

PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL
DEPARTMENT OF PUBLIC WORKS



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

BILLS OF QUANTITIES

with GCC for Construction Works - Second Edition 2010

RETURNABLE DOCUMENT

ONE VOLUME APPROACH

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO
STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-
NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY
SCHOOL. OPEN BIDS.**

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Fax Number: N/A

Tender Number: ZNTL04780W
CIDB Grading: 4GB or higher
ECDP Number: N/A

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Tel Number: 033 - 355 5569

Fax Number: N/A

Project Code: 26 063805
Document Date: 25-Sep-2023
Contract Period: 9 Calendar Months

Contracting Party: _____

CIDB Registration number: _____

Central Suppliers Database Registration Number: _____

**PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL
DEPARTMENT OF PUBLIC WORKS**

BILLS OF QUANTITIES

FOR

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS
TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF
KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI
SECONDARY SCHOOL. OPEN BIDS.**

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Employer

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Document Date: 25 September 2023

26

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.



KWAZULU-NATAL PROVINCE
PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

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IMPORTANT NOTICE TO BIDDERS

- Any reference to words Tender or Tenderer herein and/or in any other documentation shall be construed to have the same meaning as the words Bid or Bidder/Enterprise. These forms are for internal and external use for the KZN Department of Public Works, Provincial Administration of KwaZulu-Natal.
 - If multiple tenders are being submitted, a certified copy of valid BBBEE certificate, Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity, Original valid tax clearance certificate or pin number, Original letter of intent etc. must be provided and made reference to, in the initial tender and copied and certified in the other tender submissions. This also includes all other certificates, competence reports etc. Tenderers to clearly indicate which tender submission contains the original certificates, which shall be deemed to be the primary tender submission.
 - Multiple awards of bids will be limited (unless by exception, due to circumstances) in order to spread the work amongst a large number of successful bidders and to minimize the risk to the Department. Multiple awards shall be limited to the ceiling value of the applicable CIDB grading of the recommended bidder, unless the previous contracts awarded, are more than 60% completed in terms of the actual scope of the contract and that the time expended is within the allocated timelines of the contract period of the contract. This is with specific reference to the activities based on the construction programme and concise demonstration has been given that the bidder has the capability and resources to complete the project successfully.
 - The 80/20 point system is applicable for the Bid as per T2.9.
 - The document is structured as follows:
 - Section 1: The Bid and Returnables - Hardcopy
 - Section 2: The Contract - Scanned on Flash Drive
- Note:**
- The Contract Section (No.2) and an Excel version of the Bill of Quantities are incorporated on the attached flash drive that is issued to the Tenderer upon purchase of the Tender Document. Section 1: The Bid and Returnables is included as part of the Tender Document as a hardcopy only.
 - Section 1 Returnables to be submitted completely with the flash drive which will include the Excel Priced Bill of Quantities at Tender closing.
 - Bidders whom elected to download the bid document at no cost from the E-tender portal, must also download the electronic Bills of Quantities and must submit the complete original completed Bid/Tender document Volume 1, together with all supporting documents and must submit the fully completed electronic Bills of Quantities on their own flash drive with their bid at close of bids.
- Where documents are not available at the tender office, the Tenderers to provide proof of payment before the compulsory site briefing meeting (if applicable) to facilitate the issue of the tender documents. Additional tender documents will be copied. However, all tender documents to be collected from the **KZN DPW: Pietermaritzburg Tender Office, Oliver Tambo House, 191 Prince Alfred Street, Pietermaritzburg, 3200**. No tender documents will be issued from the Consultants Office or at a compulsory briefing meeting.
 - "Quality"** shall mean totality of features and characteristics of a product or service that bears on the ability of the product or service to satisfy stated or implied needs.

8. The Total (Including Value Added Tax) on the Final Summary of the Bill of Quantities must be carried to the "Offer" part **only** of the Form of Offer and Acceptance - T2.21
9. **Enterprise'** shall mean the legal Bidding Entity or Bidder who, on acceptance of the Offer, would become the 'contractor'.
10. **No alternative Bids will be accepted.**
11. The successful Bidder will be required to fill in and sign a written GCC 2010 2nd Edition- Contract.
12. Bidders should ensure that Bids are delivered timeously to the correct address. If the Bid is late, it will not be accepted for consideration.
13. The requirements in respect of the application of either 80/20 and 90/10 specific goal point scoring system, is contained in T2.9.
14. The Bid box is generally open during official working hours.
15. All bids must be submitted on the official forms- (not to be retyped).
16. A SANAS approved current certified copy of the B-BBEE status level verification certificate must be submitted in order to qualify for specific goal points for B-BBEE or an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest **completed financial year of the Bidding Entity** must be submitted. Bidders to note that any commissioner and if commissioned by SAPS must have the SAPS stamp as well as the rank, initials, surname in printed letters and signature of the official on the document.
17. The Bid returnables together with the populated flash drive must be submitted in a sealed envelope annotated as directed in the Bid instructions.

IMPORTANT NOTICE TO BIDDERS (CONTINUED)

18. **Bids will be evaluated in the following sequence:**

Phase 1: Administrative Compliance

- a. Form of Offer and Acceptance (bound into Section 1 of 2). (T2.21) to be fully and correctly completed.
- b. Central Suppliers Database Registration: all Bidders must be registered on the Central Suppliers Database. (T2.26)
- c. Appropriate active CIDB registration of Bidding entity as per the requirements of this Bid. (T2.27)
- d. Completion and submission of all returnable document contained in this tender document in full.
- e. Attendance of the compulsory pre-tender briefing meeting. (If Applicable)

Phase 2: Mandatory Criteria (all the appropriate and requested information to be submitted in full).

- a. Proof of confirmation of working capital (bridging finance) of at least 2.5% of the project value. (T2.36)
- b. Final summary of Bills of Quantities (T2.22). The Bills of Quantities must be fully priced on the flash drive and submitted with the returnables section of this document. Hand written completion of Bills of Quantities will only be required at award stage from the successful Bidder.
- c. Letters of credit reference from Suppliers and credit limits with a minimum combined limit of R500, 000.00 (minimum 2 letters required). (T2.37)
- d. Detailed schedule of resources at all levels, including submission of a detailed organogram of the company, including listing on this organogram, the resources within the company, that will be dedicated to the project under consideration. (T2.38)
- e. Schedule of years of experience by Key Personnel as listed on the organogram on similar projects. (T2.39)
- f. Schedule of projects of similar nature undertaken and successfully completed within the applicable CIDB grading of this Bid or one grade lower in the past 5 years by the bidding entity- Letters of award and practical completion certificates or final completion certificates for projects completed in the preceding 5 years. Minimum 2 project's data is required. (T2.40)

FAILURE TO SUBMIT ANY OF THE ABOVE DOCUMENTATION IN THE PRESCRIBED FORMAT, WILL LEAD TO IMMEDIATE DISQUALIFICATION.

Phase 3: Price and Specific Goals Requirement

Price			
Specific Goal/s Allocated Points (T2.9)	80	points	
Preference point scoring system will be based on the following points:	20	points	
Specific goal points system:			
	Specific Goal/s Allocated Points in terms of this tender:		
Specific Goal/s Point System: Specific Goal/s Allocated Points are offered to Tenderer's who have attained the Specific Goals as per T2.9.Documentary proof required to satisfy the points claimed are also indicated in T1.1			



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM
DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS
REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.**

THE TENDER



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM
DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS
REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.**

PART T1. - TENDER PROCEDURES



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM
DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS
REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.**

T1.1 - TENDER NOTICE AND INVITATION TO TENDER

T1.1 TENDER NOTICE AND INVITATION TO TENDER			
THE KZN DEPARTMENT OF PUBLIC WORKS INVITES TENDERS FOR THE PROVISION OF:			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805
Advertisement date:	25 August 2023	Closing date:	26/25 September 2023
Closing time:	11:00	Validity period:	84 Calendar Days

It is estimated that tenderers must have a CIDB contractor grading designation of 4GB or higher. No alternative Class of work, as referred to in Clause 25(3)(a)(i) of the CIDB Regulations, as amended, is anticipated for this project.

It is estimated that Potentially Emerging enterprises should have a CIDB contractor grading of (N/A) and satisfy the criterion stated in the Tender Data. (<i>Only applicable if Client has an Official Mentorship programme in place to assist potentially emerging enterprises</i>) All Tenderer's should have a CIDB Class of Construction Contractor Grading Designation as indicated above. No Tenderer with a PE status can be considered if "N/A" is indicated above because the Department does not have an Official Mentorship Programme in place to assist a Potentially Emerging Enterprise.
--

Only Tenderer's who are responsive to the following responsiveness criteria are eligible to submit Tenders:

☒	Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations for a:
	4GB or higher, class of construction work, are eligible to have their Tenders evaluated.
☒	Joint ventures are eligible to submit tenders provided that:
	- every member of the joint venture is registered with the CIDB; - the lead partner has a contractor grading designation in the 4GB or higher, class of construction work; or - not lower than one level below the required the required grading designation in the class of works construction works under considerations and possess the required recognition status - the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a :
	4GB or higher or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.
☒	Tender document must be properly received on or before the tender closing date and time specified on the invitation, fully completed and signed in ink (All as per Standard Conditions of Tender).
☒	Submission of Compulsory Returnable Schedules documents as per List of returnable documents.
☒	Tax Compliance Status (TCS) PIN number and Tenderer's or entity tax reference number.
☒	Contractor's Safety, Health and Environmental Declaration.
☒	Complete priced Bill of Quantities to be submitted on the day of the Tender closing date.
☒	Proof of good standing with the Compensation Commissioner - In terms of Section 84(1)(b) of the Compensation for Occupation Injuries and Disease Act, 1993, a Tenderer may not be awarded a contract if he/she is not registered and in good standing with the Compensation Commissioner.
☒	Certified Proof of Paid Municipal Rates and Taxes (Attach) (T2.23)
☒	Certified Proof of UIF Registration (Attach) (T2.24)
☒	Financial Standing and other resources of Business Declaration (T2.8)
☒	Compulsory Enterprise Questionnaire (T2.18)
☒	Tenderers must meet the minimum qualifying score for FUNCTIONALITY CRITERIA (IF APPLICABLE) OR MANDATORY CRITERIA (IF APPLICABLE) first before they can be considered for price and preference by means of specific goals
☒	Invitation to Tender - SBD 1

Please note the following for POPIA:

By submitting this tender, I hereby acknowledge consent that the KZN Department of Public Works, may, from time to time, collect/store/use/destroy/delete/share or otherwise process my Company and Director's/Shareholders personal information as the context or circumstances may require and as contemplated in terms of POPIA. ☐ (TICK)

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR TENDER BEING DISQUALIFIED)

Name of Tenderer: _____
Postal Address: _____
Street Address: _____
Telephone Number: CODE _____ NUMBER _____
Cellphone Number: _____
Facsimile Number: CODE _____ NUMBER _____
E-mail Address: _____
VAT Registration Number: _____

TAX COMPLIANCE STATUS (TCS) PIN TO VERIFY ON LINE COMPLIANCE SUPPLIER STATUS VIA YES ☐ or NO ☐
SARS e-FILING (T2.19)

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? [If yes, enclose proof] YES ☐ or NO ☐

This tender will be evaluated according to the preferential procurement model in the Preferential Procurement Policy Framework Act, 2000; Preferential Procurement Regulations, 2022:

☒ 80/20 Specific Goal Point Scoring System ☐ 90/10 Specific Goal Point Scoring System

NOTE Refer to T2.36 - T2.40 Mandatory Criteria

Specific Goal/s Allocated Points:	20	Points
Price:	80	points

1. The Specific Goal/s Allocated Points in terms of this tender:

Specific Goal/s points system:

Preferences are offered to Tenderer's who have attained points for the specific goals in accordance with the table below; Documentary Proof required to satisfy the points claimed are also indicated in the table below:

No	Specific Goal	Number of Points Allocated
1	Ownership by Black People Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	5
2	Ownership by People who are Women Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	15
3		
4		
5		
6		
7		
8		

Notes:

- 1 The successful Tenderer will be required to fill in and sign a written GCC 2010 2nd Edition Contract.
- 2 Tenderers should ensure that Tenders are delivered timeously to the correct address. If the Tender is late, it will not be accepted for consideration.
- 3 The requirements in respect of the application of either 80/20 and 90/10 Specific Goal/s points scoring system, will apply.
- 4 The Tender box is generally open during official working hours.
- 5 All Tenders must be submitted on the official forms – (Not to be re-typed)
- 6 This Tender is subject to the PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT FOR CONSTRUCTION WORKS (GCC2010) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT
- 7 **The documentary proof required to satisfy the points claimed for specific goals in terms of this tender, are duly indicated on the table above.**
- 8 Where stated in the tender data that a two-envelope system has been followed, open only the non-financial proposal of valid tenders in the presence of tenderer's agents, who choose to attend, at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

Evaluate that non-financial proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals are to be opened.

Open only the financial proposals of tenderers who, in the Functionality evaluation score, have more than the minimum number of points for Functionality stated in the tender data, and announce the score obtained for the non-financial proposals and the total price and any preferences claimed. Return unopened financial proposals to tenderers whose non-financial proposals failed to achieve the minimum number of points for Functionality.
- 9.1 The evaluation of the Tenders will be coordinated in the following 3 phases as listed in the Important Notice to Tenderers above. Firstly the Tenderer is to comply with all administrative compliance and Special Conditions documentation, in terms of the evaluation and mandatory criteria indicated in the Invitation/ Important Notice to Tenderers. A Tenderer will be disqualified if it fails to meet the evaluation and mandatory criteria as per the Tender/ Invitation/ Important Notice to Bidders.
- 9.2 Therefore only the qualifying Tenderers will be further evaluated in terms of the 80/20 or 90/10 Specific Goal/s Point system.

THE PHYSICAL ADDRESS FOR COLLECTION OF TENDER DOCUMENTS:

Tender documents may be collected during working hours at the following address :

191 Prince Alfred Street, Pietermaritzburg

A non-refundable tender deposit of R330 is payable as per the tender advertisement, on collection of the Tender documents. The Tenderers must deposit the the above amount into the Department's bank account. The Account details are:

Account Name: KZN PROV GOV-WORKS
Bank Name: STANDARD BANK
Account Number: 052106446
Bank Code: BUSINESS CHEQUE
Reference No: Ref No 14019605

The Tenderer must attach the account statement with above reference, to this Tender as proof of payment of the deposit.

COMPULSORY CLARIFICATION MEETING

No compulsory pre-tender briefing meeting will be held.

Tenderers to visit the site alone to determine its condition.

on: **Not Applicable**

QUERIES REGARDING THE TENDERING PROCEDURE OR TECHNICAL INFORMATION MAY BE DIRECTED TO:

DOPW Project Manager:	Mr. D. Le Roux	Telephone no:	033 - 355 5569
Cell no:	084 851 2178	Fax no:	N/A
E-mail:	danie.leroux@kznworks.gov.za / scmenquiries@kznworks.gov.za		

DEPOSIT / RETURN OF TENDER DOCUMENTS:

Telegraphic, telephonic, telex, facsimile, electronic, posted and / or late tenders will **not** be accepted.

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

All tenders must be submitted on the official forms – (not to be re-typed)

**TENDER
DOCUMENTS MAY
BE:**

DEPOSITED IN THE TENDER BOX AT:

Head Office
191 Prince Alfred Street
Pietermaritzburg
3200



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

T1.2 - TENDER DATA

T1.2 TENDER DATA			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Project Code:	063805		
Tender no:	ZNTL04780W	Closing date:	25 September 2023
Closing time:	11:00	Validity period:	84 Calendar Days
Clause number:			
	The conditions of Tender are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts as per Board Notice 423 of 2019 in Government Gazette 42622 of 8 August 2019 as amended from time to time. (see www.cidb.org.za) Refer to Conditions of Tender as bound into this document. 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 marked "C" in the above mentioned Standard Conditions of Tender.		
C.1.1	The Employer is the Head: Public Works (KZN Department of Public Works-Province of KwaZulu-Natal) For this contract the <u>single volume</u> approach is adopted. This procurement document has been formatted and compiled under the headings for a single volume approach as contained in table 5 of the CIDB's "Standard for Uniformity in Engineering and Construction Works Contracts." The list of Returnable Documents identifies which of the documents a Tenderer must complete when submitting a Tender. The Tenderer must submit his Tender by completing the Returnable Documents including the priced Final Summary of the Bills of Quantities, signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the whole of the procurement document back to the Department bound up as it was when it was received.		
C.1.2	The single volume procurement document issued by the Employer comprises the following: TENDER Part T1: Tendering procedures T1.1 - Tender Notice and Invitation to Tender T1.2 - Tender Data T1.3 - Annexure C - Standard Conditions of Tender Part T2: Returnable documents T2.1 - List of returnable documents T2.2 - Returnable schedules (See different forms listed in T2.1 - Returnable Schedule) CONTRACT Part C1: Agreements and Contract Data C1.1 - Form of Offer and Acceptance C1.2 - Contract Data C1.3 - Form of Guarantee (C1.3) Part C2: Pricing data C2.1 - Pricing Instructions C2.2 - Bills of Quantities Part C3: Scope of works C3.1 - Scope of Works C3.2 - Specification for HIV/AIDS awareness C3.3 - HIV/STI Compliance report C3.4 - Project Specific Construction Safety, Health and Environmental Specification C3.5 - Supplementary Preambles		

Part C4: Site information															
C4.1 -	Site Information														
C4.2 -	Builders Lien Agreement														
Part 5: List of Drawings/Annexure's															
C5.1 -	List of Drawings														
C5.2 -	Model Preambles for Trades 2008														
C5.3 -	General Electrical Specifications														
C5.4 -	Lightning Protection Specifications														
C5.5 -	Map of Tender submission location														
C5.6 -	Joint Venture Agreement														
C5.7 -	Project Specific Health and Safety Specification														
C5.8 -	Health and Safety Bill of Quantities														
C5.9 -	Builders Lien Agreement														
C5.10	Geotechnical Investigation Report (If applicable)														
C5.11	EPWP Employment Contract														
C5.12	Attendance Register - Infrastructure and Other projects														
C5.13	EPWP Data Collection tool for Phase 3 system														
C.1.4	The Employer's agent (Engineer/Principal Agent) is: <table border="1"> <tr> <td>Name:</td><td>Nexor 312 (Pty) Ltd T/A VNA Consulting</td></tr> <tr> <td>Capacity:</td><td>Principal Agent/Engineer</td></tr> <tr> <td>Address:</td><td>P.O Box 70803, Overport, Durban, 4067</td></tr> <tr> <td>Tel:</td><td>031 700 2500</td></tr> <tr> <td>Fax:</td><td>031 940 4243</td></tr> <tr> <td>E-mail:</td><td>anisa.vaid@vnac.co.za</td></tr> <tr> <td>Responsible person:</td><td>Nexor 312 (Pty) Ltd T/A VNA Consulting</td></tr> </table> The second sentence shall read "Communications can be in any of the official languages recognised in KwaZulu-Natal which is English, Afrikaans or Zulu but writing is preferred in English as this is generally accepted as a business language"	Name:	Nexor 312 (Pty) Ltd T/A VNA Consulting	Capacity:	Principal Agent/Engineer	Address:	P.O Box 70803, Overport, Durban, 4067	Tel:	031 700 2500	Fax:	031 940 4243	E-mail:	anisa.vaid@vnac.co.za	Responsible person:	Nexor 312 (Pty) Ltd T/A VNA Consulting
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C.1.6	<table border="1"> <tr> <td>PP2-Competitive Selection Procedure</td><td>Design by Employer</td></tr> <tr> <td colspan="2">PP2B-Open Procedure</td></tr> <tr> <td colspan="2">Tenderers must meet the minimum qualifying score for mandatory criteria first before they can be considered for price and preference.</td></tr> </table>	PP2-Competitive Selection Procedure	Design by Employer	PP2B-Open Procedure		Tenderers must meet the minimum qualifying score for mandatory criteria first before they can be considered for price and preference.									
PP2-Competitive Selection Procedure	Design by Employer														
PP2B-Open Procedure															
Tenderers must meet the minimum qualifying score for mandatory criteria first before they can be considered for price and preference.															
C.2.1	For eligibility refer to T1.1 Tender Notice and Invitation to Tender This is not an EPWP project Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations for a : 4GB or higher class of construction work, are eligible to have their tenders evaluated. Joint ventures are eligible to submit tenders provided that: 1 every member of the joint venture is registered with the CIDB; 2 the lead partner has a contractor grading designation in the 4GB or higher, class of construction work; or not lower than one level below the required the required grading designation in the class of works construction works under considerations and possess the required recognition status 3 the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a : 4GB or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.														
See end of T2.3 AUTHORITY FOR CONSORTIA OR JOINT VENTURES TO SIGN TENDER for combinations of JV's arrangements.															

C.2.7	For particulars regarding a pre-tender site inspection meeting (clarification meeting), see T1.1 Tender Notice and Invitation to Tender .
C.2.12	Alternative tender offer permitted: Yes ☐ No ☒ If a tenderer wishes to submit an own alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements. A tenderer may submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. Provided that the tenderer's main tender offer is according to specification and would under normal circumstances be recommended for acceptance, his alternative tender offer may also be considered for the purpose of the award of the contract. Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal. Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements. The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.
	Only the complete Service as per the Bills of Quantities
C.2.13.2	Tenderers are to ensure that their company details appear on the entire relevant Tender documentation and must be legible.
C.2.13.3	Part of each tender offer communicated on paper shall be submitted as an original, plus ONE copy of the tender document including supporting documents and priced Bill of Quantities where applicable, scanned onto a readable compact disk (CD) in pdf format, at the Tenderers own cost. The CD must be clearly marked with the tender information and company details.
C.2.13.4	The second sentence shall read as follows "The Employer will hold all authorised signatories jointly and severally liable on behalf of the tenderer". Tenderers proposing to contract as a Joint Venture shall submit a valid Joint Venture Agreement before the Joint Venture's offer could be accepted. Individuals, Partnerships and Companies proposing to contract as a party to a Joint Venture shall be jointly and severally liable on behalf of the Joint Venture.
C.2.13.5	The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are as per T1.1 Tender Notice and Invitation to Tender .
	A Open Procedure will be followed
C.2.15	The closing time for submission of tender offers is as per T1.1 Tender Notice and Invitation to Tender .
C.2.16	The tender offer validity period is as per T1.1 Tender Notice and Invitation to Tender .
C.2.17	Sub-clause C2.17 does not preclude the negotiation of the final terms of the contract with the preferred tenderer, following a competitive selection process, should the Employer elect to do so and provided that the competitive position of the preferred tenderer is not affected.
	The tenderer is to submit the Priced Bills of Quantities with the Returnable's at the closing of the tender. This is not an EPWP project
C.2.19	Access shall be provided for inspections, tests and analysis as may be required by the Employer.
C.2.22	Tenderers do not have to return all retained tender documents within 28 days after expiry of the Tender validity period.
	Tenderers are to refer to List of Returnable Schedules and Scope of Works to establish what is required to be submitted with this tender.
C.3.4	The location for opening of the tender offers, immediately after the closing time thereof shall be at: KZN Department of Public Works, 191 Prince Alfred Street, Pietermaritzburg, 3200 at the time indicated on T1.1 Notice and Invitation to Bid

C.3.8	The employer must determine, on opening and before detailed valuation, whether each Tender offer properly received: a) complies with the requirements of the Conditions of Tender. b) has been properly and fully completed and signed, and c) is responsive to the other requirements of the Tender documents. A responsive tender is one that conforms to all the terms, conditions and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would: a) detrimentally affect the scope, quality, or performance of the Works, services or supply identified in the Scope of Work or b) significantly change the Employers or the Tenderers risks and responsibilities under the contract, or c) affect the competitive position of other Tenderers presenting responsive tenders, if it were to be rectified. Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
C.3.13	Tender offers will only be accepted if: (a) Tenderers must be registered on Government's Central Supplier Database (CSD) and include their master registration number (MAAA number) on the cover page of the tender document in order to enable the institution to verify the tenderers tax status on the CSD (b) the Tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation is required for this tender and the Tenderer has submitted a CIDB certificate of registration which clearly indicates the status "Active" (c) the Tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal services charges. (d) the Tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform to the contract in the best interests of the employer or potentially compromise the Tender process. (e) the tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) as a person prohibited from doing business with the public sector; and (f) the Tenderer has not: i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect. (g) the Tenderer is registered with: i) the Unemployment Insurance Fund (UIF); and ii) the Workmen's Compensation Fund (h) the Tenderer submitted Authority to Sign the tender. (i) the Tenderer submitted Financial standing & other resources of Business Declaration. (j) the Tenderer submitted Equipment Schedules, if applicable. (k) the Tenderer signed the Form of Offer that is part of the Form of Offer and Acceptance. (l) the Tenderer submit Final Summary of Bill of Quantities at tender closing. (m) the Tenderer submitted Bidder's Disclosure. (n) the Tenderer submitted Site Inspection Certificate from the Compulsory Briefing Meeting (o) the Tenderer to submit all statutory, mandatory and essential requirements stipulated in the Bid Notice, and Invitation to Bid and Importance Notice to Bidders. (p) All tender returnables must be submitted and be complete in its entirety. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful Tenderer as described in the form of offer and acceptance.
C.3.15	Tenderers are informed that any formal dispute shall be resolved by being referred to Arbitration only.
C.3.17	Provide to the successful Tenderer one copy of the signed contract document and one copy of an unpriced bills of quantities



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED
SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER
132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.**

T1.3 - Annexure C - Standard Conditions of Tender

T1.3 - Annexure C - Standard Conditions of Tender			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

Note: Where this document refers to Bid or Bidder it shall be read as tender or tenderer

C.1 General

C.1.1 Actions

C.1.1.1 The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in C.2 and C.3, timeously and with integrity, and behave equitably, honestly and transparently and comply with all legal obligations and not engage in anticompetitive practices.

C.1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderer's shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.

2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

C.1.1.3 The employer shall not seek and the tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

C.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the **tender data**.

C.1.3 Interpretation

C.1.3.1 The **tender data** and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

C.1.3.2 These conditions of tender, the **tender data** and tender schedules which are required for tender evaluation purposes, shall form part of any contract arising from the invitation to tender.

C.1.3.3 For the purposes of these conditions of tender, the following definitions apply:

- a) **conflict of interest** means any situation in which:
 - i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfil his or her duties impartially;
 - ii) an individual or tenderer is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
 - iii) incompatibility or contradictory interests exist between an employee and the tenderer who employs that employee.
- b) **comparative offer** means the price after the factors of a non-firm price and all unconditional discounts it can be utilised to have been taken into consideration;

- c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;
- d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels.

C.1.4 Communication and employer's agent

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be read, copied and recorded. Communication shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the **tender data**.

C.1.5 Cancellation and Re-Invitation of Tenders

- C.1.5.1** An employer may, prior to the award of the tender, cancel a tender if-
 - a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation;
 - b) funds are no longer available to cover the total envisaged expenditure; or
 - c) no acceptable tenders are received.
 - d) there is a material irregularity in the tender process.
- C.1.5.2** The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised.
- C.1.5.3** An Employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.

C.1.6 Procurement procedures

C.1.6.1 General

Unless otherwise stated in the **tender data**, a contract will, subject to C.3.13, be concluded with the tenderer who in terms of C.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.

C.1.6.2 Competitive negotiation procedure

C.1.6.2.1 Where the **tender data** requires that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of C.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of C.3.8 relating to the material deviations or qualifications which affect the competitive position of tenderers shall not apply.

C.1.6.2.2 All responsive tenderers, or at least a minimum of not less than three responsive tenderers that are highest ranked in terms of the evaluation criteria stated in the **tender data**, shall be invited to enter into competitive negotiations based on the principle of equal treatment, keeping confidential the proposed solutions and associated information. Notwithstanding the provisions of C.2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

C.1.6.2.3

At the conclusion of each round of negotiations, tenderers shall be invited by the employer to revise their tender offer based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

C.1.6.2.4

The contract shall be awarded in accordance with the provisions of C.3.11 and C.3.13 after tenderers have been requested to submit their best and final offer.

C.1.6.3 Proposal procedure using the two stage-system

C.1.6.3.1

Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the **tender data**, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

F.1.6.3.2

Option 2

C.1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement

C.1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the **tender data**, and award the contract in terms of these conditions of tender.

C.2 Tenderer's obligations

C.2.1 Eligibility

C.2.1.1 Submit a tender offer only if the tenderer satisfies the criteria stated in the **tender data** and the tenderer, or any of his principals, is not under any restriction to do business with employer.

C.2.1.2 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

C.2.2 Cost of tendering

C.2.2.1 Accept that, unless otherwise stated in the **tender data**, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

C.2.2.2 The cost of the tender documents charged by the employer shall be limited to the actual cost incurred by the employer for printing the documents. Employers must attempt to make available the tender documents on its website so as not to incur any costs pertaining to the printing of the tender documents.

C.2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

C.2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

C.2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

- C.2.6 Acknowledge addenda**
Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the **tender data**, in order to take the addenda into account.
- C.2.7 Clarification meeting**
Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the **tender data**.
- C.2.8 Seek clarification**
Request clarification of the tender documents, if necessary, by notifying the employer at least five (5) working days before the closing time stated in the **tender data**.
- C.2.9 Insurance**
Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the **contract data**. The tenderer is advised to seek qualified advice regarding insurance.
- C.2.10 Pricing the tender offer**
C.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT)), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the **tender data**.
C.2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.
C.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the **contract data**.
C.2.10.4 State the rates and prices in Rand unless instructed otherwise in the **tender data**. The conditions of contract identified in the contract data may provide for part payment in other currencies.
- C.2.11 Alterations to documents**
Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.
- C.2.12 Alternative tender offers**
C.2.12.1 Unless otherwise stated in the **tender data**, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.
C.2.12.2 Accept that an alternative tender offer must be based only on the criteria stated in the **tender data** or criteria otherwise acceptable to the employer.
C.2.12.3 An alternative tender offer must only be considered if the main tender offer is the winning tender.
- C.2.13 Submitting a tender offer**
C.2.13.1 Submit one tender offer only, either as single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the **contract data** and described in the **scope of works**, unless stated otherwise in the **tender data**.
C.2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.
C.2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the **tender data**, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

C.2.13.4 Sign the original and all copies of the tender offer where required in terms of the **tender data**. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

C.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the **tender data**, as well as the tenderer's name and contact address.

C.2.13.6 Where a two-envelope system is required in terms of the **tender data**, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the **tender data**, as well as the tenderer's name and contact address.

C.2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the **tender data**.

C.2.13.8 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

C.2.13.9 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the **tender data**.

C.2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

C.2.15 Closing time

C.2.15.1 Ensure that the employer receives the tender offer at the address specified in the **tender data** not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.

C.2.15.2 Accept that, if the employer extends the closing time stated in the **tender data** for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

C.2.16 Tender offer validity

C.2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the **tender data** after the closing time stated in the **tender data**.

C.2.16.2 If requested by the employer, consider extending the validity period stated in the **tender data** for an agreed additional period with or without any conditions attached to such extension.

C.2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted. If the validity period lapses before the employer evaluating the tender offer(s), the contractor reserves the right to review the price based on Consumer Price Index (CPI)

C.2.16.4 Where a tender submission is to be substituted, a tenderer must submit a substitute tender in accordance with the requirements of C.2.13 with the packages clearly marked as "SUBSTITUTE".

C.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

Note: Sub-clause C.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

C.2.18 Provide other material

C.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employers request, the employer may regard the tender offer as non-responsive.

C.2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

C.2.19 Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the **tender data**.

C.2.20 Submit securities, bonds and policies

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the **contract data**.

C.2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

C.2.22 Return of other tender documents

If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the **tender data**.

C.2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the **tender data**.

C.3 The employer's undertakings

C.3.1 Respond to request from the tenderer

C.3.1.1 Unless otherwise stated in the **tender data**, respond to a request for clarification received up to five (5) working days before the tender closing time stated in the **tender data** and notify all tenderers who collected tender documents.

C.3.1.2 Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

- a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying
- b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or
- c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

C.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three (3) days before the tender closing time stated in the **tender data**. If, as a result a tenderer applies for an extension to the closing time stated in the **tender data**, the Employer may grant such extension and, shall then notify all tenderers who collected tender documents.

C.3.3 Return late tender offers

Return tender offers received after the closing time stated in the **tender data**, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

C.3.4 Opening of tender submissions

C.3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the **tender data**. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

C.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the **tender data**, the name of each tenderer whose tender offer is opened and, where applicable, the total of his prices, number of points claimed for its BBBEE status level and time for completion for the main tender offer only.

C.3.4.3 Make available the record outlined in C.3.4.2 to all interested persons upon request.

C.3.5 Two-envelope system

C.3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderer's agents who choose to attend at the time and place stated in the **tender data** and announce the name of each tenderer whose technical proposal is opened.

C.3.5.2 Evaluate the functionality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the functionality evaluation more than the minimum number of points for functionality stated in the **tender data**, and announce the score obtained for the technical proposals and the total price and any points claimed on BBBEE status level. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for functionality.

C.3.6 Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

C.3.7 Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

C.3.8 Test for responsiveness

C.3.8.1 Determine, after opening and before detailed evaluation, whether each tender offer properly received:

- a) complies with the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

C.3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or
- c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

C.3.9 Arithmetical errors, omissions and discrepancies

C.3.9.1 Check Responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.

C.3.9.2 Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3.11 for:

- a) the gross misplacement of the decimal point in any unit rate;
- b) omissions made in completing the pricing schedule or bills of quantities; or
- c) arithmetic errors in:
 - i) line items totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or
 - ii) the summation of the prices.

C.3.9.3 Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices

C.3.9.4 Where the tenderer elects to confirm the tender offer as tendered, correct the errors as

- a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
- b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

C.3.10 Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

C.3.11 Evaluation of tender offers

The Standard Conditions of Tender standardize the procurement processes, methods and procedures from the time that tenders are invited to the time that a contract is awarded. They are generic in nature and are made project specific through choices that are made in developing the Tender Data associated with a specific project.

Conditions of tender are by definition the document that establishes a tenderer's obligations in submitting a tender and the employer's undertakings in soliciting and evaluating tender offers. Such conditions establish the rules from the time a tender is advertised to the time that a contract is awarded and require employers to conduct the process of offer and acceptance in terms of a set of standard procedures

The CIDB Standard Conditions of Tender are based on a procurement system that satisfies the following system requirements:

Requirement	Qualitative interpretation of goal
Fair	The process of offer and acceptance is conducted impartially without bias, providing simultaneous and timely access to participating parties to the same information.
Equitable	Terms and conditions for performing the work do not unfairly prejudice the interests of the parties.
Transparent	The only grounds for not awarding a contract to a tenderer who satisfies all requirements are restrictions from doing business with the employer, lack of capability or capacity, legal impediments and conflicts of interest.
Competitive	The system provides for appropriate levels of competition to ensure cost effective and best value outcomes.
Cost effective	The processes, procedures and methods are standardized with sufficient flexibility to attain best value outcomes in respect of quality, timing and price, and least resources to effectively manage and control procurement processes.

The activities associated with evaluating tender offers are as follows:

- a) Open and record tender offers received
- b) Determine whether or not tender offers are complete
- c) Determine whether or not tender offers are responsive
- d) Evaluate tender offers
- e) Determine if there are any grounds for disqualification
- f) Determine acceptability of preferred tenderer
- g) Prepare a tender evaluation report
- h) Confirm the recommendation contained in the tender evaluation report

C.3.11.1 General

The employer must appoint an evaluation panel of not less than three persons conversant with the proposed scope of works to evaluate each responsive tender offer using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

C.3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer's information the policies and / or certificates of insurance which the conditions of contract identified in the **contract data**, require the employer to provide.

C.3.13 Acceptance of tender offer

Accept tender offer, if in the opinion of the employer, it does not present any risk and only if

- a) Is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contract,
- d) is not; insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act No. 2008, bankrupt or being wound up, has his/her affairs administered by a court or a judicial officer, has suspended his/her business activities or is subject to legal proceedings in respect of any of the foregoing;
- e) complies with the legal requirements, if any, stated in the **tender data**, and
- f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

C.3.14 Prepare contract documents

C.3.14.1 If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents, and
- c) other revisions agreed between the employer and the successful tenderer.

C.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

C.3.15 Complete Adjudicator's Contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

C.3.16 Registration of the Award

An Employer must, within twenty-one (21) working days from the date on which a contractor's offer to perform a construction works contract is accepted in writing by the employer, register and publish the award on the cidb Register of Projects.

C.3.17 Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the tender data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

C.3.18 Provide written reasons for actions taken

Provide upon request written reasons to tenderers for any action that is taken in applying these conditions of tender but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of tenderers or might prejudice fair competition between tenderers.



KWAZULU-NATAL PROVINCE

PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM
DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS
REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.**

PART T2 - RETURNABLE DOCUMENTS

T2.1 LIST OF RETURNABLE DOCUMENTS

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Project Manager:	Mr. D. Le Roux	Tender no:	ZNTL04780W

1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES

(Tenderer to Insert a tick (✓) in the "Returnable document" column to check which documents he/she returned with the tender)

Tender document name	Returnable document	
Bidder's Disclosure - SBD 4 (T2.11)	Yes	
Authority to Sign Tender (T2.2)	Yes	
Authority for Consortia or Joint Venture's to Sign Tender (T2.3)	Yes	
Special Resolution of Consortia or Joint Venture's (T2.4)	Yes	
Schedule of Proposed Sub-Contractors (T2.6)	Yes	
Joint Venture Involvement Declaration (T2.5)	Yes	
Capacity of Tenderer (T2.7)	Yes	
Annual Financial Statement for past financial year (2.15)	Yes	
Site Inspection Certificate as proof for attendance of compulsory briefing meeting (T2.10)	Yes	
Preference Points Claim Form and Documentary Proof (T2.9)&(T1.1)	Yes	
Compulsory Enterprise Questionnaire (T2.18)	Yes	
Financial Standing and other resources of Business Declaration (T2.8)	Yes	
Contractor's Safety, Health and Environmental Declaration (T2.17)	Yes	
Complete Priced Bill of Quantities (T2.22)	Yes	
Proof of CIDB Registration Number (T2.27)	Yes	
Contract Form - Purchase of Goods/Works - Part 1 (T2.29)	Yes	
Contract Form - Purchase of Goods/Works - Part 2 (T2.30)	Yes	
Mandatory Criteria (T2.36 - T2.40)	Yes	
Invitation to Tender - SBD 1 (T2.35)	Yes	

2. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES BUT TO BE SUPPLIED BY THE TENDERER

(Tenderer to Insert a tick (✓) in the "Returnable document" column to check which documents he/she returned with the tender)

Tender document name	Returnable document	
Tax Compliance Status (TCS) PIN to verify on line Compliance Supplier Status via e-Filing (T2.19)	Yes	
Certified Proof of Good Standing with the Compensation Commissioner (Attach) (T2.20)	Yes	
Proof of payment of Tender deposit (T2.28)	Yes	
Certified Proof of Paid Municipal Rates and Taxes (Attach) (T2.23)	Yes	
Certified Proof of UIF Registration (Attach) (T2.24)	Yes	
Proof of Registration Number on the Central Suppliers Database (T2.26)	Yes	
Annual Financial Statement for past financial year (2.15)	Yes	
Entire tender document including returnable and supporting documents, scanned as PDF onto the flash drive, clearly marked with the Tender information and fully completed Excel Bills of Quantities on the flash drive.	Yes	

3. RETURNABLE SCHEDULES THAT WILL BE INCORPORATED INTO THE CONTRACT

(Tenderer to Insert a tick (✓) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable document
Form of Offer and Acceptance (Bound into Section 1 of 2) (T2.21)	Yes
Record of Addenda to Tender Documents (T2.12)	Yes
Particulars of Electrical Contractor (T2.13)	Yes
Equipment Schedules-Mechanical / Electrical / Security Material (T2.16)	Yes
Schedule of Imported Materials and Equipment (T2.14)	Yes
Confirm Receipt of Offer and Acceptance (T2.21a)	Yes

4. OTHER DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT

(Tenderer to Insert a tick (✓) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable document
Bill of Quantities (T2.22) on flash drive fully completed	Yes
Form of Guarantee (C1.3)	Yes
List of Drawings/Annexure's (C5.1)	Yes
The National Industrial Participation Programme (T2.25)	Yes
Required Structure of Contractor's detailed OHSE Plan (T2.31)	Yes
Client's specific requirements for the Contractor's detailed OHSE Plan (T2.32)	Yes
Base line Risk Assessment (T2.33)	Yes

5. DOCUMENTS REQUIRED FOR THE RISK ANALYSIS AND MANDATORY REQUIREMENTS

(Tenderer to Insert a tick (✓) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable
Proof of working capital/ confirmation of bridging finance of at least 2.5% of project value(T2.36)	Yes
Letters of Credit Reference from Suppliers and Credit Limits with minimum combined Credit Limit of R500,000.00 (minimum of 2 letters required).(T2.37)	Yes
Detailed Schedule Of Resources at all levels including submission of a detailed organogram of the company including listing on this organogram of the resources within the company that will be dedicated to this project.(T2.38)	Yes
Schedule of years of experience on similar projects (T2.39)	Yes
Schedule projects of similar nature undertaken and successfully completed within the applicable CIDB grading of this Bid or one grade lower in the past 5 years by the Bidding entity- Letters of award and practical completion certificates or final completion certificates for projects completed in the preceding 5 years. Minimum 2 project's data is required.(T2.40)	Yes

T2.2 AUTHORITY TO SIGN TENDER			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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

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

held at (town): _____ on (date): _____

RESOLVED that:

1. The Enterprise submits a Tender to the KZN Department of Public Works in respect of the following project:

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

Tender Number: **ZNTL04780W**

2. *Mr./Mrs./Ms: _____

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

and who will sign as follows: _____ (Authorised Signatory)

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

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

- * Delete which is not applicable.
- NB. This resolution / Power of Attorney must be signed by all the Directors / Members / Partners of the Legal Tendering Enterprise authorising the Representative to make this Offer.
- Should the number of Directors / Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.
- In the case of the tendering Enterprise being a Close Corporation, a **certified copy of the Founding Statement** of such corpora - tion must be attached to this tender.

ENTERPRISE STAMP (If Any)

T2.3 AUTHORITY FOR CONSORTIA OR JOINT VENTURES TO SIGN TENDER

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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

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

held at (town): _____ on (date): _____

RESOLVED that:

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

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

to the KZN Department of Public Works in respect of the following project:

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

Tender Number: **ZNTL04780W**

2. * Mr. / Mrs. / Ms.: _____ in

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

and who will sign as follows:

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

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

Physical address:

(Postal Code)

Postal Address:

(Postal Code)

Telephone number: (Dialling Code followed by number) _____

Fax number: (Dialling Code followed by number) _____

Email Address : _____

***BOARD OF DIRECTORS / MEMBERS / PARTNERS in Consortium of Joint Venture**

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
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10			
11			
12			
13			
14			
15			

Note:

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

ENTERPRISE STAMP (If Any)

Deemed to satisfy joint venture arrangements (See Note 2)

Grading 2 + Grading 2 + Grading 2
Grading 3 + Grading 3 + Grading 3
Grading 4 + Grading 4
Grading 4 + Grading 3 + Grading 3
Grading 5 + Grading 5
Grading 5 + Grading 4 + Grading 4
Grading 6 + Grading 6
Grading 6 + Grading 5 + Grading 5
Grading 7 + Grading 7 + Grading 7
Grading 8 + Grading 8 + Grading 8

Designation

= 3
= 4
= 5
= 5
= 6
= 6
= 7
= 7
= 8
= 9

NOTES:

- (1) Tenderers who envisage entering into a Joint Venture shall complete a submit a Joint Venture Agreement (see copy of CIDB's agreement elsewhere in this document) with this Tender.
- (2) THE CIDB JOINT VENTURE GRADING DESIGNATION CALCULATOR **will be used** to sum the capacity of all joint venture partners and calculate a grading designation for the joint venture

T2.4 SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

held at: _____ (place) on _____ (date)

RESOLVED that:

- A. The above-mentioned Enterprises submits a Tender in Consortium/Joint Venture to the KZN Department of Public Works in respect of the following project:

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

Tender Number: **ZNTL04780W**

Project Code: **063805**

B. Mr/Mrs/Ms: _____ in

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

and who will sign as follows: _____

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

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of: _____

D. The Enterprises to the Consortium/Joint Venture accept joint and several liability for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item D above.

F. No Enterprise to the Consortium/Joint venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the consortium/joint venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: _____

_____ (Postal Code)

Postal Address: _____

_____ (Postal Code)

Telephone number: (Dialling Code followed by number) _____

Fax number: (Dialling Code followed by number) _____

Email Address : _____

***BOARD OF DIRECTORS / MEMBERS / PARTNERS in Consortium of Joint Venture**

	Name	Capacity	Signature
1			
2			
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Note:

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

T2.5 JOINT VENTURES INVOLVEMENT DECLARATION

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

DECLARATION RELATING TO A TENDER SUBMITTED BY A JOINT VENTURE :

I/We the undersigned parties do hereby declare that our respective involvement in the Works, of which I/we tender by Joint Venture, would be as follows :-

Party No. 1	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Party No. 2	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Party No. 3	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Signed - Party No. 1

I/We (Full Name) _____

duly authorised in my capacity as _____

of (Enterprise name): _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such Tender submitted by the Joint Venture be accepted.

Signed by Authorised Representative

Date

Signed - Party No. 2

I/We (Full Name) _____

duly authorised in my capacity as _____

of (Enterprise name): _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such tender submitted by the Joint Venture be accepted.

Signed by Authorised Representative

Date

Signed - Party No. 3

I/We (Full Name) _____

duly authorised in my capacity as _____

of (Enterprise name): _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such tender submitted by the Joint Venture be accepted.

Signed by Authorised Representative

Date

T2.6 SCHEDULE OF PROPOSED SUBCONTRACTORS

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.	
Tender no:	ZNTL04780W	Project Code: 063805

We notify you that it is our intention to employ the following Subcontractors for work in this contract. The Subcontractors will all be CIDB registered and their CIDB Registration number shall be submitted below.

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

We confirm that all subcontractors who are contracted to construct a house are registered as home builders with the National Home Builders Registration Council.

Submitted by: Contractors or Home Builders who are registered as Home Builders with the National Home Builders Registration Council.							
No	Name and address of proposed Subcontractor		Nature and extent of work	Year Completed	Value (R):	Contact Tel No:	Previous experience with Subcontractor
1							
	CIDB Registration Number:						
2							
	CIDB Registration Number:						
3							
	CIDB Registration Number:						
4							
	CIDB Registration Number:						
5							
	CIDB Registration Number:						
Name of authorised representative				Signature		Capacity	
Name of Enterprise:						Date	

T2.7 CAPACITY OF TENDERER			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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

- 1.1. **Artisans and Employees:** (Artisans and Employees to be, or are, employed for this project)

Categories of Employee - Key Personnel (part of Business Enterprise)	Professional Registration No.	Date of Employment	Number
Site Agent			
Project Manager			
Foreman			
Quality Control & Safety Officer-Construction Supervisor			
Artisans			
Unskilled employees			
Others			

- 1.2. **Provide full particulars of the following Assets:** (Assets owned and to be hired - Indicate owned assets)

Machinery	Plant	Equipment	Vehicles

- 1.3. **Workshops:**

Address of Main Workshop:	Address of Regional Workshop (If Applicable):

1.4. Other offers submitted at time of this tender for which results are pending:
(Any other client's tender must also be included)

[illegible]

2. PARTICULARS OF THE TENDERERS CURRENT AND PREVIOUSLY COMPLETED COMMITMENTS:

2.1. **Current private sector projects:** *(List the 5 projects closest to the contractor grading designation of this project)*

2.1. Current private sector projects: (List the 5 projects closest to the contractor grading designation of this project)				
1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	

2.2. Current Government sector projects: *(List the 5 projects closest to the contractor grading designation of this project)*

1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	

2.3. Previously completed projects: *(List the 5 projects closest to the contractor grading designation of this project)*

1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	

Name of Tenderer	Signature of authorised representative	Date
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T2.8 FINANCIAL STANDING AND OTHER RESOURCES OF BUSINESS DECLARATION

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.
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Tender no:	ZNTL04780W	Project Code:	063805
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- (a) Based on the track record determined on the Minimum Average Annual Turnover coupled to the assessed Works Capabilities of Contracting Enterprises, the Construction Industry Development Board (CIDB) awards Grading Designations and accordingly registers it on the system.
- (b) However, it regularly occurs that a Contractor will at the same time submit tenders for a number of projects that are advertised during an overlapping period. Moreover, the Contractor may be busy with a Contract that is of the registered CIDB Grading Designation (value) or is even attending to a number of smaller valued Contracts.
- (c) It therefore becomes the prerogative of a Tenderer in such instances to prove to the Department that the Enterprise has the capacity in every respect to attend to more than one (1) contract at a time.
- (d) A Tenderer who wishes to be considered for this tender Contract award, over and above other tenders that they have submitted, shall submit when requested by the DoPW the necessary proof that:
- (i) he/she has access to additional finance (inclusive of a PERFORMANCE GUARANTEE BY A REGISTERED FINANCIAL INSTITUTION),
 - (ii) he/she has additional Human Resources available to successfully complete this project.
 - (iii) he/she has adequate Equipment, Plant and Machinery that all of the above can, undoubtedly, be sourced for this tender. (Please submit to the DoPW the name and contact details of the supplier if the Tenderer is going to hire Equipment, Plant or Machinery, when requested.)
- (e) Tenderer to submit their latest 12 months audited financial statements with the returnable documents.

I, the undersigned,

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

understand that it is the responsibility of the Tenderer to prove and provide when requested by the DoPW, evidence of the good Financial Standing of the Business to complete the Contract successfully.

Furthermore, it is understood that failure to provide when requested by DoPW, at least the information as stated in paragraphs (d)(i)(ii) AND (iii) above will not enable the Evaluation Team to assess the CURRENT financial standing of the Business and the failure to provide said information when requested will, therefore, invalidate the Tender.

I accept and understand that the KZN Department of Public Works, as representative of the Provincial Administration of KwaZulu-Natal in this tender, may act against me and the Tenderer, jointly and severally, should this declaration and/or any information provided be found to be false.

Duly signed at..... on this the..... day of..... 20..

Full Name of Signatory

Name of Enterprise

Capacity of Signatory

Signature of authorised representative

T2.9 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

Project Title:

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

Tender Number:

ZNTL04780W

Project Code:

063805

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

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

b) The applicable point system for this tender is the 80/20 point system.

c) The 80/20 point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

(a) "tender" means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) "price" means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) "rand value" means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) "tender for income-generating contracts" means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) "the Act" means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

$$80/20 \quad \text{or} \quad 90/10$$

$$Ps = 80(1 - (Pt - Pmin) / (P - Pmin)) \quad \text{or} \quad Ps = 90(1 - (Pt - Pmin) / (P - Pmin))$$

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

$$80/20 \quad \text{or} \quad 90/10$$

$$Ps = 80(1 + (Pt - P_{max}) / (P_{max} - P)) \quad \text{or} \quad Ps = 90(1 + (Pt - P_{max}) / (P_{max} - P))$$

Where

Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

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

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

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

The specific goals allocated points in terms of this tender	Number of Points allocated (90/10 system) (to be completed by the Organ of State)	Number of Points allocated (80/20 system) (to be completed by the Organ of State)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Ownership by Black People				
Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	N/A	5	N/A	
Ownership by People who are Women				
Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	N/A	15	N/A	

DECLARATION WITH REGARD TO COMPANY/FIRM

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

4.4. Company Registration Number

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

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

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

SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner (**Select one**) of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Vat Number (If applicable)	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

3. I hereby declare under Oath that:

- The Enterprise is _____ % Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____ % Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____ % Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = _____ %
 - Black Disabled % = _____ %
 - Black Unemployed % = _____ %
 - Black People living in Rural areas % = _____ %
 - Black Military Veterans % = _____ %
- Based on the Audited Financial Statements/Financial Statements and other information available on the latest financial year-end of _____ (DD/MM/YYYY), the annual Total Revenue was R10,000,000.00 (Ten Million Rands) or less
- Please Confirm on the below table the B-BBEE Level Contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned	Level Two (125% B-BBEE procurement recognition level)	
Less than 51% Black Owned	Level Four (100% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the Owners of the Enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date : _____

Commissioner of Oaths

Signature & stamp

Date:

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE - GENERAL

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner (**Select one**) of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Vat Number (If applicable)	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) who are citizens of the Republic of South Africa by birth or descent; or (b) who became citizens of the Republic of South Africa by naturalisation- i. before 27 April 1994; or ii. on or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date;"
Definition of "Black Designated Groups"	"Black Designated Groups means: (a) unemployed black people not attending and not required by law to attend an educational institution and not awaiting admission to an educational institution; (b) Black people who are youth as defined in the National Youth Commission Act of 1996; (c) Black people who are persons with disabilities as defined in the Code of Good Practice on employment of people with disabilities issued under the Employment Equity Act; (d) Black people living in rural and under developed areas; (e) Black military veterans who qualifies to be called a military veteran in terms of the Military Veterans Act 18 of 2011;"

3. I hereby declare under Oath that:

- The Enterprise is _____% Black Owned using the flow-through principle as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Female Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- The Enterprise is _____% Black Designated Group Owned as per Amended Code Series 100 of the Amended Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- Black Designated Group Owned % Breakdown as per the definition stated above:
 - Black Youth % = _____%
 - Black Disabled % = _____%
 - Black Unemployed % = _____%
 - Black People living in Rural areas % = _____%
 - Black Military Veterans % = _____%
- Based on the Audited Financial Statements/ Financial Statements and other information available on the latest financial year-end of _____ (DD/MM/YYYY), the annual Total Revenue was between R10,000,000.00 (Ten Million Rands) and R50,000,000.00 (Fifty Million Rands),
- Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At Least 51% black owned	Level Two (125% B-BBEE procurement recognition level)	

4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths

Signature & stamp

Date:

T2.10 SITE INSPECTION MEETING CERTIFICATE			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805
Site Inspection Date:	Not Applicable	Not Applicable	

This is to certify that I, _____ (Name of authorised Representative)
representing _____ (Name of Enterprise)
visited the site on: _____ (Date)

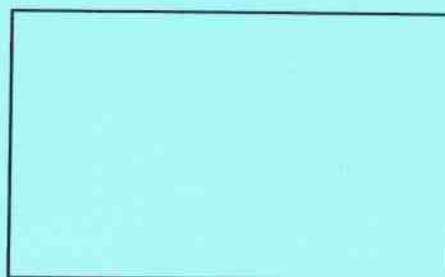
I have made myself familiar with all local conditions likely to influence the work and the cost thereof. I further certify that I am satisfied with the description of the work and explanations given at the site inspection meeting and that I understand the work to be done, as specified and implied, in the execution of this contract.

I declare that the representative, named above, is my authorised representative and **not** a third party agent and that my representative's attending of this site meeting, shall be deemed conclusive proof that my Enterprise are fully aware of what was said and discussed at this meeting.

Name of Tenderer	Signature	Date

Name of DOPW Representative	Signature	Date

This form is only to be completed when applicable to the tender and if a Compulsory Briefing meeting has been called.



Departmental Stamp:

T2.11 BIDDER'S DISCLOSURE - SBD 4

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

BIDDERS DISCLOSURE: SBD4 FORM IS INCLUDED HEREAFTER

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

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

2.3.1 If so, furnish particulars:

.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

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

SBD4

institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

T2.12 RECORD OF ADDENDA TO TENDER DOCUMENTS

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

The undersigned 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:

No.	Date	Title or Details	No. of Pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			

Attach Additional Pages if more space is required

Tenderer to attach proof of receipt of above listed addenda

Signed		Date	
Name		Position	
Tenderer			

T2.13 PARTICULARS OF ELECTRICAL CONTRACTOR			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

Name of Electrical Contractor:

Address:

Telephone Number:

(Area Code)(Number)

Fax Number:

(Area Code)(Number)

Registration number at the Department of Labour:	
---	--

Name of authorised representative	Signature	Date

T2.14 SCHEDULE FOR IMPORTED MATERIALS AND EQUIPMENT

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

This schedule should be completed by the tenderer. (Attach additional page(s) if more space is required)

Item	Material / Equipment	Quotation (Excluding VAT)
1		R
2		R
3		R
4		R
5		R
6		R

The Contractor shall list imported items, materials and/or equipment which shall be excluded from the Contract Price Adjustment Provisions (if applicable) and shall be adjusted in terms of currency fluctuations only. Copies of the supplier's quotations for the items, materials or equipment (provided that such costs shall not be higher than the relevant contract rate as listed above) should be lodged with the Principal Agent / Engineer of the Department of Public Works within 60 (sixty) days from the date of acceptance of the tender. No adjustment of the local VAT amount, nor the contractor's profit, discount, mark-up, handling costs, etc. shall be allowed. (See P&G E16)

These net amounts will be adjusted as follows:

FORMULA:

The net amount to be added to or deducted from the contract sum:

$$A = V \left(\frac{Z}{Y} - 1 \right)$$

A = the amount (R) of adjustment

V = the net amount (supplier's quotation) (R) of the imported item

Y = exchange rate 14 days prior to closing date of tender submission

Z = exchange rate on the date of the Bill of Lading* of exporters invoice.

** A bill of lading (sometimes abbreviated as B/L or BoL) is a document issued by a carrier which details a shipment of merchandise and gives title of that shipment to a specified party. Bills of lading are one of three important documents used in international trade to help guarantee that exporters receive payment and importers receive merchandise. A straight bill of lading, which is referred to above, is used when payment has been made in advance of shipment and requires a carrier to deliver the merchandise to the appropriate party. It is therefore the date of the paid up invoice when the shipment leaves the exporter's location. [http://en.wikipedia.org/wiki/Bill_of_lading]*

Name of authorised representative	Signature	Date

T2.15a LATEST 12 MONTH ANNUAL FINANCIAL STATEMENT

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

ATTACH A CERTIFIED COPY OF THE ANNUAL FINANCIAL STATEMENT OF THE COMPANY FOR THE PAST FINANCIAL YEAR TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of the annual financial statements of the past financial year in respect of each party to the Joint Venture must be attached to this page

ATTACH COMPANY LATEST 12 MONTHS ANNUAL FINANCIAL STATEMENTS TO THIS PAGE

T2.16 EQUIPMENT SCHEDULES			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

The Tenderer shall complete the following schedules giving details of the various items of materials or equipment that he includes in his offer.

TECHNICAL DATA: STANDBY GENERATOR

Manufacturer:	N/A	
Model number:		
Serial number:		
Voltage		
KVA		
Frequency		
RPM		
Cylinder/stroke		
Fuel capacity and consumption		
Sound pressure level		
Condenser air flow rate		
Attenuation type		
Battery Type		
AMF Change Over Panel Type		
Starter Motor Type and Voltage		
Standard Compliance		

Project Code: 063805

EQUIPMENT SCHEDULES

TECHNICAL DATA: UNINTERRUPTABLE POWER SUPPLY UPS

Manufacturer	
Model	
Frequency	
Harmonic Distortion Reduction	
Operating Temperature	
Range of Protection – Lightning Strike	
KVA	
Maximum current, cooling mode	
Agent	
Telephone number of Agent	
Brochure enclosed	Yes/No

TECHNICAL DATA: PARCEL X-RAY UNITS

Manufacturer	
Model	
Dimension /Size	
Resolution	
Zoom ranges	
External Radiation Levels	
Standard Compliance	
Electrical nominal voltage	Volts
Monitor Type and size	
Agent	
Telephone no of Agent	
Brochure enclosed	Yes/No

Project Code: 063805

EQUIPMENT SCHEDULES

TECHNICAL DATA: WALK THROUGH DETECTOR

Manufacturer	
Model	
Timer mode	
No of sequential settings per time switch	
No of N/O and N/C contacts per setting	
Adjustable time lapse between settings	
Operating voltage	
Operating current	
Agent	
Telephone number	
Brochure enclosed	Yes/No

TECHNICAL DATA: TURNSTILE

Manufacturer	
Size	
Range	
Voltage	
Battery Back Up Time	
Finish	
Agent	
Telephone number	
Brochure enclosed	Yes/No

Project Code: 063805

EQUIPMENT SCHEDULES

TECHNICAL DATA:

PARAPLEGIC LIFT

Manufacturer	
Panel thickness	
Load	
Stops	
Car Size	
Door Opening	
Door Type	
Speed	
Type of Drive	
Speed Control	
Type of Car and Landing Buttons	
Type of Landing Door Frames	
Type of Door	
Internal Finishes	
Pit	
Head Room	
Battery Type	
Method of joining panels	
Floor construction	
Standard Compliance	
Agent	
Telephone number of Agent	
Brochure enclosed	Yes/No

Project Code: 063805

EQUIPMENT SCHEDULES

TECHNICAL DATA:

AIR-CONDITIONING AND VENTILATION INSTALLATION

Area:		
Manufacturer:		
Model number:	WCPU	
	Cooling Tower	
Serial number:	WCPU	
	Cooling Tower	
Voltage	V	
Starting amps	A	
Running amps	A	
System supply gauge pressure	kPA	
System return gauge pressure	kPA	
Condenser water inlet temperature	°C	
Condenser water outlet temperature	°C	
Condenser water flow rate	l/s	
Blower unit air inlet temperature	°C	
Blower unit air outlet temperature	°C	
Blower unit air flow rate	m³/s	
Conditioned room air temperature after 1 hour, Design	°C	
Conditioned room air temperature after 1 hour, Actual	°C	

T2.17 CONTRACTOR'S SAFETY, HEALTH AND ENVIRONMENTAL DECLARATION			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

In terms of Regulation 5(1)(h) of the Construction Regulations of February 2014 a Contractor may only be appointed to perform construction work if the Client is satisfied that the Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act, Act 85 of 1993 and the Construction Regulations of February 2014. In line with this requirement the Contractor is required to read through this document carefully, sign it and submit it with his/her Tender.

DECLARATION

1. I, the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act, Act 85 of 1993 and the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications attached to this document.
2. I hereby declare that my company and its employees has the necessary competency and resources to safely carry out the construction works under this contract in compliance with the Occupational Health and Safety Act, Act 85 of 1993, the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications.
3. I hereby confirm that adequate provisions has been made in my Tender to cover the cost of all Safety, Health and Environmental duties and responsibilities imposed on me by the Occupational Health and Safety Act, Act 85 of 1993, the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications.
4. I hereby undertake that if my Tender is accepted, to provide before commencement of the Works under the contract or as required by the Conditions of the Contract, a suitable and sufficiently documented Construction Safety, Health and Environmental Management Plan in accordance with Regulation 7(1)(a) of the Construction Regulations of February 2014, which shall be subject for approval by the Client.
5. I confirm that I may not commence with any part of construction work under the contract until my Construction Safety Health and Environmental Management Plan has been approved in writing by the Client.
6. I hereby confirm that copies of the following documentation will be kept on site for viewing and inspection purposes for the duration of the construction work:
 - a) Client's Construction Safety, Health and Environmental Specification.
 - b) Approved Construction Safety, Health and Environmental Plan.
 - c) Occupational Health and Safety Act, Act 85 of 1993.
 - d) Construction Regulations of February 2014.
7. I agree that my failure to complete and execute this declaration to the satisfaction of the Client will mean that I am unable to comply with the requirements of the Occupational Health and Safety Act, Act 85 of 1993 and the Construction Regulations of February 2014, and accept that my Tender will be rejected.

Duly signed at..... on this the..... day of..... 20.....

Full Name of Signatory

Name of Enterprise

Capacity of Signatory

Signature of authorised representative of Tenderer

T2.18 Compulsory Enterprise Questionnaire

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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: CIDB registration number, if any:

Section 4: CSD Number:

Section 5: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

* Complete only if sole proprietor or partnership and attach separate page if more than 6 partners

Section 6: Particulars of companies and close corporations

Company registration number	
Close corporation number	
Tax reference number	

Section 7: SBD4 issued by National Treasury must be completed for each tender and be attached as a tender requirement

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

- i) authorizes the Employer to verify the tenderers tax clearance status from the South African Revenue Services that it is 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
- iv) 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			

**T2.19 TAX COMPLIANCE STATUS (TCS) PIN TO VERIFY ON LINE
COMPLIANCE SUPPLIER STATUS VIA SARS e-FILING**

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

TAX CLEARANCE REQUIREMENTS

It is a condition of Tender that the taxes of the successful tenderer must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the tenderer's tax obligations. It is a condition of this Offer of Commission that your practice remains in good standing with SARS (South African Revenue Services) in terms of its tax clearance.

1. In order to meet this requirement Tenderers are required to apply via e-filing at any SARS branch office nationally. The Tax Compliance Status (TCS) requirements are also applicable to foreign Tenderers / individuals who wish to submit tenders.
2. SARS will then furnish the tenderer with a Tax Compliance Status (TCS) **PIN** that will be valid for a period of 1 (one) year from the date of approval.
3. In tenders where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Compliance Status (TCS) PIN.
4. Application for Tax Compliance Status (TCS) PIN can be done via e-filing at any SARS branch office nationally or on the website www.sars.gov.za.
5. Tax Clearance Certificates may be printed via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

IMPORTANT NOTICE

1. The South African Revenue Services (SARS) has phased out the issuing of paper Tax Clearance Certificates.
2. From 18 April 2016 SARS introduced an enhanced Tax Compliance (TCS) system.
3. The new system allows taxpayers to obtain a Tax Compliance Status (PIN), which can be utilised by authorised third parties to verify taxpayers compliance status online via SARS e-filing.
4. Tenderers are required to fill in clearly, legibly, in bold print and black ink the SARS (TCS) PIN number and Tax Reference number in the space hereunder:

Tax Compliance Status(TCS) PIN Number	
Company / Tendering Entity Tax Reference Number	

Name of Tenderer:

Signature of tenderer:

Date:

T2.20 CERTIFIED PROOF OF GOOD STANDING WITH THE COMPENSATION COMMISSIONER

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

ATTACH A CERTIFIED COPY OF PROOF, THAT THE
TENDERER IS IN GOOD STANDING WITH THE
COMPENSATION COMMISSIONER, TO THIS PAGE FOR
ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of Good Standing with the Compensation Commissioner in respect of each party to the Joint Venture must be attached to this page

T2.21 - FORM OF OFFER AND ACCEPTANCE			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

Tender no: ZNTL04780W

OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of :

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.

The Tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and Addenda thereto as listed in the Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance, the tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

Amount (in words):	
Amount in figures:	R

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature (s)			
Name (s)			
Capacity			
For the tenderer			
	(Name and address of tenderer)		
Name and signature of witness			Date

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Employer identified below, **accepts** the Tenderer's offer. In **consideration thereof**, the Employer shall pay the Contractor the amount due in accordance with the **Conditions** of Contract identified in the Contract Data. **Acceptance** of the Tenderer's offer shall form an **agreement between** the Employer and the Tenderer upon the terms and **conditions** contained in this Agreement and in the **contract** that is the subject of this Agreement.

The terms of the contract, are contained in:

Part C1	Agreement and Contract Data , (which includes this agreement)
Part C2	Pricing data
Part C3	Scope of work.
Part C4	Site information and drawings and documents or parts thereof, which may be incorporated by reference into the above listed Parts.

Deviations from and **amendments** to the documents listed in the tender data and any **addenda** thereto as listed in the returnable schedules as well as any **changes** to the terms of the offer agreed by the tenderer and the employer during this **process** of offer and acceptance, are contained in the schedule of deviations **attached** to and forming part of this form of offer and acceptance. No **amendments** to or deviations from said documents are valid unless **contained** in this schedule.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any securities, bonds, **guarantees**, proof of insurance and any other **documentation** to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this **agreement**.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer **receives** one fully **completed** original copy of this document, including the schedule of deviations (if any). Unless the **tenderer** (now contractor) within five (5) working days of the date of such receipt notifies the employer in writing of any reason why he/she cannot accept the contents of this **agreement**, this agreement shall **constitute** a binding contract **between** the parties.

Signature (s)			
Name (s)			
Capacity			
For the employer			
	(Name and address of employer)		
Name and signature of witness			

Schedule of Deviations

Notes:

1. The extent of **deviations** from the tender documents issued by the employer before the tender closing date is limited to those permitted in terms of the conditions of tender.
2. A tenderer's **covering** letter shall not be **included** in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, **become** the subject of **agreements reached** during the **process** of offer and
3. Any other matter arising from the process of offer and **acceptance** either as a confirmation, clarification or change to the tender **documents** and which it is agreed by the Parties **becomes** an obligation of the contract shall also be **recorded** here.
4. Any **change** or **addition** to the tender **documents** arising from the above **agreements** and recorded here, shall also be incorporated into the final draft of the **Contract**.

1.1.1. **Subject:**

Details:

1.1.2. **Subject:**

Details:

1.1.3. **Subject:**

Details:

1.1.4. **Subject:**

Details:

By the duly **authorised representatives** signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and **addenda** thereto as listed in the returnable schedules, as well as any **confirmation**, clarification or changes to the terms of the offer agreed by the **tenderer** and the employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a **completed** signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

T2.21a CONFIRMATION OF RECEIPT

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no.:	ZNTL04780W	Project Code:	063805

The Tenderer (now Contractor), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the _____ (day)

of _____ (month)

_____ (year)

at _____ (Place)

For the Contractor:

Signature

Name

Capacity

Signature and name of witness:

Signature

Name

T2.22 - FINAL BILL OF QUANTITY SUMMARY

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

ATTACH SUMMARY PAGE OF THE BILL OF QUANTITIES

**PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS
THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY
SCHOOL. OPEN BIDS.**

SCHOOL NAME	WIMS NO.	CONTRACT PERIOD	TYPE OF CONTRACT
EKUTHUTHUKENI SECONDARY SCHOOL	063805	9 CALENDAR MONTHS	OPEN TENDER

Bidding Entity:

ITEM NO	DESCRIPTION	AMOUNT
	SUMMARY:	
	SECTION 1 : PRELIMINARIES (PROVISIONAL)	R
	SECTION 2 :	
	BILL NO.1 : ALTERATIONS	R
	BILL NO.2 : EARTHWORKS	R
	BILL NO.3 : MASONRY	R
	BILL NO.4 : CONCRETE, FORMWORK AND REINFORCEMENT	R
	BILL NO.5 : ROOF COVERINGS	R
	BILL NO.6 : CARPENTRY AND JOINERY	R
	BILL NO.7 : CEILINGS, PARTITIONS AND ACCESS FLOORING	R
	BILL NO.8 : IRONMONGERY	R
	BILL NO.9 : FLOOR COVERINGS, WALL LININGS ETC.	R
	BILL NO.10 : METALWORK	R
	BILL NO.11 : PLASTERING	R
	BILL NO.12 : PLUMBING AND DRAINAGE	R
	BILL NO.13 : GLAZING	R
	BILL NO.14 : PAINTWORK	R
	BILL NO.15 : ELECTRICAL WORK	R
	SECTION 3 : EXTERNAL WORKS (PROVISIONAL)	R
TOTAL BUILDERS WORK		R
Value Added Tax (15%)		R
TOTAL PROJECT COST: Carried forward to T2.22.		R

T2.23 - PROOF OF PAID MUNICIPAL RATES & TAXES

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

**ATTACH PROOF OF PAID MUNICIPAL RATES & TAXES TO
THIS PAGE FOR ADJUDICATION PURPOSES**

NOTE

In the case of a Quotation by a Joint Venture, proof of paid municipal rates and taxes for each member of the Joint Venture should be attached to this form.

T2.24 - CERTIFIED PROOF OF VALID UIF REGISTRATION

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

ATTACH A CERTIFIED COPY OF PROOF, THAT THE
TENDERER IS IN GOOD STANDING WITH THE **UIF** TO THIS
PAGE FOR ADJUDICATION PURPOSES

NOTE

1. In the case of a Tender by a Joint Venture, certified copies of proof of Good Standing with the **UIF** in respect of each party to the Joint Venture must be attached to this page
2. The contractor must submit proof of UIF Contributions made to the fund to the Principal Agent on a monthly basis for the duration of the contract.

Should the contractor default on his monthly payments, the Employer will pay the outstanding payments due and the contractor will be liable for payments made by the Employer on behalf of the contractor, plus any additional cost associated with this process.

T2.25 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME			
This document must be signed and submitted together with your tender			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
 - (a) Any single contract with imported content exceeding US\$10 million.
or
 - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2 year period which in total exceeds US\$10 million.
or
 - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.
or
 - (d) Multiple suppliers of the same goods, works or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.
- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30% of the total NIP obligation on a pro-rata basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.
- 1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

- 2.1 In order to ensure effective implementation of the programme, successful tenderers (contractors) are required to, immediately after the award of a contract that is in excess of R10 million (ten million Rands), submit details of such a contract to the DTI for reporting purposes.
- 2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

3 TENDER SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF TENDERERS AND SUCCESSFUL TENDERERS (CONTRACTORS)

- 3.1 Tenderers are required to sign and submit this Standard Tendering Document (SBD 5) together with the Tender on the closing date and time.

- 3,2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful Tenderers (contractors) are required, immediately after being officially notified about any successful Tender with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Tender / contract number.
- Description of the goods, works or services.
- Date on which the contract was accepted.
- Name, address and contact details of the government institution.
- Value of the contract.
- Imported content of the contract, if possible.

- 3,3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr. Elias Malapane within five (5) working days after award of the contract. Mr. Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at Elias@thedti.gov.za for further details about the programme.

4 PROCESS TO SATISFY THE NIP OBLIGATION

- 4,1 Once the successful Tenderer (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:

- a. the contractor and the DTI will determine the NIP obligation;
- b. the contractor and the DTI will sign the NIP obligation agreement;
- c. the contractor will submit a performance guarantee to the DTI;
- d. the contractor will submit a business concept for consideration and approval by the DTI;
- e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
- f. the contractor will implement the business plans; and
- g. the contractor will submit bi-annual progress reports on approved plans to the DTI.

- 4,2 The NIP obligation agreement is between the DTI and the successful Tenderer (contractor) and, therefore, does not involve the purchasing institution.

Tender number:	Closing date:
Name of tenderer:	
Postal address:	
Signature:	Name (in print):
Date:	

T2.26 - PROOF OF REGISTRATION ON CENTRAL SUPPLIERS DATABASE

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

ATTACH A COPY OF PROOF, THAT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIERS DATABASE TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of registration on the Central Suppliers Data Base in respect of each party to the Joint Venture must be attached to this page

T2.27 - PROOF OF CIDB REGISTRATION NUMBER

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

ATTACH A COPY OF PROOF, THAT THE TENDERER IS REGISTERED WITH THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD (CIDB) TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, copies of proof of registration with the CIDB in respect of each party to the Joint Venture must be attached to this page

The Tenderer's CIDB status must be active for the full period from tender closing date up to final completion date of the project. This will be applicable to all Joint Venture Parties of a Joint Venture Bid as well. Tenderer's who envisage entering into a Joint Venture shall complete and submit a Joint Venture Agreement (see copy of CIDB's agreement elsewhere in this document) with this Tender. The CIDB JOINT VENTURE GRADING CALCULATOR will be used to sum the capacity of all Joint Venture partners and calculate a grading designation for the Joint Venture.

T2.28 - PROOF OF PAYMENT OF TENDER DEPOSIT

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

BID DOCUMENTS CAN BE PURCHASED FROM THE DEPARTMENT'S BID OFFICE AT THE COST ADVERTISED IN THE BID ADVERT OF THIS SPECIFIC BID.

BID DOCUMENTS MAY ALSO BE DOWNLOADED AT NO COST FROM THE E-TENDER PORTAL, AS PER THE ADVERT.

T2.29 CONTRACT FORM - PURCHASE OF GOODS/WORKS-Part 1			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

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

PART 1 (TO BE FILLED IN BY THE TENDERER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached tendering documents to Head: Public Works (Department of Public Works: Province of KwaZulu-Natal) in accordance with the requirements and specifications stipulated in tender number ZNTL04780W at the price/s quoted.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
 - (i) Tendering documents, viz
 - Invitation to tender;
 - Tax Compliance Status (TCS) PIN;
 - Pricing schedule(s);
 - Technical Specification(s);
 - Preference claims for SPECIFIC GOAL/S, for this tender in terms of the Preferential Procurement Regulations 2022;
 - Bidder's Disclosure;
 - Special Conditions of Contract;
 - (ii) General Conditions of Contract for construction works Edition 2 - GCC2010; and
 - (iii) Other (specify)
3. I confirm that I have satisfied myself as to the correctness and validity of my Tender; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the Tendering documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
4. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
5. I declare that I have no participation in any collusive practices with any Tenderer or any other person regarding this or any other Tender.

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

NAME (PRINT): _____

CAPACITY: _____

SIGNATURE: _____

NAME OF FIRM: _____

DATE: _____

Witnesses:	
1.	_____
2.	_____
Date: _____	

T2.30 CONTRACT FORM - PURCHASE OF GOODS/WORKS-Part 2

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I _____ in my capacity as _____

accepts your tender under reference ZNTL04780W dated _____ for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

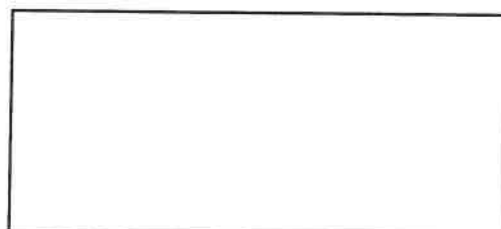
ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

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

SIGNED AT _____ ON _____
[Place] [Date]

NAME (PRINT): _____

SIGNATURE: _____



OFFICIAL STAMP:

Witnesses:	
1.	_____
2.	_____
Date: _____	

T2.31 - OHSE PLAN STRUCTURE			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

A detailed OHSE Plan is to be submitted by the successful tenderer as per Construction Regulation 7(1)(a). The following are the minimum standard legal documentation that must form part of the OHSE Plan based on the risks attached in executing this project titled;

PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.
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T2.32 - OHSE CLIENT SPECIFIC REQUIREMENTS			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

REFER TO ANNEXURE 6: BILLS OF QUANTITIES, SECTION 2: THE CONTRACT

T2.33 - BASELINE RISK ASSESSMENT			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

**REFER TO ANNEXURE 6: BILLS OF QUANTITIES, SECTION 2:
THE CONTRACT**

T2.34 - TENDER EVALUATION CRITERIA AND SCORING PRICE AND SPECIFIC GOALS

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Tender no:	ZNTL04780W	Project Code:	063805

TENDER EVALUATION CRITERIA AND SCORING PRICE AND SPECIFIC GOALS

Evaluation Criteria	Deliverables / Goal	Points	
Price	A maximum of 80 or 90 Points is allocated for Price.	80	Points
Specific Goal 1	Ownership by Black People Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	5	Points
Specific Goal 2	Ownership by People who are Women Documentary Proof Required: 1) Copy of an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest completed financial year of the Bidding Entity 2) Certified copy of Identity Document/s of the Owners/shareholders/ Directors of the Bidding Entity	15	Points
Specific Goal 3			Points
Specific Goal 4			Points
Specific Goal 5			Points
Specific Goal 6			Points
Specific Goal 7			Points
Specific Goal 8			Points

T2.35 - SBD 1

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.				
Tender no:	ZNTL04780W	Project Code:	063805		
PART A					
INVITATION TO TENDER - SBD 1					
YOU ARE HEREBY INVITED TO TENDER FOR REQUIREMENTS OF THE KWA-ZULU NATAL DEPARTMENT OF WORKS					
TENDER NUMBER:	ZNTL04780W	CLOSING DATE:	45194	CLOSING TIME:	11:00
DESCRIPTION	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.				
THE SUCCESSFUL TENDERER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT					
TENDER RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE TENDER BOX SITUATED AT (STREET ADDRESS)					
SUPPLIER INFORMATION					
NAME OF TENDERER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
	TCS PIN:			CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (Tick YES or NO)	Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT (Tick YES or NO)	Yes	
	No			No	
If YES, State the name of the verification agency accredited by SANAS					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes		NO		
	[IF YES ENCLOSE PROOF]			[IF YES ANSWER PART B:3 BELOW]	
SIGNATURE OF TENDERER				DATE	
CAPACITY UNDER WHICH THIS TENDER IS SIGNED (Attach proof of authority to sign this tender; e.g. resolution of directors, etc.)					
TOTAL NUMBER OF ITEMS OFFERED				TOTAL TENDER PRICE (ALL INCLUSIVE)	
TENDERING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:			TECHNICAL INFORMATION MAY BE DIRECTED TO:		
DEPARTMENT/ PUBLIC ENTITY			CONTACT PERSON		
CONTACT PERSON			TELEPHONE NUMBER		
TELEPHONE NUMBER			FACSIMILE NUMBER		
FACSIMILE NUMBER			E-MAIL ADDRESS		
E-MAIL ADDRESS					

PART B

TERMS AND CONDITIONS FOR TENDERING - SBD 1

1. TENDER SUBMISSION:

- 1.1. TENDERS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS, LATE TENDERS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL TENDERS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE
- 1.3. TENDERERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO TENDERING INSTITUTION.
- 1.4. WHERE A TENDERER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE TENDER DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO TENDERING INSTITUTION.
- 1.5. THIS TENDER IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022. THE GENERAL CONDITIONS OF CONTRACT ARE THE CLAUSES CONTAINED IN THE GENERAL CONDITIONS OF CONTRACT (2010) (SECOND EDITION) PUBLISHED BY THE SOUTH AFRICAN INSTITUTION OF CIVIL ENGINEERING. COPIES OF THESE CONDITIONS OF CONTRACT MAY BE OBTAINED THROUGH MOST REGIONAL OFFICES OF THE SOUTH AFRICAN INSTITUTION OF CIVIL ENGINEERING, OR BY VISITING THEIR WEBSITE AT WWW.SAICE.ORG.ZA; AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 TENDERERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 TENDERERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA
- 2.4 TENDERERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE TENDER.
- 2.5 IN TENDERS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE TENDERER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE.

3. QUESTIONNAIRE TO TENDERING FOREIGN SUPPLIERS

3.1. IS THE TENDERER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES		NO	
3.2. DOES THE TENDERER HAVE A BRANCH IN THE RSA?	YES		NO	
3.3. DOES THE TENDERER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES		NO	
3.4. DOES THE TENDERER HAVE ANY SOURCE OF INCOME IN THE RSA?	YES		NO	

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

NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE TENDER INVALID.

T2.36 - PROOF OF CONFIRMATION OF BRIDGING FINANCE/ WORKING CAPITAL

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

**BIDDERS ARE TO SUBMIT AND ATTACH TO THIS PAGE
PROOF OF CONFIRMATION OF BRIDGING FINANCE/
WORKING CAPITAL OF 2,5% OF PROJECT VALUE**

The Bidder to provide confirmation of bridging finance/ working capital from a Registered Financial Institution and attach same as returnable.

- The confirmation of bridging finance/ working capital to indicate that a minimum of 2,5% of the tender value will be available to the Tenderer to execute the defined scope of work included in the tender.
- To be provided on an Original Letterhead/ Bank Statement supplied by the Registered Financial Institution.
- Must include the bank's official stamp and the date to be clearly annotated.
- Must not be older than three (3) calendar months from the date of tender closing.

T2.37 - LETTERS OF CREDIT REFERENCE

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

**BIDDERS ARE TO SUBMIT AND ATTACH TO THIS PAGE
LETTERS OF CREDIT REFERENCE FROM SUPPLIERS WITH A
COMBINED CREDIT LIMIT OF R500 000,00 (A MINIMUM OF 2 IS
REQUIRED)**

The bidder to provide minimum 2 letters of reference verifying credit facilities from suppliers **(credit limits with a minimum combined limit of R500,000.00)** for core materials that are intended to be engaged on this contract and attach same as a returnable.

The reference letters must include the value of the current credit facility and any conditions apportioned thereto and must not be older than 6 months from date of tender closing.

Irrespective if the bulk of material supply is from a single source, then a minimum of two (2) letters of reference will still be required.

If purchases are done on a cash basis, the Tenderer must provide the stipulated number of references from the specific suppliers confirming that all purchases are done on a cash basis and accordingly confirm the limit of the purchasing facility available to the Tenderer.

The 2 or more key suppliers, if applicable must be listed hereunder: and the letters of credit reference must be attached.

NO.	NAME OF SUPPLIER	MATERIAL DESCRIPTION	CURRENT CREDIT LIMIT	CREDIT LIMIT VALID TO DATE
1				
2				
3				
4				

T2.38 - DETAILED SCHEDULE OF RESOURCES

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

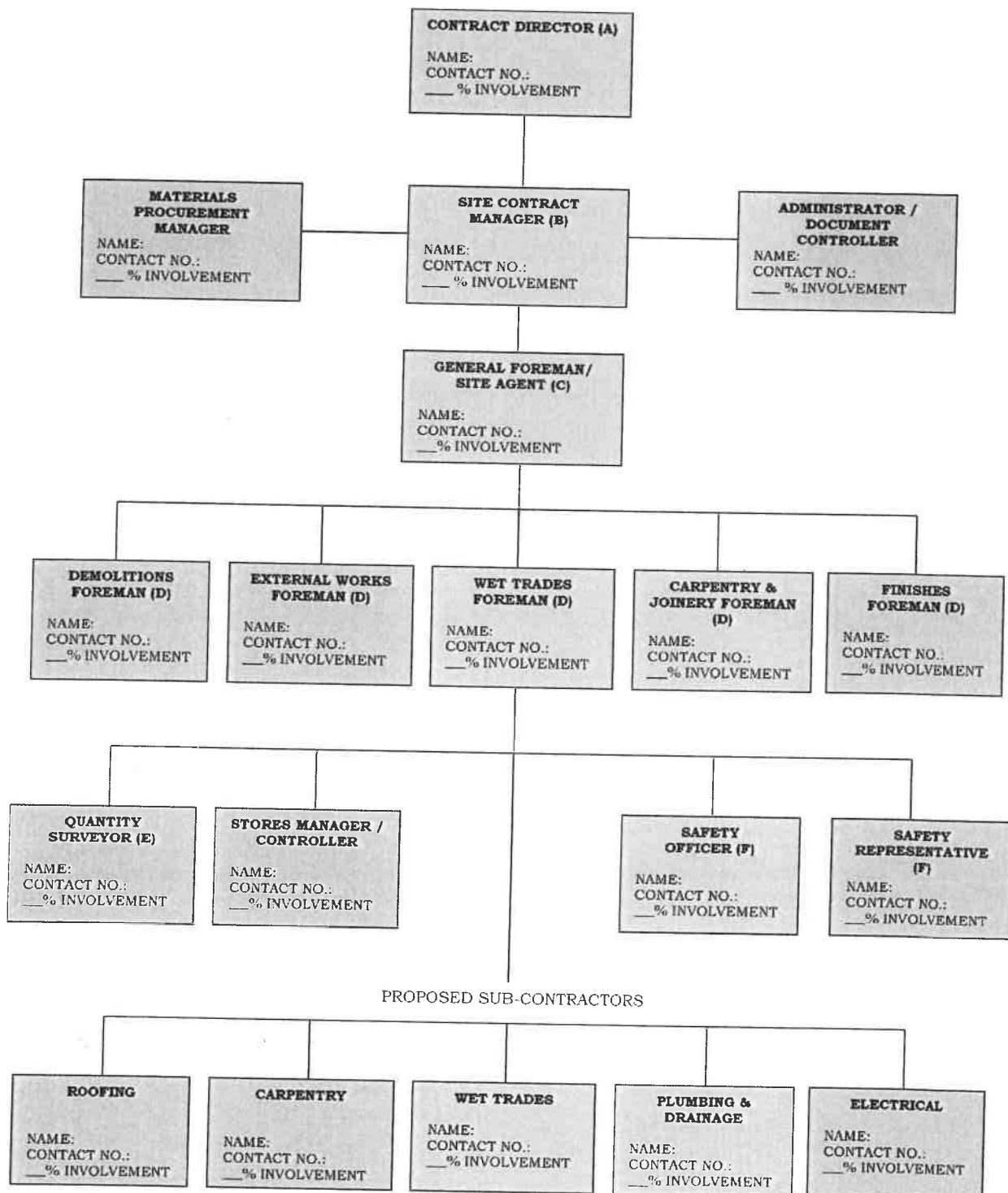
ATTACH A DETAILED SCHEDULE OF RESOURCES AT ALL LEVELS INCLUDING SUBMISSION OF A DETAILED ORGANOGRAM OF THE COMPANY INCLUDING LISTING ON THIS ORGANOGRAM THE RESOURCES WITHIN THE COMPANY THAT WILL BE DEDICATED TO THE PROJECT UNDER CONSIDERATION, TO THIS PAGE FOR ADJUDICATION PURPOSES

A proposed project organogram indicating the resource allocation hierarchy must be attached under this section for all stages of the construction project. The minimum resource requirements as specified in key personnel, in T2.39, must be clearly indicated (refer attached template as an example only)

- The Bidder is to clearly demonstrate the anticipated participation of the delegated resources for the duration of this project.
- A dedicated and suitably qualified resource is to be allocated to update the approved construction programme. Programme updates to be submitted fortnightly to the Principal Agent.
- The deployment of competent and experienced resources at all levels is essential
- However, the key personnel competency requirements for the personnel deployed for the construction phase will be essential.
- If multiple bids are being submitted, the duplication of resources for the other bids will not be entertained.

NOTE: GENERIC ORGANOGRAMS WILL NOT BE ALLOWED AND WILL NOT BE ACCEPTABLE. ORGANOGRAMS ARE TO BE PROJECT SPECIFIC AND INCLUDE THE SPECIFIC DETAILS OF THE KEY RESOURCES DEPLOYED FOR THE CONSTRUCTION PHASE

SCHOOL NAME: EKUTHUTHUKENI SECONDARY SCHOOL
EXAMPLE



T2.39 - SCHEDULE OF YEARS OF EXPERIENCE ON SIMILAR PROJECTS			
Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

ATTACH A SCHEDULE OF YEARS OF EXPERIENCE BY KEY PERSONNEL AS PER ORGANOGRAM ON SIMILAR PROJECTS, TO THIS PAGE FOR ADJUDICATION PURPOSES

Bidder to demonstrate their technical competency, human resource capacity and relevant project experience in Building/Civil Engineering projects by submitting the following information:

1. Detailed schedule of full-time resources at all organization levels including their experience over the past 5 years.
2. Experience and track record of Project Dedicated Contracts Director/Manager in the execution of the works of a similar nature, complexity, cost and duration over the past 5 years
3. Detailed CV of each key team member including the construction activities on site. The CV's must correspond with the organogram and the key resources schedule. CV's are required for the key personnel employed during the construction
4. Traceable references (names and contact nos. of Principal Agents) for the key team members executing construction activities on site.

DESIGNATION	NAME	AGE	YEARS OF EXPERIENCE	PERIOD WITH COMPANY	HIGHEST VALUE CONTRACT HANDLED	PERCENTAGE INVOLVEMENT ON SITE
A. Contract Director						
B. Site Contracts Manager						
C. General Foreman/ Site Agent						
D. Trade Foreman						
E. Quantity Surveyor						
F. Health and Safety Officer						
Other						
Administrator/ Document Controller						

A. Traceable references for each team member. The reference must be the appointed Principal Agent or Client:

Name	Company	Contact Details	Project Reference

**T2.40 - SCHEDULE OF YEARS OF EXPERIENCE ON SIMILAR PROJECTS,
SIMILAR VALUE AND DURATION BY THE BIDDING ENTITY**

Project title:	PHASE 14: STORM DAMAGED PROGRAMME: REPAIRS AND RENOVATIONS TO STORM DAMAGED SCHOOLS THROUGHOUT THE PROVINCE OF KWAZULU-NATAL: MIDLANDS REGION: CLUSTER 132: EKUTHUTHUKENI SECONDARY SCHOOL. OPEN BIDS.		
Bid no:	ZNTL04780W	Project Code:	063805

ATTACH A SCHEDULE OF PROJECTS OF SIMILAR NATURE UNDERTAKEN AND SUCCESSFULLY COMPLETED WITHIN THE APPLICABLE CIDB GRADING OF THIS BID OR ONE GRADE LOWER, IN THE PAST 5 YEARS, BY THE BIDDING ENTITY. ATTACH LETTERS OF AWARD AND PRACTICAL COMPLETION CERTIFICATES OR FINAL COMPLETION CERTIFICATES OF THE PROJECTS COMPLETED IN THE PRECEDING 5 YEARS, TO THIS PAGE FOR ADJUDICATION PURPOSES. (A MINIMUM OF 2 PROJECT'S INFORMATION IS REQUIRED)

