

Reference: N.007-030-2020/2R
Issued Date: 2023/12/13
Email: procurementwr3@sanral.co.za

Fax Number:
Direct Line: +27 (0) 21 957 4600
Website: www.nra.co.za



Dear Tenderer

CONTRACT NUMBER: SANRAL N.007-030-2020/2R

**THE IMPROVEMENT OF NATIONAL ROUTE 7 SECTION 3 BETWEEN PIKETBERG (km 31.53) AND
PIEKENIERSKLOOF PASS (km 65.30)**

ADDENDUM NO. 1

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

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

Yours sincerely,

A handwritten signature in black ink, appearing to be "R. Demana", is written over a horizontal line.

**PROCUREMENT OFFICE
SANRAL WESTERN REGION**

PART 1A: AMENDMENTS TO TENDER DOCUMENT

1. GENERAL NOTE TO TENDERERS

Amendments to the Tender Document, which is in PDF format, cannot be made electronically by any Tenderer and shall be changed manually, before submission of the Tender Proposals. However, the Returnable Schedules that are in electronic format (MS Word) should be amended. Where amendments have to be made to the Pricing Schedule (MS Excel), a completely new Ms Excel spreadsheet has been provided.

2. GENERAL AMENDMENTS

- 2.1.** Change the contract number from CONTRACT SANRAL N.007-030-2020/2 to CONTRACT SANRAL N.007-030-2020/2R in Volume 3, Books 1, 2 and 3, Volume 4 (Road Works Drawings), Volume 5(Structural Drawings), Volume 6, Volume 7 as well as Pricing Schedules.
- 2.2.** Change the base date to January 2024 on the cover and title pages of Volume 3, Books 1, 2 and 3 and on the cover pages of Volume 4 (Road Works Drawings), Volume 5(Structural Drawings), Volume 6 and Volume 7.

3. AMENDMENTS TO BOOK 1 OF 3.

3.1 Part T1, Section T1.1 Tender notice:

Replace the Tender Notice and Invitation to tender with the following:

T1.1 TENDER NOTICE AND INVITATION TO TENDER (Incorporating SBD1)

The South African National Roads Agency SOC Limited (SANRAL) invites tenders for Contract SANRAL N.007-030-2020/2R for the Improvement of National Route 7 Section 3 between Piketberg (km 31.53) and Piekenierskloof Pass (km 65.30). This project is in the province of the Western Cape in the district municipality of the West Coast and local municipality of Bergrivier. The approximate duration is 39 months including 3 Months for the Mobilisation Period.

CIDB Regulation 25(1B) will not be applicable to this contract.

Only tenderers who are registered on the National Treasury Central Supplier Database as stated in the Tender Data C.2.1.1, are eligible to tender.

It is a requirement of this project that the successful tenderer subcontract a minimum of 30 percent (30%) of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data.

It is estimated that tenderers should have a CIDB contractor grading designation of **9CE**, however tenderers attention is drawn to clause C.2.1.1 of the Tender Data when submitting their tender.

Tenders from tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(7A) of the Construction Industry Development Regulations, will not be accepted.

TENDER DOCUMENTS

Tender documents are available from **Wednesday, 13 December 2023** at no cost in electronic format downloaded from the SANRAL's website by the following link: https://www.nra.co.za/sanral-tenders/status?region_id=western

Tenderers must have access to MS Office ©2013 and Acrobat Adobe ©9.0, or similar compatible software.

Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to **Monday, 15 January 2024**. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive, if "any material amendment/s" contained in the addenda or additional information is not included in the tender offer/submission.

TENDERER'S MEETING

A tenderer's clarification briefing presentation is available to be downloaded from the SANRAL website by the following link: https://www.nra.co.za/sanral-tenders/status?region_id=western. A compulsory clarification briefing meeting will be held at Piketberg, De Berge Gastehuis, 72 Langstraat on **Friday 19 January 2024 @ 10h00**. **Tenderers must pre-book for attendance at the clarification briefing meeting.** Due to restrictions on numbers of attendees, **only one representative per tenderer/company can attend the briefing meeting.** A request to attend the clarification briefing meeting must be sent to procurementwr3@sanral.co.za. **Late arrivals will not be allowed to participate in the meeting and their submissions shall be declared non-responsive.**

A tenderer's representative cannot represent more than one tenderer at the tender briefing meeting.

COMPLETION AND DELIVERY OF TENDERS

The closing time for receipt of tenders is **11h00 on Friday, 09 February 2024**.

Telegraphic, telephonic, telex, email, facsimile and late tenders will not be accepted.

Tenders may only be submitted in the format as stated in the Tender Data.

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

Queries relating to issues arising from these documents may be addressed to:

E-mail: procurementwr3@sanral.co.za

3.2 Part T1, Section T1.2: Tender Data

Replace Clause C.1.4: with the following:

"The Employer's Agent during the tender period can be contacted at procurementwr3@sanral.co.za"

3.3 Part T1, Section T1.2: Tender Data

Replace Clause C.2.7 with the following:

“A tenderer’s clarification briefing presentation is available to be downloaded from the SANRAL website by the following link https://www.nra.co.za/sanraltenders/status?region_id=western. A compulsory clarification briefing meeting will be held at Piketberg, De Berge Gastehuis, 72 Langstraat on **Friday 19 January 2024 @ 10h00. Tenderers must pre-book for attendance at the clarification briefing meeting.** Due to restrictions on numbers of attendees, **only one representative per tenderer/company can attend the briefing meeting.** A request to attend the clarification briefing meeting must be sent to procurementwr3@sanral.co.za. **Late arrivals will not be allowed to participate in the meeting and their submissions shall be declared non-responsive.**

A tenderer’s representative cannot represent more than one tenderer at the tender clarification briefing meeting.

The onus rests with the tenderer to ensure that the representative attending the briefing session is appropriately qualified to understand all directives and clarifications given in the briefing session.

The signature on the duly completed and signed Form A1 shall be considered proof that the tenderer attended the whole clarification briefing session and clearly understood all directives and clarifications given in the session.”

3.4 Part T1, Section T1.2: Tender Data

Replace Clause C.2.15.1 with the following:

“Submission in tender box

The Employer’s address for delivery of tender offers and identification details to be shown on each tender offer package are:

Location of tender box:

The Reception Area
1 Havenga Street
Oakdale
7530

Identification details: Place the tender offer and flash drive in a package marked with the tenderer’s company name, the project number and description:

SANRAL N.007-030-2020/2R for the Improvement of National Route 7 Section 3 between Piketberg (km 31.53) and Piekenierskloof Pass (km 65.30)

Tenders must be submitted during hours (09:00 to 16:00) Monday to Friday at the Employer’s address before **11h00 on Friday, 09 February 2024.**

It is in the tenderer’s interest to ensure that the delivery of the tender offer is recorded in the Employer’s tenders received register and deposited in the tender box.

3.5 Part T1, Section T1.2: Tender Data

Replace Clause C.3.4.1 with the following:

“Opening of tender submissions

The time for opening of the tender offer via live streaming is:

Time: 11h00 on Friday, 09 February 2024

Location: A live stream link of the tender opening will be sent to tenderers that have completed and submitted form A1.1, or in person at:

Tender Opening Office Address:

1 Havenga Street
Oakdale
Bellville
7530”.

3.6 Part T1, Section T1.2: Tender Data

Replace Clause C.3.9.4 with the following:

“Where the tenderer elects to confirm the correction of the errors, omissions or imbalanced rates, the tender offer shall be corrected as follows:

- 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 unit rate shall govern, and the line-item total shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line-item total as quoted 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 be corrected.
- c) Where the unit rates are imbalanced the tenderer shall adjust such rates by increasing or decreasing them and selected others while retaining the total of the prices derived after any other corrections made under (a) and (b) above.

Where there is an omission of a line item, no correction is possible, and the offer may be declared non-responsive.

Should the original price not be retained after balancing, the tenderer will be rendered non-responsive.

Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates.

During testing of tender responsiveness, clause C.3.8 of CIDB tender conditions will be applicable.

The tenderer is required to submit balanced unit rates for rate only items in the pricing schedule. The rates submitted for these items will be taken into account in the evaluation of tenders.

If the Form of Offer is submitted but the Pricing Schedule is omitted, where rate only items are applicable; or If a signed Form of Offer is submitted with an incomplete pricing schedule (no summary to tender) that does not balance back to the Form of Offer and the Pricing schedule is incomplete; or If a signed Form of Offer is submitted with an incomplete pricing schedule that does not balance back to the Form of Offer and only summary of Pricing Schedule submitted; then the rates cannot be evaluated and the tender shall be declared non-responsive.”

3.7 Part T1, Section T1.2: Tender Data

Replace Clause C3.11 Evaluating price and preference with the following:

Evaluating price and preference

- i. **80/20 preference point system for acquisition of goods and services for Rand value equal to or above R2 000 and up to R50 million**

The following formula will be used to calculate three points out of 80 for price:

$$P_s = 80(1 - (P_t - P_m)/P_m)$$

Where:

P_s is the points scored for price of tender under consideration.

P_t is the price of the tender under consideration; and

P_m is the price of the lowest acceptable tender.

- ii. **90/10 preference point system for acquisition of goods and services for Rand value above R50 million**

The following formula will be used to calculate the points out of 90 for price:

$$P_s = 90(1 - (P_t - P_m)/P_m)$$

Where:

P_s is the points scored for price of tender under consideration.

P_t is the price of the tender under consideration; and

P_m is the price of the lowest acceptable tender.

In the event that the calculated value is negative, the allocated score shall be 0 (zero).

Scoring preference (Specific Goals):

Points for specific goals will be awarded according to the table below:

Specific goals	Criteria	10 points		20 points	
		Point allocation	Max points	Point allocation	Max points
B-BBEE Level	B-BBEE Level 1	10	10	20	20
	B-BBEE Level 2	9		18	
	B-BBEE Level 3	6		14	
	B-BBEE Level 4	5		12	
	B-BBEE Level 5	4		8	
	B-BBEE Level 6	3		6	
	B-BBEE Level 7	2		4	
	B-BBEE Level 8	1		2	
	Non-compliant contributor	0		0	

A valid B-BBEE verification certificate must be submitted.

- The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:

- the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; or
 - in the event that the Measured Entity operates in more than one sector or a sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of annual revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes; and
- i. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and
- ii. The certificate shall:
- be valid at the tender closing date; and
 - have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or
 - be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and
 - have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C.2.15); and
- iii. A valid BBBEE Certificates shall contain:
- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.
 - Value-Added Tax number, where applicable.
 - The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes.
 - B-BBEE status with corresponding procurement recognition level.
 - The relevant Codes used to issue the B-BBEE verification certificate.
 - Date of issue and expiry (e.g., 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate.
 - Financial period which was used to issue the B-BBEE Verification Certificate.
- iv. A valid Sworn Affidavit shall contain:
- Name/s of deponent as they appear in the identity document and the identity number.
 - Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
 - Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
 - Percentage black ownership, black female ownership and whether they fall within a designated group.
 - Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
 - Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue. The valid format of the Financial Year-End is Day/Month/Year
 - B-BBEE status level. An enterprise can only have one status level.

- Date deponent signed, and date of Commissioner of Oath must be the same.
 - Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest, and
- v. Compliance with any other information requested to be attached to Returnable Schedule Form C1; and
- vi. In the event of a Joint Venture (JV), a project-specific consolidated (SANRAL project number indicated) valid B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted.

Sub-contracting

If the tender documents indicate that the tenderer intends sub-contracting more than 25% of the value of the contract to any other person not qualifying for at least the status level that the tenderer qualifies for, 0 (zero) points for B-BBEE level (under Specific Goals) shall be awarded, unless the intended sub-contractor is an EME that has the capacity to execute the sub-contract.

Criteria for breaking deadlock

If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.

If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.

If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.

3.8 PART T2 RETURNABLE SCHEDULES

3.8.1 TABLE OF CONTENTS

Add the following new form:

"FORM A14: DECLARATION OF TENDERER'S FINANCIAL SUBMISSION"

Delete FORM C1.3: BLACK OWNERSHIP DECLARATION

Delete FORM C1.4: SUB-CONTRACTING DECLARATION

3.8.2 FORM A1.1: CERTIFICATE OF INTENTION TO SUBMIT A TENDER

Replace Form A1.1 with the attached Form A1.1.

3.8.3 FORM A3.5: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS (SBD 6.2)

Replace Clause 3.1 with the following:

"3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on the date of advertisement of the bid on **13 December 2023.**"

3.8.4 FORM A8: TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS

Replace Form A8 with the attached Form A8

3.8.5 FORM A13: FORM SBD1 – INVITATION TO BID

Replace Form A13 with the attached Form A13.

3.8.6 FORM A14 DECLARATION OF TENDERER'S FINANCIAL SUBMISSION

Add the attached new Form A14.

3.8.7 FORM C1.2: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1).

Replace Form C1.2 with the attached Form C1.2

3.8.8 FORM C1.3: BLACK OWNERSHIP DECLARATION

Delete this form.

3.8.9 FORM C1.4: SUB-CONTRACTING DECLARATION

Delete this form.

3.8.10 FORM F1: SCHEDULE OF TENDER COMPLIANCE

Replace Form F1 with the attached Form F1

4. AMENDMENTS TO BOOK 2 OF 3

4.1 Form C1.1.1 Form of Offer

Replace Form C1.1.1 with the attached Form C1.1.1.

4.2 PART A: GENERAL CONDITIONS - FIDIC AMENDMENTS

Replace the first sentence above the table with the following:

Up to 13 December 2023 the following amendments have been issued by FIDIC.

4.3 Part C1.2.1: Conditions of Contract

Replace Sub-clause 15.2 (g) and (h) with the following:

- "(g) misrepresented, whether innocently, negligently or fraudulently, the true facts requested in the tender documents.
- (h) acts in such a way, on this contract or any other contract with the Employer, that a statute relating to the combating of fraud, corruption, uncompetitive practice and the like can be invoked; or
- (i) In the event that its director/s are found guilty by a Court of Law on the counts of fraud charges against them, SANRAL reserves the right to terminate the contract and to assert all legal recourse available to it."

4.4. C1.2.2 APPENDIX TO TENDER: CONTRACT DATA – INFORMATION PROVIDED BY THE EMPLOYER.

Replace the data for Clause A4.4, with the following:

The percentage of the contract value that may be sublet is dependent on the Minimum Targeted Enterprise subletting targets and shall not exceed the Maximum Subcontracting allowed % as per the following table:

Minimum Targeted Enterprise (TE) subletting (%)	Maximum Subcontracting allowed (%)
≤30	50
>30 to ≤40	60
>40 to <45	65
≥45 to <50	70
≥50	80

5. AMENDMENTS TO BOOK 3 OF 3

5.1. Part C3 Scope of Works: Section B: Specification Data:

Replace Section D Clause D1003: **TARGET GROUP PARTICIPATION: D1003.04 Contract Participation Goal (CPG): CPG for Targeted Enterprise** with the following:

CPG for Targeted Enterprise	Minimum of 30 percent (30%) of the final contract value by the end of the contract to Targeted Enterprise. The Final Contract Value is defined in clause D1003.04.
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5.2. Part C3 Scope of Works: Section D: Stakeholder and Community Liaison, and Targeted Labour and Targeted Enterprises Utilisation and Development

Delete all references to Preferential Procurement Regulations, 2017.

The South African National Roads Agency SOC Limited
01 Havenga Street
Oakdale, Bellville
7530

ACKNOWLEDGEMENT OF ADDENDUM NO.1

I _____

Representing _____

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

Receipt of Addendum No.1 is hereby acknowledged. Please acknowledge all files received by ticking the appropriate box.

Tick (√)	Type of Document	Document Name
	(*pdf)	Addendum No.1 N.007-030-2020/2R
	(*doc)	Returnable Schedules - N.007-030-2020/2R Addendum No.1
	(*doc)	C1.1.1 Form of Offer Addendum No.1
	(*doc)	C1.2.3 Contract Data – information provided by the tenderer Addendum No.1

SIGNATURE: _____

DATE: _____

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

You must therefore acknowledge receipt of this addendum by emailing this form to the South African National Roads Agency SOC Limited at ProcurementWR3@sanral.co.za and the original must be attached to the Returnable Schedules.

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