 points) - Supply and delivery with the value between (R 3 000 000 – R 3 999 999) (35 points) - Supply and delivery with the value between (R 1 000 000 – R 2 999 999) (30 points) - Supply and delivery with the value between (R 500 000 – R 999 999) (20 points) - Supply and delivery with the value between (R 100 000 – R 499 999) (10 points) - Supply and delivery with the value R99 999 and less (0 points)	requirements above are complied with.	Rating C: (10 points) Rating D-G: (0 points)
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Bidders should note the following:

- Functionality will be scored out of 100 points.
- The Department will conduct a detailed risk assessment.
- Potential suppliers must note that in terms of Departmental policy, the Department reserves the right to cancel a contract and blacklist any supplier for a period of 10 years if the supplier fails to adequately perform in terms of the awarded contract.
- The bid validity period is 120 days (excluding public holidays). However, the Department reserves the right to request all bidders to extend such validity period should the need arise.
- The Department will not compensate the bidder for any costs incurred in the preparation and submission of a bid offer, including the costs of any testing necessary to demonstrate that aspect of the offer complies with requirements.
- Tenderers who are listed in the National Treasury's register of defaulters and restricted suppliers will be disqualified.
- The representative attending the compulsory pre-bid meeting / site briefing may only attend on behalf of one bidding enterprise and/or Joint Venture/Consortium/Trust.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- In the case of Joint Venture or consortium bidders, it must be noted that if, at the time they are invited to submit their quotation, the Joint Venture or consortium has dissolved, the bidders will still be required to submit their bid as the original Joint Venture/consortium and not as individual entities.
- Bidders are required to refer to the Framework, which forms an integral part of this tender document. The Framework provides detailed information on how the panel will be managed during the RFQ stage.

CORRESPONDENCE:

- For the availability of the bid document and technical specification enquiries contact the following e-mail: SCMBIDADMIN.SCMBIDADMIN@gauteng.gov.za
- Closing date for enquiries: 02 October 2026
- Bidders to expect responses within 5 days of this closing date.
- Bidders must regularly check e-tender Portal and Departmental Websites for publication of responses and other communication.

TENDER DOCUMENTS:

Prospective bidders can download and print their own version of the tender document by accessing the e-Tender Publication Portal website (www.etenders.gov.za) on the 18 September 2026. Bidders are advised to ensure that all bid documents are properly bound upon submission before the closing date and time. Late bids (bids submitted after the closing date and time) will NOT be accepted.

BID SUBMISSION:

Bidders must complete and submit all the required pages of the tender document, as published.

The submission of bids either electronically, or by telegraphic, telephone, telex, facsimile, emails or similar apparatus will **NOT** be accepted.

Bid submissions must be clearly marked **“TENDER NO. DRT 08/08/2026: Establishment of A Panel of Service Providers for the Supply and Delivery of General Road Maintenance Material and Tools for A Period of Three Years.”** The bid documents must be submitted in a sealed envelope and deposited into the Tender Box situated at the Gauteng Department of Roads and Transport, Ground Floor, Life Centre Building, 45 Commissioner Street, Johannesburg by the closing date and before the closing time. **Late bids will NOT be accepted.**

Clearly numbered Bid Documents together with all applicable attachments must be deposited in the tender box at the ground floor, in the foyer of Life Centre Building, 45 Commissioner Street, Johannesburg, by no later than 11h00 on the 13 October 2026.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Part T1.2 Tender Data

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

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

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

PART T2: RETURNABLE DOCUMENTS

Part T2.1 List of Returnable Documents

1 Documents required for tender administrative purposes

- Compulsory Enterprise Questionnaire
- Record of Addenda to Tender Documents
- Certificate of Authority
- Schedule of recently completed and current contracts
- Occupational Health and Safety Act: Statement by Tendering Entity
- Tenderer's Bank Details
- Schedule of Tenderer's Litigation History

2 Returnable Schedules required for tender evaluation purposes

- Valid Tax Clearance pin for Tenders

3 Returnable Schedules that will be used for tender evaluation purposes and be incorporated into the contract

- SBD 4: Bidders Disclosure
- Service Provider Code of Conduct
- Integrity Pact.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

1 Documents required for tender administrative purposes

Compulsory Enterprise Questionnaire

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

Section 1: Name of enterprise:
.....

Section 2: VAT registration number, if any:
.....

Section 3: Particulars of sole proprietors and partners in partnerships (attach certified ID Copies)

Name*	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

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

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

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Name of sole proprietor, Partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

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

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

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

*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed _____ Date _____

Name _____ Position _____

Enterprise name _____



**TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE
SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF
THREE YEARS**

Record of Addenda to tender documents

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

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

Attach additional pages if more space is required

Signed		Date:	
Name		Position:	
Enterprise name			

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Certificate of Authority

This Returnable Schedule is to be completed by the tendering entity.

I/We, the undersigned, are submitting this tender offer and hereby authorise Mr/Ms
 , authorised signatory of the company
 , acting in the capacity of
 . , to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.

NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
		Signature. Name Designation
		Signature..... Name..... Designation
		Signature..... Name Designation

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Schedule of Proposed Subcontractors

- **No subcontractors are allowed for this contract**

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Schedule of recently completed and current contracts

List not more than seven contracts completed in the last five years

Contract title:	Employer (name) Place (town)	Reference person		Contract Amount (R million)	Contract Start Date (months)	Contract End Date (months)
		Name	Tel			
1						
2						
3						
4						
5						
6						
7						

*Completed means that a certificate has been issued in terms of a contract by the employer, signifying that the whole of the construction works have reached a state of readiness for occupation or use for the purposes intended, although some minor work may be outstanding

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

List all current contracts not complete at the time

Project:	Employer (name) Place (town)	Reference person		Contract Amount (R million)	Contract Start date (months)	Expected Contract End Date (months)
		Name	Tel			
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

*Date when defects liability period commenced

Signed Date

Name Position

Enterprise
name

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

**Occupational Health and Safety Act:
Statement by Tendering Entity**

I, duly authorised

to represent (company name)

in my capacity as

hereby confirm that I accept full and exclusive responsibility for compliance by myself and all persons who perform work for me with the provisions of the Occupational Health and Safety Act, No. 85 of 1993 (as amended) and all regulations promulgated from time to time, whilst performing work on

.....

I confirm that all employees who perform work on the site shall be properly trained to do this in a manner which is safe and without risk to health and safety to themselves and others in the vicinity and undertake to have our activities adequately supervised in the interest of health and safety.

Signed Date

Name Position

Tenderer

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

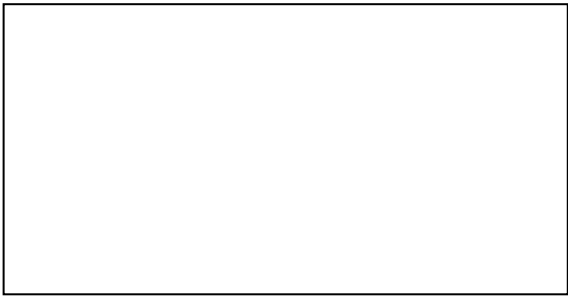
Tenderer's Bank Details

Notes to tenderer:

1. The tenderer shall attach to this form a letter from the bank at which he declares he conducts his account. The contents of the bank's letter must state the credit rating that it, in addition to the information required below, accords to the tenderer for the business envisaged by this tender as well as the working capital at the disposal of the tenderer. Failure to provide the required letter with the tender submission may render the tenderer's offer unresponsive in terms of tender condition F.3.8.
2. The tenderer's banking details as they appear below shall be completed.
3. 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.

The tenderer shall provide the following:

- i) Name of Account Holder:
- ii) Account Number:.....
- iii) Bank name:
- iv) Branch Number:
- v) Bank and branch contact details
- vi) Bank rating:



BANK STAMP

SIGNED BY TENDERER:

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Schedule 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, and 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.

Employer	Other litigating party	Dispute	Award value	Date resolved

SIGNED BY TENDERER:

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

2 Returnable Schedules required for tender evaluation purposes

Tax Compliance Status for Tenders

The tenderer is to affix to this page:

Bidders must submit their SARS TCS PIN number and CSD Supplier number with their bid in order that the bidder's Tax Compliance Status can be verified. Should a bidder not be Tax Compliant at the time of verification, the bidder will be notified in writing of their non-compliant tax status and be requested to remediate their tax status within seven (7) working days.

Failure to provide written proof of tax status remediation, within seven (7) working days of notification, will result in the rejection of the bid submitted by the Bidder.

Note:

This tax compliance status must still be valid on the award of this tender.



TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

SBD 4

SECTION F
BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

- 1.1 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, 1996 (Constitution), and further expressed in the various applicable legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.
- 1.2 If a person is 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. DECLARATION ON EMPLOYMENT BY ORGAN OF STATE

- 2.1 Is the bidder, or any of the directors / trustees / shareholders / members / partners of the bidder employed by an organ of state, as defined in section 239 of the Constitution? **YES/NO**
- 2.2 If YES, furnish particulars of the names, individual identity numbers, in the table below:

Full Name	Identity Number	Name of organ of state

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



TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

2.3.1 If so, furnish particulars:

.....
.....

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

2.4.1 If so, indicate all companies registered in the CSD in the table below:

Supplier registration number (MAAA)	Status (active/inactive/deleted)

Failure to disclose all CSD-registered active companies linked to all Directors will lead to disqualification.

3 GENERAL DECLARATION

I,, the undersigned, 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 to be false.

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.5 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- 3.6 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.7 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act, 1998 (Act No. 89 of 1998) and or may be referred to law enforcement agencies for criminal investigation and or may be restricted from conducting business with the state for a period not exceeding 10 years in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) or any other applicable legislation.

I CERTIFY THAT THE ABOVE IS CORRECT.

I ACCEPT THAT THE PROCURING INSTITUTION MAY REJECT THE BID OR TAKE APPROPRIATE ACTION AGAINST ME IF THIS DECLARATION IS FALSE.

.....
Signature

.....
Date

.....
Designation

.....
Name of bidder

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

SERVICE PROVIDER CODE OF CONDUCT

GDRT aims to achieve the best value for money when buying or selling goods and obtaining services. This however must be done in an open and fair manner that supports and drives a competitive economy. Underpinning our process are several acts and policies that any service provider dealing with GDRT must understand and support. These are:

The GDRT Procurement Policy – A guide for Tenderers.

Section 217 of the Constitution of the Republic of South Africa, 1996 - the five pillars of Public Procurement and Supply Chain Management: fair, equitable, transparent, competitive and cost effective;

The Public Finance Management Act, Act 1 of 1999 (PFMA);

The Broad Based Black Economic Empowerment Act, Act 53 of 2003 (B-BBEE); The Companies Act, Act 71 of 2008,

The Prevention and Combating of Corrupt Activities Act, Act 12 of 2004 (PRECCA); The Protected Disclosures Act, Act 26 of 2000,

The Construction Industry Development Board Act, Act 38 of 2000(CIDB Act); and The Preferential Procurement Policy Framework Act, Act 5 of 2000.

This code of conduct has been included in this contract to formally appraise GDRT Service providers of GDRT's expectations regarding behaviour and conduct of its Service providers. The tenderer will share this code of conduct with its subcontractor(s) prior to submitting the tender and ensure adherence to it by the subcontractor(s).

Prohibition of Bribes, Kickbacks, Unlawful Payments, and Other Corrupt Practices

GDRT's aim is to become a world class provincial department. As such, our transformation is focused on adopting a performance culture and to adopt behaviours that will enable this transformation.

1. GDRT will not participate in corrupt practices in any form or guise. Therefore, it expects its service providers to act in the same manner.

GDRT and its employees will adhere the laws of this country and keep accurate business records that reflect actual transactions with, and payments to, our service providers.

GDRT Employees must not accept or request, agree or promise to accept, money, or anything of value, or any form of gratification, either directly or indirectly, from service providers or anyone linked to them in return for a benefit or other advantage to accrue to a service provider or other linked 3rd party.

Employees may not receive anything that is intended to:

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- In an irregular or untoward manner, influence their judgement or conduct to ensure a specific or pre-conceived desired outcome of a sourcing activity.
- In an irregular or untoward manner, win or retain business or influence any act or decision of any person involved in sourcing decisions; or
- Gain an improper advantage.

There may be times when a service provider is confronted with fraudulent or corrupt behaviour of GDRT employees. We expect our Service providers to use our “Tip-offs Anonymous” Hot line to report these acts.

2. *GDRT is firmly committed to the concept of free and competitive enterprise.*

Service providers are expected to comply with all applicable laws and regulations regarding fair competition and antitrust practices.

GDRT does not engage with non-value adding agents or representatives solely for the purpose of increasing BBBEE spend (fronting).

3. *GDRT’s relationship with service providers requires us to clearly define requirements, to exchange information and share mutual benefits.*

- Generally, service providers have their own business standards and regulations. Although GDRT cannot control the actions of our service providers, we will not tolerate any illegal activities. These include, but are not limited to:
- Misrepresentation of their product (origin of manufacture, specifications, intellectual property rights, etc);
- Collusion in whatever form that is intended to influence procurement decisions.
- Failure to disclose accurate information required during the sourcing activity (ownership, financial situation, BBBEE status, etc.);
- Corrupt activities listed above; and
- Harassment, intimidation or other aggressive actions towards GDRT employees.
- Service providers will be evaluated and approved before any materials, components, products or services are purchased from them. A rigorous due diligence is conducted, and the service provider is expected to participate in an honest and straight forward manner.
- Service providers must record and report facts accurately, honestly and objectively. Financial records must be accurate in all material respects.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

Conflicts of Interest

A conflict of interest arises when personal interests or activities influence (or appear to influence) the ability to act in the best interests of GDRT Limited.

Doing business with family members or close associates.

Having a financial or beneficial interest in another company in our industry or environment

Where possible, contracts will be negotiated to include the above in the terms of such contracts. To the extent such terms are not included in contractual obligations and any of the above code is breached, then GDRT reserves its right to review doing business with these service providers.

I, _____ of _____,

(Authorised Signatory)

(Company Name)

hereby acknowledge having read, understood and agree to the terms and conditions set out in the "GDRT Service Provider Code of Conduct."

Signature

Date

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

3. GDRT's REQUIREMENTS (FRAMEWORK)

3.1 Introduction

The Gauteng Province Department of Roads and Transport aims to accelerate the implementation of road infrastructure programmes through appropriate project management initiatives in the transport and road infrastructure sectors which are critical to the achievement of various national objectives for economic growth, job creation and mobility.

The Department further aims to contribute to sustainable livelihoods and economic growth by accelerating the delivery of quality social and economic road infrastructure and promoting cost-effective, sustainable, integrated road infrastructure planning and delivery.

3.2 Overview of GDRT Requirements

The Gauteng Province Department of Roads and Transport in executing projects uses the services of various disciplines and the service providers to achieve completion effective and efficient service delivery. These service providers are sourced from the market through competitive open bidding process published in the government tender bulletin.

The challenges associated with an open tender is that despite tight criteria, the volume of responses remains very high as every business puts forward its application that must be evaluated appropriately. The GDRT has experienced high volumes of tender responses in the past and this always surpasses the available resource capacity to evaluate on time, hence communication will be shared with prospective bidders on the process of completion.

The GDRT therefore in mitigating for the above risks, considers appointing a panel of service providers for procurement of general maintenance materials and tools on an **as-and-when required basis**.

3.3 Scope of Work

This competitive open bidding process invites service providers to apply for inclusion on the Gauteng Department of Roads and Transport (GDRT) panel of service providers for the supply of general road maintenance materials and tools for all 5 regions in Gauteng for a period of three years.

Extent of the works:

The scope of work covers the supply of general road maintenance materials and tools to ensure compliance with applicable occupational health and safety regulations. The supplier shall provide new, high-quality equipment, tools and accessories as well as other related accessories as specified in the specification or bill of quantities during the Request for Quotation (RFQ). All items must meet relevant local and international safety standards, be properly labeled, and be accompanied by necessary certifications and documentation. The supplier is responsible for timely delivery, proper packaging, and replacement of any defective or non-compliant items, while the client will provide detailed specifications, facilitate delivery, and conduct inspection and acceptance in accordance with agreed payment and contract terms.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

4.GDRT' PANEL FRAMEWORK

4.1 Objectives

GDRT's objective is to put in place the panel of service providers for the supply and delivery of General Road Maintenance Material and Tools for A Period of Three Years.

GDRT planned to achieve the above by entering into an agreement with Panel of service providers over a three-year term with potential service providers for:

THE ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIAL AND TOOLS FOR A PERIOD OF THREE YEARS TO THE DEPARTMENT on an **as and when instructed basis**, to secure the services of service providers capable of serving the needs for provision of general road maintenance materials and tools for the department.

The goal is to streamline the procurement of general road maintenance materials and tools from the open market to fulfil GDRT strategic objectives, while maintaining transparency, fairness and equitability in the procurement process.

The GDRT will utilise the Panel of service providers to source general road maintenance materials and tools in an accelerated manner. Sourcing through this manner, further supports:

4.1.1 best value for money.

4.1.2 the sustainable supply of Services; and

4.1.3 the meeting of GDRT's current requirements (at a minimum) and providing for flexibility to meet GDRT's future needs related to the scope.

Background

Slow Supply Chain Management (SCM) practices contribute significantly delays in the project implementation, particularly in environments where services must be delivered efficiently and effectively. Inefficiencies in SCM processes often result in increased costs, slow response times, and compromised service quality. By contrast, efficient SCM practices that reduce costs, enable rapid responses to the delivery needs of the Gauteng Region, and ensure quality outcomes can play a critical role in improving the reliability and effectiveness of road services across Gauteng Province.

4.2 Procurement Strategy

4.2.1 Appointment to the panel does not constitute a binding contract, nor does it impose any obligation on the Gauteng Department of Roads and Transport (GDRT) to procure services from any appointed panel member. Services will be provided strictly on an as-and-when-required basis, subject to the Department's needs and discretion.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

4.2.2 The Form of contracts with Bills of Quantities pricing strategy may be used by the employer later.

At the later stage, the respondent will be expected to,

- ensure compliance to Construction Health and Safety is of utmost importance
- comply with specific goals criteria in order to claim specific goals points
- The Gauteng Department of Roads and Transport (GDRT) will issue written instructions to respondents appointed to the Panel, inviting them to submit a tender or quotation for the proposed works. Upon submission, respondents will provide written acknowledgement confirming receipt of the request for quotation.

4.2.3 If a request for quotation or tender instruction is subject to a multi-source bidding process (i.e. competing with other quotation or tender from other Respondents within the Panel), this will be stated in the quotation or tender from other Respondents within the Panel document.

4.2.4 The Respondent(s) will prepare his/her quotation according to the format issued in with quotation or tender from other respondents within the Panel.

4.2.5 The request for quotation shall be issued on rotational basis to provide and maintain transparency, fairness and equitability in the procurement processes.

4.2.6 The Respondent(s)'s rates and prices will be and apply as the maximum allowable rates and prices quoted for quotation or tender instruction under this Agreement.

4.2.7 The quotation enquiry document will contain all the relevant forms, the scope of work, pricing schedule and related information describing and defining the works, including any additional contract information.

4.2.8 Additional requirements for the competitive procedure

- (i) First Round of Competitive bidding - Respondents shall, in terms of a competitive selection process be evaluated against eligibility and functionality criteria.
- (ii) Respondents who pass functionality will be included in the panel for the period of 36 months without a guarantee of a quantum of work
- (iii) Second Round of Competitive Bidding – Upon the completion of first round, the employer will issue request for specific tender or framework to successful respondents listed in the panel for all regions
- (iv) This will be done on as and when required basis. The project specific tender or framework will include:

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

PART T1: TENDERING PROCEDURE

PART T2 - RETURNABLE DOCUMENTS

PART C1: AGREEMENTS AND CONTRACT DATA

PART C2: PRICING DATA

PART C3: SCOPE OF WORK

- (v) Amongst others the employer will use the services or goods specific tender or framework to check the status quo of the respondent's capability since the first round of Tendering.

4.2.9.1: What will happen during the Request for Quotation (RFQ) Stage:

- Each respondent in the panel is expected to have its resources and planning processes ready to urgently respond to whichever need arises within the area the respondent has preferred.
- Bidders will be required to submit samples of the materials for which they are bidding. In addition, the samples will be evaluated to ensure compliance with the required quality standards.
- To ensure fairness, service provider will be allocated work on a rotational basis. This means that once a service provider has been awarded a project, they will not be invited to participate in the next advertised project of the same nature. Each service provider may therefore be awarded only one project per Bill .
- Service providers will be placed into subgroups through a transparent random-assignment process to ensure fairness and equal opportunity. The randomized list will then be divided into equal-sized subgroups, which will be used for rotational allocation of projects. This approach ensures that no contractor is unfairly advantaged and that all contractors receive an equal chance to be considered for work.
- In the case of Joint Venture or consortium bidders, it must be noted that if, at the time they are invited to submit their quotation, the Joint Venture or consortium has dissolved, the bidders will still be required to submit their bid as the original Joint Venture/consortium and not as individual entities. Failure to do so will entitle the Department to reserve the right not to appoint the dissolved Joint Venture or consortium.

4.2.10 General requirements

The respondent shall in providing the works/goods observe all by-laws and associated regulations and industry norms established in relevant South African national standards published in terms of the Standards Act of 2008 or standards recommended by professional associations.

The respondent shall only utilize in the provision of the services materials (substances that can be incorporated into the works), products (item manufactured or processed for incorporation into the works), components (products manufactured as distinct units to serve a specific function or functions) and assemblies (set of related components attached to each other) which are: X

- (a) fit for their intended purpose, and

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

(b) capable of fulfilling required functions under intended use conditions or when in use, with planned maintenance, under the influence of the environmental actions or a result of a self-ageing process for a period of time within industry accepted norms

5. BID SUBMISSION

5.1 Bids must be properly received and deposited in the below mentioned tender box on or before the closing date and before the closing time at the Tender Submission Office situated at:

GDRT Ground Floor, Life Centre Building, 45 Commissioner Street, Marshalltown, Johannesburg, Gauteng, 2000.

5.1.1 Tender documents will only be considered if received by the Tender Office before the Closing Date and time, regardless of the method used to send or deliver such documents to GDRT.

5.1.2 Tenders may only be submitted on the tender documentation that has been issued. Telegraphic, telephonic, telex, facsimile and late tenders will **not** be accepted. Tenderers should ensure that Bids are delivered timeously and to the correct address (reflected on the cover of this document). If the bid is late, or not submitted in the designated tender box, it will not be considered for evaluation.

5.1.3 All costs incurred during the preparation and compilation of a Bidder's proposal, as well as the delivery of a Bidder's Tender documents to GDRT will be borne exclusively by the Bidder.

5.1.4 Tender validity period is 120 days. However, the Department reserves the right to request all bidders to extend such validity period should the need arise.

6. BIDDING QUALIFICATION

6.1 Introduction

GDRT has a detailed evaluation methodology premised on Regulations and Legislations applicable to a government entity: In furtherance of this evaluation methodology, the following bidding qualifications as set out in paragraph 6.3 will apply.

6.2 Central Supplier Database ("CSD")

6.2.1 Service Providers and suppliers who wish to render services to GDRT will no longer register at GDRT directly. Suppliers will have to register on National Treasury Central Supplier Database ("CSD") as per National Treasury Circular No 4A 2016/17 – Central Supplier Database.

6.2.2 National Treasury will maintain the database for all suppliers for Government and its institutions.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

6.2.3 All existing and prospective suppliers are requested to self-register on the CSD by accessing the National Treasury website at www.csd.gov.za

6.2.4 As part of the bid submission, bidders are required to submit their CSD number with their tender submission.

6.3 Bidding Qualification

6.3.1 Prospective Bidders who cannot, or do not, satisfy all of the conditions contained in paragraphs 6.3.1.1 to 6.3.1.4 should not submit Tenders. If a Bidder is found not to meet any one of the requirements listed in paragraphs 6.3.1.1 to 6.3.1.4, then that Bidder's Tender will be rejected without any further consideration, at GDRT's sole discretion.

6.3.1.1 GDRT is only interested in organisations that take accountability for service delivery.

6.3.1.2 A Bidder must be a South African entity (Company, Close Corporation, Sole Proprietor or individual) or have a local branch office in South Africa.

6.3.1.3 The Bidder must be fully tax compliant. The Bidder's attention is further drawn to the requirement that the successful Bidder must ensure that it remains compliant with all South African Tax and Customs laws and regulations throughout the Term, and failure to do so will result in the panel member's registration being suspended until compliant.

6.3.1.4 The Bidder must comply with all applicable legislation in the Republic of South Africa in the performance of its daily activities, including but not limited to labour legislation and bargaining council agreements, health and safety regulations and environmental laws.

6.3.2 Subject to sub-paragraph 6.3.3 below, GDRT will disqualify any Bidder who either itself or any of whose members (save for such members who hold a minority interest in the Bidder through shares listed on any recognised stock exchange), indirect members (being any person or entity who indirectly holds at least a 15% interest in the Bidder other than in the context of shares listed on a recognised stock exchange), directors or members of senior management, whether in respect of GDRT or any other government organ or entity and whether from the Republic of South Africa or otherwise ("Government Entity"):

6.3.2.1 Engages in any collusive tendering, anti-competitive conduct, or any other similar conduct, including but not limited to any collusion with any other Bidder in respect of the subject matter of this bid;

6.3.2.2 Seeks any assistance, other than assistance officially provided by a Government Entity, from any employee, advisor or other representative of a Government Entity to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity;

6.3.2.3 Makes or offers any gift, gratuity, anything of value or other inducement, whether lawful or unlawful, to any of GDRT's officers, directors, employees, advisors or other representatives.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

6.3.2.4 Makes or offers any gift, gratuity, anything of any value or other inducement, to any Government Entity's officers, directors, employees, advisors or other representatives to obtain any unlawful advantage in relation to procurement or services provided or to be provided to a Government Entity.

6.3.2.5 Accepts anything of value or an inducement that would or may provide financial gain, advantage or benefit in relation to procurement or services provided or to be provided to a Government Entity.

6.3.2.6 Pays or agrees to pay to any person any fee, commission, percentage, brokerage fee, gift or any other consideration, that is contingent upon or results from, the award of any tender, contract, right or entitlement which is in any way related to procurement or the rendering of any services to a Government Entity;

6.3.2.7 Has in the past engaged in any matter referred to in sub-paragraphs 6.3.2.1 - 6.3.2.6 foregoing; or

6.3.2.8 Has been found guilty in a court of law on charges of fraud and/or forgery, regardless of whether a prison term was imposed and despite such Bidder, member or director's name not specifically appearing on the List of Tender Defaulters kept at National Treasury.

6.3.3 GDRT in its sole discretion will be entitled (but not obliged) to exempt, in writing, a Bidder from disqualification in terms of subparagraph 6.3.2.7 foregoing. A Bidder that stands to be disqualified in term of sub-paragraph 6.3.2.7 foregoing may, prior to submitting a Tender, approach GDRT in writing for an exemption as foresaid, in which event:

6.3.3.1 the Bidder is required to provide GDRT with full information to enable GDRT to consider such application for exemption; and

6.3.3.2 GDRT will not be obliged to consider any such application or to grant any exemption, such consideration or granting of exemption being solely within GDRT's discretion.

6.3.4 By submitting a Tender the Bidder represents to GDRT that it does not stand to be disqualified in terms of paragraph 6.3.1 foregoing, unless it has otherwise applied for exemption or been exempted in terms of paragraph 6.3.3 foregoing.

6.3.5 GDRT will reject a Bidder's Tender without any further consideration where that Bidder makes culpable misrepresentation to GDRT in its Tender or at any stage during this bid process.

6.3.6 GDRT may **disqualify** a Bidder –

6.3.6.1 whose Tender contains a negligent misrepresentation which is materially incorrect or misleading.

6.3.6.2 whom GDRT considers to be directly or indirectly owned, controlled or managed by persons who are not acceptable to GDRT from an ethical, business or governance perspective.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

6.3.6.3 who had access to any of GDRT's proprietary information or any other matter that may have unfairly placed that Bidder in a preferential position in relation to any of the other Bidders.

6.3.6.4 who materially fails to comply with any conditions or requirements of this bid.

6.3.6.5 who in GDRT's opinion has either materially failed to comply with any of the conditions of any existing or past agreement between such Bidder and GDRT or who has performed unsatisfactorily under any such agreement; or

6.3.6.6 who fails to respond as required to written notices given by GDRT in connection with its Tender under this bid.

6.3.6.7 Where a director of a bidder has directorship in one or more other bidding entities. The submission may be disqualified at any other time after appointment, when this information comes to light.

6.3.6.8 Where a bidder was terminated by the GDRT, or any other State Entity for non-performance on a project in the last 5 years.

6.3.7 Where there is conflict between the Specification and/or any documentation published along with this document. The Provisions of this document take precedence overall.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

7. ADDITIONAL CLAUSES

7.1 Acceptance of Bid Conditions

The Bidder's participation in the bid process is deemed to constitute acknowledgement and acceptance by the Bidder of the terms and conditions contained in this bid.

7.2 Reservation of Rights

GDRT reserves the right in its discretion to:

7.2.1 make no award.

7.2.2 withdraw, suspend or cancel this bid or the bid process at any time and without providing reasons.

7.2.3 not provide reasons for its rejection or the failure of any Bidder or Tender, save on application and in terms of applicable legislation.

7.2.4 change any of its requirements as set out in this bid by giving Bidders reasonable notice.

7.2.5 change any condition, procedure or rule of the bid by giving Bidders reasonable notice.

7.2.6 amend, vary, or supplement any of the information, terms or requirements contained in this bid, any information or requirements delivered pursuant to this bid, or the structure of the bid process.

7.2.7 re-advertise for Tenders.

7.2.8 provide further information in respect of, and modify the provisions of, this bid at any time prior to the Closing Date by notice to all prospective Bidders.

7.2.9 conduct site visits and/or perform audits whenever GDRT deems it prudent to do so during bid evaluation or post award.

7.2.10 undertake further checks on Bidders, which may include information on public record or in the public domain, information contained in internal GDRT records or information received from other government institutions.

7.2.11 no longer consider a Bidder's Tender where adverse information about the Bidder or its Tender submission has come to the attention of GDRT, provided that such Bidder is informed accordingly and invited to comment.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

7.3 Bid not an Offer

This bid does not constitute an offer to do business with GDRT but merely serves as an invitation to Bidders to facilitate a requirements-based decision process.

Nothing in this bid or any other communication made between GDRT (including its officers, directors, employees, advisers and representatives) is a representation that GDRT will offer, award or enter into a contract with the Bidder.

7.4 Preparation Costs

The Bidder will bear all its costs in preparing, submitting and presenting any response or Tender to this bid and all other costs incurred by it throughout the bid process. Furthermore, no statement in this bid will be construed as placing GDRT, its employees or agents under any obligation whatsoever, including in respect of costs, expenses or losses incurred by the Bidders in the preparation of their response to this bid.

7.5 Conflict of Interest

If at any time the Bidder identifies an actual or potential conflict of interest, the bidder must immediately notify GDRT in writing. GDRT reserves the right to exclude the Tender submitted by such Bidder from further consideration, unless the Bidder is able to resolve the conflict. In addition, if it comes to GDRT's knowledge that there was indeed a conflict of interest or a potential conflict of interest, same will be grounds for the immediate disqualification of the Bidder, whether during the tender process or post appointment if successful.

7.6 Confidentiality

Except as may be required by operation of law, by a court or by a regulatory authority having appropriate jurisdiction, no information contained in or relating to this bid or a Bidder's Tender(s) will be disclosed by any Bidder or other person not officially involved with GDRT's examination and evaluation of a Tender.

No part of the bid may be distributed, reproduced, stored or transmitted, in any form or by any means, electronic, photocopying, recording or otherwise, in whole or in part except for the purpose of preparing a Tender. This bid and any other documents supplied by GDRT remain proprietary to GDRT and must be promptly returned to GDRT upon request together with all copies, electronic versions, excerpts or summaries thereof or work derived therefrom.

Throughout this bid process and thereafter, Bidders must secure GDRT's written approval prior to the release of any information that pertains to:

- (i) the potential work or activities to which this bid relates; or
- (ii) the process which follows this bid. Failure to adhere to this requirement may result in disqualification from the bid process and civil action.

After the Closing Date, no confidential information relating to the process of evaluating or adjudicating Tenders or appointing a Bidder will be disclosed to a Bidder or any other person not officially involved with such process.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

7.7 Limitation of Liability

A Bidder participates in this bid process entirely at its own risk and cost. GDRT shall not be liable to compensate a Bidder on any grounds whatsoever for any costs incurred or any damages suffered because of the Bidder's participation in this bid process.

7.8 Tax Compliance

No tender shall be awarded to a Bidder (or any of its members, directors, partners or trustees) whose names appear on the Register of Tender Defaulters kept by National Treasury, or who have been placed on National Treasury's List of Restricted Suppliers.

GDRT reserves the right to withdraw an award, or cancel a contract concluded with a Bidder should it be established, at any time, that a Bidder has been blacklisted with National Treasury by another government institution.

EXAMPLES OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS LIST

Please note that the materials and tools are not limited to the following:

- Paint – road marking paint, spray paint, etc.
- Concrete, bricks
- Screws and nails
- Slasher
- Shear nuts
- Welding rods
- Toolbox
- Hand tools (e.g. shovel, hammer, spade, axe)
- Ladders
- Tapes
- Drill bits

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS



INTEGRITY PACT FOR BUSINESSES

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

FIGHTING CORRUPTION, PROMOTING INTEGRITY

1. INTRODUCTION

This agreement is part of the tender document, which shall be signed and submitted along with the tender document. The Chief Executive Officer of the bidding company or his/her authorised representative shall sign the integrity pact. If the winning bidder has not signed this integrity pact during the submission of the bid, the tender/proposal shall be disqualified.

2. OBJECTIVES

Now, therefore, the Gauteng Provincial Government and the Bidder agree to enter into this pre-contract agreement, hereinafter referred to as an integrity pact, to avoid all forms of corruption by following a system that is fair, transparent, and free from any influence/unprejudiced dealings before, during and after the currency of the contract to be entered, with a view to:

- 2.1 Enable the Gauteng Provincial Government to obtain the desired contract at a reasonable and competitive price in conformity to the defined specifications of the works, goods and services; and
- 2.2 Enable bidders to abstain from bribing or any corrupt practice to secure the contract by assuring them that their competitors will refrain from bribing and other corrupt practices and the Gauteng Provincial Government will commit to preventing corruption, in any form by their officials by following transparent procedures.

3. GOVERNANCE

- 3.1 The integrity pact seeks to ensure that both parties comply with all applicable provincial, national, continental, and international laws and regulations regarding fair competition and anti-corruption.

4. ENVIRONMENT

- 4.1 The integrity pact requires that both parties comply with all applicable environmental, health, and safety regulations.

5. PROTECTION OF INFORMATION

- 5.1 The integrity pact seeks to ensure that both parties undertake to protect the confidentiality of information. Each party, when given access to confidential information as part of the business relationship, should not share this information with anyone unless authorised.

6. REPUTATION

- 6.1 The Gauteng Provincial Government wants to work with bidders who are proud of their reputation for fair dealing and quality delivery.
- 6.2 The Gauteng Provincial Government wants to ensure that working with government is reputation enhancing for the supplier.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- 6.3 The Gauteng Provincial Government expects bidders/suppliers to be protective of government's reputation, and ensure that neither they, nor any of their partners or subcontractors, bring government to disrepute by engaging in any act or omission which is reasonably likely to diminish the trust that the public places in government.
- 6.4 The Gauteng Provincial Government further requires its bidders/suppliers to always adhere to ethical conduct even outside their contractual obligation with the Gauteng Provincial Government.

7. VALUES OF THE GAUTENG PROVINCIAL GOVERNMENT

- 7.1 The value system of the Gauteng City Region is shown below:

GAUTENG CITY REGION VALUES SYSTEM	
CORE VALUES	ETHICAL VALUES
Patriotism	Integrity
Purposefulness	Accountability
Team focused	Dignity
Integrity	Transparency
Accountability	Respect
Passionate	Honesty
Activism	

- 7.2 The Gauteng Provincial Government commits to ensure that the values system is embedded into the day-to-day operations of its institutions.

8. COMMITMENTS OF THE GAUTENG PROVINCIAL GOVERNMENT

The Gauteng Provincial Government commits itself to the following:

- 8.1 The GPG commits that its officials will at all times conduct themselves in accordance with Treasury Regulations 16A.81, copy of which is attached marked Annexure A, and that:
- 8.1.1 The GPG is committed to doing business with integrity and proper regard for ethical business practices.
- 8.1.2 The GPG hereby undertakes that no official of the GPG, connected directly or indirectly with the contract will demand, take a promise for or accept, directly or through intermediaries, any bribe, consideration, gift, reward, favour, or any material or immaterial benefit or any other advantage from the bidder, either for themselves or for any person, organisation or third party related to the contract in exchange for an advantage in the bidding process, bid evaluation, contracting or implementation process related to the contract.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

- 8.1.3 The GPG further confirms that its officials have not favoured any prospective bidder in any form that could afford an undue advantage to that bidder during the tendering stage and will further treat all bidders alike.
- 8.1.4 The GPG will during the tender process treat all Bidder(s) with equity.
- 8.1.5 All officials of the GPG shall report any attempted or completed violation of clauses to the following details:

	Gauteng Ethics Hotline	National Anti-Corruption Hotline
Toll-free number	080 1111 633	0800 701 701
SMS call-back	49017	N/A
E-mail	gpethics@behonest.co.za	nach@psc.gov.za
Fax	086 726 1681	0800 204 965
Website	www.thehotline.co.za	www.publicservicecorruptionhotline.org.za
Post	Chief Directorate: Integrity Management Private Bag X61 Marshalltown 2001	Public Service Commission Private X121 Pretoria 0001
Walk-in	Office of the Premier 55 Marshall Street Marshalltown Johannesburg 2001	Gauteng Provincial Office Public Service Commission Schreiner Chambers 6 th Floor 94 Pritchard Street Johannesburg

- 8.1.6 Following the report on the violation of the above clauses by the official(s), through any source, the GPG shall investigate allegations of such violations against the official or other role players and when justified:
- Take steps against such official and other role players (necessary disciplinary proceedings, and/or any other action as deemed fit, bar such officials from further dealings related to the contract process). In such a case, while an enquiry is being conducted by the Gauteng Provincial Government, the proceedings under the contract would not be stalled.
 - Inform the relevant Treasury of steps taken in 8.1.5(a) against such officials; and
 - Report any conduct by such official and other role players that may constitute an offence to the South African Police Service.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

9. COMMITMENTS OF THE BIDDERS

The bidder commits himself/herself to take all measures necessary to prevent corrupt practices, unfair means and illegal activities during any stage of his/her bid or during any pre-contract or post contract stage to secure the contract or in furtherance to secure it and commits himself/herself to the following:

- 9.1 The bidder is committed to doing business with integrity and proper regard for ethical business practices.
- 9.2 The bidder will not offer, directly or through intermediaries, any bribe, gift, consideration, reward, favour, any material or immaterial benefit or other advantage, commission, fees, brokerage or inducements to any official of the Gauteng Provincial Government, connected directly or indirectly with the bidding process, or to any person, organization or third party related to the contract in exchange for any advantage in the bidding, evaluation, contracting and implementation of the contract.
- 9.3 The bidder further undertakes that he/she has not given, offered or promised to give, directly or indirectly any bribe, gift, consideration, reward, favour, any material or immaterial benefit or other advantage, commission, fees, brokerage or inducements to an official of the Gauteng Provincial Government or otherwise in procuring the contract or forbearing to do or having done any act in relation to the obtaining or execution of the contract or any other contract with the Gauteng Provincial Government for showing or forbearing to show favour or disfavor to any person in relation to the contract or any other contract with the Gauteng Provincial Government.
- 9.4 The bidder will not collude with other parties interested in the contract to preclude the competitive bid price, impair the transparency, fairness and progress of the bidding process, bid evaluation, contracting and implementation of the contract.
- 9.5 The Bidder(s)/Contractor(s) will not enter with other Bidders into any undisclosed agreement or understanding, whether formal or informal. This applies in particular to prices, specifications, certifications, subsidiary contracts, submission or non-submission of bids or any other actions to restrict competitiveness or to introduce cartelization in the bidding process.
- 9.6 The Bidder(s)/Contractor(s) will, when presenting his / her bid, disclose any and all payments he /she has made, is committed to or intends to make to agents, brokers or any other intermediaries in connection with the award of the contract.
- 9.7 In case of sub-contracting, the Principal Contractor shall take the responsibility of adoption of Integrity Pact by the Sub-Contractor.
- 9.8 The bidder shall report any attempted or completed violation of clauses 9.1 to 9.7 including any alleged unethical conduct to the Gauteng Ethics Hotline (details are provided at clause 8.1.4).
- 9.9 The bidder (or anyone acting on its behalf) warrants that:

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

9.9.1 It has not been convicted by a court of law for fraud and/or corruption with respect to the procurement/tendering processes; and/or

9.9.2 It has not been convicted by a court of law for theft or extortion; and/or

9.9.3 It is not listed on the National Treasury's database of Restricted Suppliers or Register of Tender Defaulters.

10. SANCTIONS FOR VIOLATION

10.1 The breach of any aforesaid provisions or providing false information by employers, including manipulation of information by evaluators, shall face administrative charges and penal actions as per the existing relevant rules and laws.

10.2 The breach of the Pact or providing false information by the Bidder, or anyone employed by him, or acting on his behalf (whether without the knowledge of the (Bidder), or acting on his/her behalf, shall be dealt with as per the provisions of the Prevention and Combating of Corrupt Activities Act (12 of 2004).

10.3 The Gauteng Provincial Government shall also take all or any one of the following actions, wherever required:

- To immediately call off the pre-contract negotiations without giving any compensation to the bidder. However, the proceedings with the other bidder(s) would continue.
- To immediately cancel the contract, if already awarded/signed, without giving any compensation to the bidder.
- To recover all sums already paid by the Gauteng Provincial Government.
- To cancel all or any other contracts with the bidders and GPG shall be entitled to demand and recover from the Contractor liquidated damages of the Contract value.
- To submit the details of the bidder to the National Treasury to register on the database for tender defaulters.

11. CONFLICT OF INTEREST

11.1 A conflict of interest involves a conflict between the public duty and private interest (for favor or vengeance) of a public official, in which the public official has private interest which could improperly influence the performance of their official duties and responsibilities. Conflicts of interest would arise in a situation when any concerned members of both parties are related either directly or indirectly or has any association or had any confrontation. Thus, conflict of interest of any tender committee must be declared in a prescribed form.

11.2 The bidder shall not lend or borrow any money from or enter any monetary dealings or transactions, directly or indirectly, with any member of the tender committee or officials of the Gauteng Provincial Government, and if he/she does so, the Gauteng Provincial Government shall be entitled forthwith to rescind the contract and all other contracts with the bidder.

TENDER NUMBER: DRT 08/08/2026 ESTABLISHMENT OF A PANEL OF SERVICE PROVIDERS FOR THE SUPPLY AND DELIVERY OF GENERAL ROAD MAINTENANCE MATERIALS AND TOOLS FOR A PERIOD OF THREE YEARS

12. LEGAL ACTIONS

- 12.1 The actions stipulated in this Integrity Pact are without prejudice to any other legal action that may follow in accordance with the provisions of the extant law in force relating to any civil or criminal proceedings.

13. VALIDITY

- 13.1 The validity of this Integrity Pact shall cover the tender process and extend until the completion of the contract to the satisfaction of both the Gauteng Provincial Government and the bidder (service provider).
- 13.2 Should one or several provisions of the Pact turn out to be invalid; the remainder of this Pact remains valid. In this case, the parties will strive to come to an agreement to their original intentions.

GPG INTEGRITY PACT FOR BUSINESSES

BIDDER/SUPPLIER/SERVICE PROVIDER	
Signature of the CEO	
Full name of the CEO	
Tender number	
Date	