

MPUMALANGA PROVINCIAL GOVERNMENT



DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

BID NUMBER PWRT/1873/22/MP A

TENDER DOCUMENT FOR THE SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS INSTITUTIONS IN THE EHLAZENI DISTRICT

ISSUED BY:
DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT
PRIVATE BAG X11224
NELSPRUIT
1200

NAME OF BIDDER :



MPUMALANGA PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS INSTITUTIONS IN THE EHLANZENI DISTRICT

PWRT/1873/22/MP A

**The Department of Public Works,
Roads and Transport**

Private Bag X 11302
NELSPRUIT
1200

Contact:

Name: JT Mavhungire
Telephone: (013) 766 0856

Compiler: Departmental

Tenderer: _____

Total of the prices inclusive of value added tax: R

**Preference claimed for:
BBBEE Status Level of agreement**

Preferences claimed for tendered contract participation goal of

[☞ - To be completed by tenderer]

MPUMALANGA PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

**SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS
INSTITUTIONS IN THE ENHLANZENI DISTRICT**

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SBD1

PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE					
BID NUMBER:	PWRT/1873/22/MP A	CLOSING DATE:	16 March 2022	CLOSING TIME:	12H00
DESCRIPTION	SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS INSTITUTIONS IN THE ENHLANZENI DISTRICT				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					

BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX
SITUATED AT (STREET ADDRESS)

MBOMBELA, Riverside Government Complex, Building No 9, Government Boulevard, Mbombela, 1200, **PIET RETIEF**, No. 11 Measroch Street, Piet Retief Office, **KWAMHLANGA**, KwaMhlanga Government Complex, Department of Finance, Building No. 12, Computer Centre **EVANDER**, 10 Cornell Road (previously occupied by Evander Home Affairs Offices), Evander, 2280, **BUSHBUCKRIDGE**, Bushbuckridge Advice Centre, Department of Finance, Protea building (old Telkom building), **MIDDELBURG**, Department of Public Works, Cnr. Lillian Ngoyi and Dr Beyers Naudé Streets – Old TPA Building, Upper ground floor, Office numbers A20, 21 and 25, **MALELANE**, 24 Air Street, Malelane

SUPPLIER INFORMATION

NAME OF BIDDER			
POSTAL ADDRESS			
STREET ADDRESS			
TELEPHONE NUMBER	CODE	NUMBER	
CELLPHONE NUMBER			
FACSIMILE NUMBER	CODE	NUMBER	
E-MAIL ADDRESS			
VAT REGISTRATION NUMBER			
TCS PIN:		OR	CSD No:
☐ Yes		☐ Yes	
☐ No		☐ No	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]			
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?			
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX		☐	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)
		☐	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)
		☐	A REGISTERED AUDITOR
		NAME:	

[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/SWORN AFFIDAVIT(FOR EMEs& QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]

I. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	II. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ANSWER PART B:3 BELOW]
III. SIGNATURE OF BIDDER	.....	IV. DATE	
V. CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
VI. TOTAL NUMBER OF ITEMS OFFERED		VII. TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY		PUBLIC WORKS, ROADS & TRANSPORT	CONTACT PERSON
			Mr DT Mahlalela

CONTACT PERSON	Mr JT Mavhungire	TELEPHONE NUMBER	013 766 8906
TELEPHONE NUMBER	013 766 0886	FACSIMILE NUMBER	
CELL. NUMBER	076 974 1558	CELL. NUMBER	072 895 3062
FACSIMILE NUMBER		E-MAIL ADDRESS	mahlaleladt@mpg.go.za
E-MAIL ADDRESS	jmvhungire@googlemail.com		

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE	
1.3. BIDDERS 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 BIDDING INSTITUTION.	
1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.	
1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.	
1.6. OFFER TO BE VALID FOR 90 DAYS FROM THE CLOSING DATE OF BID	
2. TAX COMPLIANCE REQUIREMENTS	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO 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 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.	
2.5 IN BIDS 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 BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS	
3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? NO	☐ YES ☐
3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? NO	☐ YES ☐
3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? NO	☐ YES ☐
3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? NO	☐ YES ☐
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 BID INVALID.

prequalification Criteria (Objective Criteria)

3. PREQUALIFICATION CRITERIA

- 3.1 The Preferential Procurement Policy Framework Act (PPPFA) stipulates the Department must apply prequalification criteria to certain designated groups.
- 3.2 In line with the above described PPPFA prequalification criteria, service providers who meet the following criteria are eligible to submit their bids:
 - Bidders must be EME or QSE
- 3.3 Bidders who fail to meet the pre-qualifying criteria specified in paragraph 3.2 above **will NOT BE ACCEPTED.**

Evaluation Criteria

- Bidders will be firstly evaluated on functionality for elimination purposes only and then further evaluated on the 80/20 preferential point system.
- Bidders who scores less than 60% (60/100) of the maximum points on the functionality section will not be considered for further evaluation
- The Department will consider performance of contractor on previous appointments when evaluating the bids.
- The functionality will be scored using the following values:

Note: 80/20 preference point system will be used. *(Minimum CIDB GRADE needed: N/A)*

Maximum Points allocation	Specified goal	Calculation method
Max Points	<i>Quality control practises which ensure employer requirements.</i>	Total = $W_1 + W_2 + W_3 + W_4 + W_5$
$W_1 = 30$	(1) <i>Relevant previous experience (Value)</i> <i>Less than R0.5 m = 5 points</i> <i>R0.5 m to R1.5 m = 10 points</i> <i>R1.5 m to R3.0 m = 20 points</i> <i>R3.0 m and above = 30 points</i> <i>Copies of appointment letters and/or payment orders indicating the value of work done must be attached as</i>	

W ₂ = 25	<i>proof.</i> (2) <i>Relevant previous experience (Years)</i> <i>Less than 1 years = 10 points</i> <i>1 year to 2 years = 15 points</i> <i>2 years to 3 years = 20 points</i> <i>Above 3 years = 25 points</i> <i>Copies of appointment letters and/or completion certificates indicating contract duration must be attached as proof</i>	
W ₃ = 25	(3) <i>Ability to move coal / day</i> <i>One 30 tonne Truck = 5 points</i> <i>Two 30 tonne Trucks = 10 points</i> <i>Three 30 tonne Trucks = 15 points</i> <i>Four 120 tonne Trucks = 25 points</i> <i>Proof of ownership or legal agreement to hire the vehicles must be attached as proof.</i>	
W ₄ = 20	<i>Business address of the Bidding Entity</i> <i>Residence in Ehlanzeni district = 20 points</i> <i>Any other area = 0 points</i> <i>Municipal utility bill or proof of residence must be attached as proof</i>	

Maximum Points allocation	Specified goal	Calculation method
1. BBBEE		
HEADING	CRITERIA	MAXIMUM POSSIBLE POINTS (80 POINTS)
PRICE	TENDER AMOUNT / RATES	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR		
	1	20
	2	18

	3	14
	4	12
	5	8
	6	6
	7	4
	8	2
	NON – COMPLIANT CONTRIBUTOR	0
2. PRICE (Financial offer)		
Total = 90	N_{FO} = Financial offer P_m = Most favourable tender offer P = Tender under consideration	$N_{FO} = 80 \left[1 - \frac{P - P_m}{P_m} \right]$
Totals	Tender evaluation points = Points for financial offer + points for BBBEE	$T_{EV} = N_{FO} + BBBEE$

Evaluation Criteria Questionnaire (To be completed by tenderer:)

Note: **It is the responsibility of the tenderer to verify the above mentioned items to enable the Department to allocate points to the stated criteria, if the evaluation Criteria Questionnaire is not completed a score of null will be allocated to this portion.**

Compulsorily tenderers information required:

CIDB Registration number:

CIDB GRADE:N/A.....

Quality control practises which ensure employer requirements.

(1) Relevant previous experience (Value). Copies of appointment letters and/or payment orders indicating the value of work done must be attached as proof.

- *Less than R0.5 m* = 5 points
- *R0.5 m to R1.5 m* = 10 points
- *R1.5 m to R3.0 m* = 20 points
- *R3.0 m and above* = 30 points

(2) Relevant previous experience (Years – Description of services). Copies of appointment letters and/or payment orders indicating the value of work done must be attached as proof.

- *Less than 1 years* = 10 points
- *1 year to 3 years* = 15 points
- *4 years to 6 years* = 20 points
- *Above 6 years* = 25 points

(3) Ability to move coal / day. Proof of ownership or legal agreement to hire the vehicles must be attached as proof.

- *One 30-tonne Truck* = 10 points
- *Two 30-tonne Trucks* = 15 points
- *Three 30-tonne Trucks* = 20 points
- *Four 30-tonne Trucks* = 25 points

(4) Business address of the Bidding Entity Municipal utility bill or proof of residence must be attached as proof

- Residence in Ehlanzeni District = 20 points
- Any other area = 0 points

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VARIOUS INSTITUTIONS IN THE EHLANZENI DISTRICT**

T1.1 Tender Notice and Invitation to Tender

The Department of Public Works, Roads and Transport: Mpumalanga Provincial Government,
invites tenders for:

**SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS
INSTITUTIONS IN THE EHLANZENI DISTRICT**

It is estimated that tenderers should have a CIDB contractor grading designation of **N/A** or higher.

Tenderers must be registered with the CIDB in a **N/A** class of construction works.

Document collections: *The physical address for collection of tender documents is:*

Bid documents are available from the following **Supply Chain Management Offices** during working hours:

1. NELSPRUIT

Riverside Government Complex
Building no 9, Government Boulevard,
Nelspruit, 1200. Contact: Mr. VS Ngobe
(013) 766 6339 or Ms. FMM Mantshintshi
(013) 766 8269. Fax: (013) 766 8455



3. MORETELE

TLC offices in Mammethlake Satellite Office
at the Mammethlake Police Station
Contact: Tsepho Ngwatle - 012 721 3955

4. MIDDELBURG

Cnr. Lillian Ngoyi and Dr Beyers Naudé
Streets – Old TPA Building, Upper ground
floor, Office numbers A20, 21 and 25.
Contact: Lorraine Motebu or Donald Ndala
(013) 282 8776. Fax: (013) 282 8776

5. ELUKWATINI

Elukwatini Sub-regional offices
Office numbers A49 and A50 (Opposite
Elukwatini Community Hall) Stand number
12 extension A, Elukwatini, 1190.
Contact : Sibongile Malopi (017) 883 1396/7

6. PIET RETIEF

Department of Social Services, Population
and Development, Old TPA Building – 18
Joubert Street (Cnr Kruger and Joubert
Street). Contact: Ms. Janet Nkosi - 017 826
1671. Fax: (017) 826 0577

7. KWAMHLANGA

KwaMhlanga Government Complex
Department of Finance, Building No. 12,
Computer Centre. Contact: Thoko
Sibanyoni, Sophie Masanabo, Ms. Emily
Mtsweni or Lucky Choba (013) 947
2619/2620

8. EVANDER

10 Cornell Road (preiously occupied by Evander Home Affairs Offices), Evander, 2280. Contact: Andries Mahlangu or Mendy Kabini - 017 632 1607/1540/1549
Fax: (017) 632 1395

9. BUSHBUCKRIDGE

Bushbuckridge Advice Centre, Department of Finance, Protea building (old Telkom building) Contact: July Mashabane or Peterson Sithole (013) 799 2068/1357/0585 or 072 109 7629. Fax: (013) 799 0535

Document submissions

Please note that bid documents can be collected at any of the above-mentioned satellite offices, but bid/tender documents can **ONLY BE SUBMITTED** at the following Supply Chain Offices, as bid closures are **ONLY** administered at the offices listed below:

1. NELSPRUIT

Riverside Government Complex
Building no 9, Government Boulevard,
Nelspruit, 1200. Contact: Mr. VS Ngobe
(013) 766 6339 or Ms. FMM Mantshintshi
(013) 766 8269.

2. MIDDELBURG

Cnr. Lillian Ngoyi and Dr Beyers Naudé
Streets – Old TPA Building, Upper ground
floor, Main Entrance. Contact: Lorraine
Motebu or Donald Ndala - 013 282 8776

3. PIET RETIEF

Department of Social Services, Population
and Development, Old TPA Building – 18
Joubert Street (Cnr Kruger and Joubert
Street) Contact: Janet Nkosi - 017 826 1671

4. KWAMHLANGA

KwaMhlanga Government Complex
Department of Finance, Building No. 12,
Computer Centre. Contact: Thoko
Sibanyoni, Ms Sophie Masanabo, or Ms
Angy Mthombeni (013) 947 606/2619/2620

5. EVANDER

10 Cornell Road (preiously occupied by
Evander Home Affairs Offices), Evander,
2280. Contact: Andries Mahlangu or Mendy
Kabini (017) 632 1607/1540/1549

6. BUSHBUCKRIDGE

Bushbuckridge Advice Centre, Department
of Finance, Protea building (old Telkom
building) Contact: July Mashabane –
013 799 2068/1357/0585 or 072 109 7629

The bid box is generally open 24 hours a day, 7 days a week.

A non-refundable tender deposit of R 200 payable in cash or by bank guaranteed cheque made out in favour of the Employer, payable at the Tender Office is required on collection of the tender documents.

Technical queries relating to the issue of these documents may be addressed to Mr. A van der Merwe (082 608 2011), Mr. D.T Mahlalela (072 895 3062), BM Thusi (082 3434 755), Tel: (013) 766 8923, 013 766 0883, Email avdmerwe@mpg.go.gov.za For any tender administration queries please contact Thembi Thobela - 013 766 8259 at the tender office Building 9 Riverside Government Complex.

Compulsory clarification meeting with representatives of the Employer will take place.

The closing time for receipt of tenders is 12H00hrs

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

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

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T1.2 Tender Data

The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (August 2006). (see www.cidb.org.za).

The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The additional conditions of tender are:

Clause number	Tender Data
F.1.1	The employer is the Department of Public Works, Roads and Transport, Mpumalanga Provincial Government.
F.1.2	The tender documents issued by the employer comprise: T1.1 Tender notice and invitation to tender T1.2 Tender data T2.1 List of returnable documents T2.2 Returnable schedules Part 1: Agreements and contract data C1.1 Form of offer and acceptance C1.2 Contract data C1.3 Form of Guarantee C1.4 Adjudicator's Contract Part 2: Pricing data C2.1 Pricing instructions C2.2 Activity schedules / Bills of Quantities Part 3: Scope of work C3 Scope of work Part 4: Site information C4 Site information
F.1.3	The employer's agent is: Name: FA van der Merwe Address: Private Bag X11302, NELSPRUIT Tel: (013) 766 6875 Fax: (013) 766 9608 E-mail: avdMerwe@mpg.gov.za

F.2.1 Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a **N/A** class of construction work, are eligible to have their tenders evaluated.

F.2.2 There are compulsory clarification meetings

F.2.3 If a tenderer wishes to submit an alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements, the details of which may be obtained from the Employer's Agent. The alternative submission must be handed in with the original offer as per this document.

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.

F.2.4 Parts of each tender offer communicated on paper shall be submitted as an original, plus 0 copies.

F.2.5 The employer's address for delivery of tender offers and identification details to be shown on each
F.2.6 tender offer package are:

Location of tender box: Building 9, Riverside Government Complex

Physical address: , Riverside Government Complex , NELSPRUIT

Identification details: SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS INSTITUTIONS IN THE EHLANZENI DISTRICT

Postal address: MPUMALANGA PROVINCIAL TENDER OFFICE , PRIVATE BAG X 11246, NELSPRUIT 1200

F.2.7 A two-envelope procedure will not be followed.

F.2.8 The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.

F.2.9 Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.

F.2.10 The tender offer validity period is 90 DAYS

F.2.11 Access shall be provided for the following inspections, tests and analysis:
Workshops, Test Instruments, Service Vehicles, Equipment and Staff Qualification

F.2.12 The tenderer is required to submit with his tender a Certificate of Contractor Registration issued by the Construction Industry Development Board and a copy of an **original valid** Tax Pin issued by the South African Revenue Services.

Where a tenderer satisfies CIDB contractor grading designation requirements through joint venture

formation, such tenderers must submit the Certificates of Contractor Registration in respect of each partner.

F.2.13 Tenders will be opened immediately after the closing time for tenders

F.2.14 The procedure for the evaluation of responsive tenders is Method 2 (See evaluating criteria)

The financial offer will be scored using Formula 2 (option 1) where the value of W_1 is:

- 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 500 000; or
- 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R 500 000.

Up to 100 minus W_1 tender evaluation points will be awarded to tenderers who complete the preferencing schedule and who are found to be eligible for the preference claimed.

F2.15 Tender offers will only be accepted if:

- a) the tenderer has in his or her possession an original valid Tax Pin issued by the South African Revenue Services or has made arrangements to meet outstanding tax obligations;
- b) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation;
- c) 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 of 2004 as a person prohibited from doing business with the public sector;
- d) 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; and
- e) has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process.

F.2.16 The number of paper copies of the signed contract to be provided by the employer is one.

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T2.1 List of Returnable Documents

The tenderer must complete the following returnable documents:

1. Returnable Schedules required only for tender evaluation purposes

1.1(a) The following returnable schedules will be required for tender evaluation purposes:

- Copies of appointment letters indicating the value of work done, work orders issued for the work;
- Valid Tax Pin issued by the South African Revenue Services
- Proof of Central Supply Database (CSD) registration
- Schedule of the Tenderer's Experience;
- Proof or confirmation letter of previous experience from relevant institutions;
- Municipal utility bill or proof of resident in Mpumalanga Province;
- Proof of ownership or legal agreement to hire vehicles;
- Certified copy of BBBEE Certificate; QSE SANAS approved or sworn affidavit for EMEs attested by Commissioner of Oaths.

1.1(b) Compulsory Returnable Schedules (certified copies/originals of the following documents. Failure to submit any of the listed documents below, will automatically disqualify the Bid)

- Copies of Identity Documents for all Company owners and/or directors;
- Legal Joint Venture Agreement (where applicable);
- SARS Pin
- Fully completed bill of quantities.
- COIDA certificate / Letter of good standing as issued by the Department of Labour (Letter for tender purposes will NOT be accepted);
- Fully Completed and Signed Form of Offer;
- SBD forms: SBD1, SBD4, SBD6.1, SBD6.2, SBD8 and 9 (fully completed and signed);
- Fully completed and signed bid document.
- Signed Form of Offer.

2. Pricing Proposal and Specific Contract Details

- Bids must be submitted in South African Rand, on a fixed price basis, including VAT (if Bidder is registered);
- The Department is not bound to accept any of the proposals submitted and reserve the right to call for Best and Final Offers from short-listed bidders before final selection;
- The Department reserves the right to call interviews with short-listed Bidders before final selection;
- The lowest or any bid will not necessary be accepted and the Department reserves the right to accept the whole or part of any bid;

- All price escalations will only effect after the first completed year of contract;
- Bidders that supply a separate pricing schedule will automatically be disqualified;
- No alternative proposal will be permissible;
- The Department reserve the right to appoint more than one service provider per institution.

3. COMPULSORY BRIEFING SESSION

3.1 The will be a briefing session

3.2 Furthermore, any enquiries on this bid must be directed to the contact person indicated in the tender document

4. Returnable Schedules that will be incorporated into the contract

- Preferencing Schedule (direct preferences)

5. Other documents that will be incorporated into the contract

- N/A

6 The offer portion of the C1.1 Offer and Acceptance

7 C1.2 Contract Data (Part 2)

Record of Addenda to tender documents

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

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

Attach additional pages if more space is required.

Signed

Date

Name

Position

Tenderer

Compulsory Enterprise Questionnaire

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

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: 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 3 partners

Section 5: Particulars of companies and close corporations

Company registration number

Close corporation number

Tax reference number

Section 6: Record in the service of the state

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

a member of any municipal council
a member of any provincial legislature
a member of the National Assembly or the National Council of Province
a member of the board of directors of any municipal entity
an official of any municipality or municipal entity

an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
a member of an accounting authority of any national or provincial public entity
an employee of Parliament or a provincial legislature

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

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

*insert separate page if necessary

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

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

a member of any municipal council
a member of any provincial legislature
a member of the National Assembly or
the National Council of Province
a member of the board of directors of
any municipal entity
an official of any municipality or
municipal entity

an employee of any provincial department, national or
provincial public entity or constitutional institution
within the meaning of the Public Finance
Management Act, 1999 (Act 1 of 1999)
a member of an accounting authority of any national
or provincial public entity
an employee of Parliament or a provincial legislature

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

*insert separate page if necessary

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

- authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- confirms that the 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;
- 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;
- 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
- 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

CERTIFICATE OF AUTHORITY FOR SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category, and attach their **Registration Certificates for Companies, Close Corporations and Partnerships, or Agreements and Powers of Attorney for Joint Ventures, or ID documents** to the page provided at the end of this form.

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(IV) JOINT VENTURE	(V) SOLE PROPRIETOR

(I) CERTIFICATE FOR COMPANY

I, Id number chairperson of the Board of Directors of hereby confirm that by resolution of the Board (copy attached) taken on 20....., Mr/Ms acting in the capacity of, was authorised to sign all documents in connection with the tender for Contract No and any contract resulting from it, on behalf of the company.

Chairman:

As Witnesses: 1.

2. Date:

(II) CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as hereby authorise Mr/Ms acting in the capacity of, to sign all documents in connection with the tender for Contract No and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE
..... ID No.....			
..... ID No.....			
..... ID No.....			
..... ID No.....			

Note : This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.

(III) CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as,
..... hereby authorize Mr/Ms
acting in the capacity of, to sign all documents

in connection with the tender for Contract No and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

Note : *This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.*

(IV) CERTIFICATE FOR JOINT VENTURE

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize

Mr/Ms, authorized signatory of the company, acting in the capacity of lead partner, to sign all documents in connection with the tender offer for Contract No and any contract resulting from it, on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead partner		

Note : *This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.*

(V) CERTIFICATE FOR SOLE PROPRIETOR

I,, hereby confirm that I am the sole owner of the business trading as

Signature of Sole owner:

As Witnesses:

1.
2.

Schedule of Proposed Subcontractors



We notify you that it is our intention to employ the following Subcontractors for work in this contract.

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.

	Name and address of proposed Subcontractor	Nature and extent of work	Previous experience with Subcontractor.
1.			
2.			
3.			
4.			
5.			

Signed

Date

Name

Position

Tenderer

Schedule of Plant and Equipment

The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this contract or will acquire or hire for this contract if my / our tender is accepted.

(a) Details of major equipment that is owned by and immediately available for this contract.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

(b) Details of major equipment that will be hired, or acquired for this contract if my / our tender is acceptable.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed

Date

Name

Position

Tenderer

Schedule of the Tenderer's Experience



The following is a statement of similar work successfully executed by myself / ourselves:

Employer, contact person and telephone number.	Description of contract	Value of work inclusive of VAT (Rand)	Date completed

Signed		Date	
Name		Position	
<i>Tenderer</i>			

The Tenderer's attention is drawn to clause F.3.8 of the Standard Conditions of Tender referenced in the Tender Data regarding the employer's handling of material deviations and qualifications.

Page	Clause or item	Proposal

Date _____

Position

Preferencing schedule (direct preference)

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2011

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2011.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R1 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R1 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to exceed/not exceed R1 000 000 (all applicable taxes included) and therefore the.....system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

1.3.1 The maximum points for this bid are allocated as follows:

POINTS

1.3.1.1 PRICE

.....

1.3.1.2 B-BBEE STATUS LEVEL OF CONTRIBUTION

.....

Total points for Price and B-BBEE must not exceed 100

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

1.5. The purchaser reserves the right to require of a bidder, either before a bid is adjudicated or at any time subsequently, to substantiate any claim in regard to preferences, in any manner required by the purchaser.

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity Based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less.
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor's assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based

Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;

- 2.17 “**trust**” means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and
- 2.18 “**trustee**” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
- 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
- 3.3 Points scored must be rounded off to the nearest 2 decimal places.
- 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for B-BBEE.
- 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for B-BBEE, the successful bid must be the one scoring the highest score for functionality.
- 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

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

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

80/20

or

90/10

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

$P_{\min}$ = Comparative price of lowest acceptable bid

5. Points awarded for B-BBEE Status Level of Contribution

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	8	16
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	0

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an Unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.

5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.

5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub-contractor is an EME that has the capability and ability to execute the sub-contract.

5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. B-BBEE STATUS LEVEL OF CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

7.1 B-BBEE Status Level of Contribution: = (maximum of 10 or 20 points)

(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA).

8 SUB-CONTRACTING

8.1 Will any portion of the contract be sub-contracted? YES / NO (delete which is not applicable)

8.1.1 If yes, indicate:

(i) what percentage of the contract will be subcontracted?

..... %

(ii) the name of the sub-contractor?

(iii) the B-BBEE status level of the sub-contractor?

.....

(iv) whether the sub-contractor is an EME? YES / NO (delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of company/firm

9.2 VAT registration number :

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One person business/sole propriety

Close corporation

Company

(Pty) Limited

[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....
.....
.....

9.6 COMPANY CLASSIFICATION

Manufacturer

Supplier

Professional service provider

Other service providers, e.g. transporter, etc.

[TICK APPLICABLE BOX]

9.7 Total number of years the company/firm has been in business?

9.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the B-BBEE status level of contribution has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding 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) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

WITNESSES:

1.

.....
SIGNATURE(S) OF BIDDER(S)

2.

DATE:.....

ADDRESS:.....

.....
.....

DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS (SBD 6.2)

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2011, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2011 (Regulation 9) makes provision for the promotion of local production and content.
- 1.2. Regulation 9.(1) prescribes that in the case of designated sectors, where in the award of bids local production and content is of critical importance, such bids must be advertised with the specific bidding condition that only locally produced goods, services or works or locally manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6 A bid may be disqualified if –
 - (a) this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation; and
 - (b) the bidder fails to declare that the Local Content Declaration Templates (Annex C, D and E) have been audited and certified as correct.

2. Definitions

- 2.1. **“bid”** includes written price quotations, advertised competitive bids or proposals;
- 2.2. **“bid price”** price offered by the bidder, excluding value added tax (VAT);
- 2.3. **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.4. **“designated sector”** means a sector, sub-sector or industry that has been designated by the Department of Trade and Industry in line with national development and industrial policies for local production, where only locally produced services, works or goods or locally manufactured goods meet the stipulated minimum threshold for local production and content;

- 2.5. **“duly sign”** means a Declaration Certificate for Local Content that has been signed by the Chief Financial Officer or other legally responsible person nominated in writing by the Chief Executive, or senior member / person with management responsibility(close corporation, partnership or individual).
- 2.6. **“imported content”** means that portion of the bid price represented by the cost of components, parts or materials which have been or are still to be imported (whether by the supplier or its subcontractors) and which costs are inclusive of the costs abroad (this includes labour or intellectual property costs), plus freight and other direct importation costs, such as landing costs, dock duties, import duty, sales duty or other similar tax or duty at the South African port of entry;
- 2.7. **“local content”** means that portion of the bid price which is not included in the imported content, provided that local manufacture does take place;
- 2.8. **“stipulated minimum threshold”** means that portion of local production and content as determined by the Department of Trade and Industry; and
- 2.9. **“sub-contract”** means the primary contractor's assigning, leasing, making out work to, or employing another person to support such primary contractor in the execution of part of a project in terms of the contract.
3. **The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:**

<u>Description of services, works or goods</u>	<u>Stipulated minimum threshold</u>
_____	_____ %
_____	_____ %
_____	_____ %

4. Does any portion of the services, works or goods offered have any imported content?
(**Tick applicable box**)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

- 4.1 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 at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

5. Were the Local Content Declaration Templates (Annex C, D and E) audited and certified as correct?
(**Tick applicable box**)

YES		NO	
-----	--	----	--

5.1. If yes, provide the following particulars:

- (a) Full name of auditor:
(b) Practice number:
(c) Telephone and cell number:
(d) Email address:

(Documentary proof regarding the declaration will, when required, be submitted to the satisfaction of the Accounting Officer / Accounting Authority)

6. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.

2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thdti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of bidder entity), the
following:

(a) The facts contained herein are within my own personal knowledge.

(b) I have satisfied myself that:

- (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (ii) the declaration templates have been audited and certified to be correct.

(c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 3 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

(d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.

(e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2011 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

- 2.1 Full Name of bidder or his or her representative:

.....

- 2.2 Identity Number:

.....

- 2.3 Position occupied in the Company (director, trustee, shareholder²):

.....

- 2.4 Company Registration Number:

.....

- 2.5 Tax Reference Number:

.....

- 2.6 VAT Registration Number:

.....

- 2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

¹"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);

- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder presently employed by the state? **YES / NO**

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:
 Name of state institution at which you or the person connected to the bidder is employed :
 Position occupied in the state institution:

Any other particulars:

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attached proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

.....

 2.10 Are you, or any person connected with the bidder,
 aware of any relationship (family, friend, other) between
 any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication
 of this bid?

YES/NO

If so, furnish particulars.

.....

2.11 Do you or any of the directors / trustees / shareholders / members
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

YES/NO

If so, furnish particulars:

.....

Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Reference Number	Tax Number	State Number / Number	Employee Peral

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF

PARAGRAPH 23 OF THE GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION

PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied). The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.	Yes ☐	No ☐

4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

SBD 9

6. 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 consortium³ will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. 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 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.

SBD 9

10. 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.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

MPUMALANGA PROVINCIAL GOVERNMENT
DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

**SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS
INSTITUTIONS IN THE EHLANZENI DISTRICT**

C1.1 Form of Offer and Acceptance
Offer

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of: **SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS INSTITUTIONS IN THE EHLANZENI DISTRICT**

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:

..... Rand (in words);

R..... (in figures)

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 Date

Name

Capacity

for the tenderer

(Name and address of organization)

Name and signature
of witness

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: Agreements 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 Parts 1 to 4 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender 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 agreement. 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 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 fulfill 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 working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature Date

Name
Capacity
**for the
Employer** Department of Public Works, Roads and Transport
Riverside Government Building
Private Bag X 11302, Nelspruit

Name and
signature
of witness
Date

.....

1 Subject	.....
Details	.....
	
	
2 Subject	.....
Details	.....
	
	
3 Subject	.....
Details	.....
	
	
4 Subject	.....
Details	.....
	
	
5 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 tender 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.

MPUMALANGA PROVINCIAL GOVERNMENT
DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

**SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS
INSTITUTIONS IN THE EHLANZENI DISTRICT**

C1.2 Contract Data

The General Conditions of Contract for Government Procurement (Annexure A) are applicable to this contract. Copies of these conditions of contract may be obtained from the Department.

FULL NAME AND ADDRESS OF TENDERER:

.....
.....
.....

.....
TENDERERS SIGNATURE

.....
DATE

MPUMALANGA PROVINCIAL GOVERNMENT
DEPARTMENT OF PUBLIC WORKS, ROADS AND TRANSPORT

**SUPPLY AND DELIVERY OF COAL FOR A PERIOD OF THREE YEARS AT VARIOUS
INSTITUTIONS IN THE EHLANZENI DISTRICT**

C2.2 Quantities

1.00 PRICE SCHEDULE (To be completed by tenderers)

Pricing Instructions

- All prices in the schedule must be VAT exclusive and quoted in the South African Rand (ZAR);
- Bid Prices, rates and tariffs shall remain fixed on values valid at the stage of tendering for a period of twelve (12) months after the contract having come into effect and no escalation will be allowed during this period. Subsequently escalation will be applied once annually, upon application by the successful tenderer / contractor, making use of the relevant indices and formulae as set out.
- All coal deliveries made will be subjected to provision of the Departmental SOP as well as conditions of contract as stipulated.

Tenderers are required to indicate the total kilometres (km) from the depot to mine to facility and back to depot when pricing for the cost of transport in the schedule)

Ehlanzeni District

Pricing Schedule

INSTITUTION	Cost of coal R per ton (A)	Cost of coal R per ton (B)	Total cost (A+B)
Rob Ferreira Hospital	R	R	R
Themba Hospital	R	R	R
Barberton Hospital	R	R	R
Tonga Hospital	R	R	R
Shongwe Hospital	R	R	R
Cost of delivering at site R/ton			R

Coal Analysis Cost (Testing, Etc) per order	R
SUB TOTAL (Vat Exclusive)	R
Add VAT (15%)	R
TOTAL Carried to FORM OF OFFER (VAT Inclusive)	R

NOTE TO TENDERERS:

1. The coal quality must be according to SABS table (CKS 561-1982) provided in a tender document. Proof must be submitted for every coal delivery to the Hospital.
2. An average consumption of 45 tons per month per hospital is expected, the bulk of which should Be delivered in a single lot.

NB: Coal must only be delivered within working hours. Deliveries after hours will not be accepted.

3. **CONTRACT PRICE ADJUSTMENT SCHEDULE**

Rates and prices payable shall be increased or decreased through the application of a formula to calculate the rate adjustment factor at the beginning of each period of six months, measured from the start of the contract period as determined in the letter of acceptance and shall remain firm and fixed for the ensuing period of six months.

The rates payable shall be increased or decreased by the amount obtained by multiplying the applicable tendered rates (Table 1 and 2) by one of the following applicable rate adjustment factors (RAF) determined according to the formula:

1) **RAF 1: (Coal)**

RAF1 will be applicable to the rate for coal in percentage.

$$RAF(1) = (1 - x) \left\{ \frac{A_t}{A_o} - 1 \right\}$$

In which the symbols have the following meanings:

"x" is the proportion of "RAF" not subject to adjustment. This proportion shall be 0,15 for this contract.

"A" is the aggregate index and shall be the production price index for selected material: "Peas grade A" as published in the Statistical News Release PO 142.1, (Table 16) of the Central Statistical Service of South Africa.

The suffix "o" denotes the basic index applicable to the base month, which shall be month prior to the month in which the closing date for tenders fall.

The suffix "t" denotes the indices applicable to the month, which is the same calendar month as the base month, prior to the twelve-month period for which the adjusted rates will be applicable.

2) RAF 2: (Labour, transport and fuel)

RAF 2 will be applicable to the transportation rates.

$$RAF(2) = (1-x) \left[a \frac{L_t}{L_o} + b \frac{T_t}{T_o} + c \frac{F_t}{F_o} - 1 \right]$$

In which the symbols have the following meanings:

"x" is the proportion of "RAF" not subject to adjustment. This proportion shall be 0,15 for this contract.

"a, b and c" are the co-efficients determined by the Department and specified hereunder, which are deemed, irrespective of the actual constituent of the work, to represent the proportionate value of Labour, Transport and Fuel respectively. The arithmetical sum of a, b and c shall be unity.

a = 0,2 (Labour) b = 0,5 (Transport) c = 0,3 (Fuel)

"L" is the labour index and shall be the Consumer Price Index excluding interest rates on mortgage bonds for the urban area specified in the Appendix table 21 for Nelspruit/Witbank, as published in the Statistical News Release PO 141.1 of the Central Statistical Service of South Africa.

"T" is the transport index and shall be the production price index for selected material: "Trucks" as published in the Statistical News Release PO 142.1, (Table 16) of the Central Statistical Service of South Africa.

"F" is the fuel index and shall be the production price index for selected material: "Diesel oil - Witwatersrand" as published in the Statistical News Release PO 142.1, (Table 16) of the Central Statistical Service of South Africa.

The suffix "o" denotes the basic index applicable to the base month, which shall be month prior to the month in which the closing date for tenders fall.

The suffix "t" denotes the indices applicable to the month, which is the same calendar month as the base month, prior to the twelve-month period for which the adjusted will be applicable.

Note:

1. **Contractors are reminded to complete Table 1 and Table 2 in detail as to allow the contractor/s to calculate escalation on the said tables. Escalation will be calculated every six months by the contractor/s to the department for approval. Failure to do so will cause the contractor not to be entitled for escalation.**
2. **In the event that the appointed contractor for a specified hospital fail to deliver coal within 2 working days, the Department shall have the right to contract with one of the other suppliers to supply coal.**

C3 Scope of Work

1 DESCRIPTION OF THE WORKS

1.1 Employer's objectives

To ensure a safe and continuous supply of steam to Hospitals.

1.2 Overview of the works

The supply of suitable coal to Provincial Institutions.

1.3 Extent of the works

2 Steam Boilers situated at Hospitals in Mpumalanga Province.

1.4 Location of the works

Situated at Hospitals in Mpumalanga Province.

1.5 Temporary works

N/A

2 Drawings

None

3 Procurement

3.1 Preferential procurement procedures

The works shall be executed in accordance with the conditions attached to preferences granted in accordance with the preferencing schedule.

4.1 Applicable national and international standards

- SANS Standards

4.2. Generic specification: - TECHNICAL SPECIFICATIONS

1.00 SITE AND CONDITIONS

The site for this contract are Boiler Houses at government hospitals in the province.

2.00 SCOPE OF CONTRACT

This contract consists of the following:

2.01 The supply of coal in bulk

2.02 The coal must comply with the standards of the S.A Bureau of Standards. Checks will be done in the course of the contract period to ascertain that the coal supplied complies with the specification. If coal delivered does not conform to specification it will be the responsibility of the contractor to remove the coal from site and replace the

load with coal conforming to the requirement, without any additional cost to the Department.

- 2.03 The contractor will be held liable for any expense, which may be incurred by the province as a result of injury to a person or damage to property arising from the presence of any explosive/ object of any kind in the coal supplied under this contract.
- 2.04
- (a) The coal must be washed coal and delivered into the coalbunkers at the various institutions and any spillage must be cleaned before the delivery note will be signed.
- (b) Every consignment delivered in bulk must be accompanied by a weighbridge certificate containing the following: The name and address of the weighbridge owner, the date and time, the tare of the vehicle, the gross mass, as well as the net mass of the coal on the vehicle.
- (c) Deliveries done in this way must conform to all legal requirements.
- 2.05 The prices quoted are not firm and price adjustment will be calculated annually. Contractors must apply for the annual price increase according to the production price index
- 2.06 The Contractor must specify the shortest delivery period.

3.00 COAL SPECIFICATION

3.01 Ultimate analysis (as fired basis)

Ultimate Analysis	% by Mass
Moisture	2.50
Ash	12.83
Carbon	69.79
Hydrogen	4.10
Nitrogen	1.64
Sulphur	0.62
Oxygen	8.52

3.02 Proximate Analysis (Air dried Basis)

Proximate Analysis	% by Mass
Moisture	2.50
Ash	12.83
Volatile Matter	24.63
Fixed Carbon	60.04
Gross Calorific Value MJ/kg	28.50

3.03 Ash Fusion Temperatures

Ash Fusion Temperatures	°C
Deformation	+ 1400
Hemispherical	+ 1400
Flow	+ 1400
Swelling index	1

3.04 Size Grading

Size range (mm)	% in range
+ 25	0
- 25 to + 19	15
- 19 to + 13	25
- 13 to + 6	43
- 6 to + 3	13
- 3 to + 1	4
- 1	1

3.05 Trace elements

Impurities in coal	Range
Chlorine (%)	Less than 0.15
Phosphorus (%)	Less than 0.03
Sulphur (%)	Less than 1.3
Iron in ash (%)	Less than 4.0

4.00 SPECIAL NOTE

- 4.01 Tenderers must visit each site before tendering so as to acquaint themselves with the prevailing conditions, i.e. the selection of the most suitable delivery truck, access to coal bunker, etc.
- 4.02 The successful contractor shall be required to take utmost care not to damage the buildings in his attempt to deliver the coal. Such damage through negligence on his behalf will be for his account.
- 4.03 VAT to be included in tender prices.
- 4.04 In the event that the supplied coal fails the required quality test in three test occasions for the same Hospital, the contract will be terminated with immediate effect and a new tender will be published. (Test will be done by an approved authority)

For the convenience of the tenderers the following SABS tables (CKS 561 – 1982) have been included.

Table – 1 GRADES IN TERMS OF CALORIFIC VALUES

Property		a) Grade							Test method sub section
		Sp	A	B	C	D –I	D -II	D -III	
	Min	>28.5	27.5	26.5	25.5	23.5	21.5	-	4.1
	Max	-	<28.5	<27.5	<26.5	<25.5	<23.5	<21.5	

Table –2 CLASSIFICATION IN TERMS OF VARIOUS CHEMICAL PROPERTIES (dry air basis)*

Chemical Property		b) Class of coal					Test method sub section
		1	2	3	4	5	
Volatile matter content , % (m/m)	>26.0	20.1-26.0	14.1-20	8.1-14.0	<8		4.2
Ash content, % (m/m)	<12.0	12.1-15	15.1-20.0	20.1-25	>25		4.3
Total sulphur content, (m/m)	<1.00	1.01-1.50	1.51-2.00	>200	-		4.4
Ash fusion temperature (HT), °C	>1400	1310-1400	1210-1300	<1200	-		4.5

Table 3 –SIZE CATEGORIES; BITUMINOUS COAL

Size category (Code*)	Size range,*	Oversize tolerance		Undersize tolerance		Test method subsection
		Content % (m/m), Max	Size, mm	Content %, (m/m) Max	Size, mm	
Cobbles (c)	100.0-28.0	0 5	>125 >100	10 7.5	<25.0 <6.3	4.6
Large Nuts (NC)	71.0-28.0	5	>71.0	10 7.5	<25.0 <6.3	
Small Nuts (SN)	40.0-20.0	5	>40.0	10 7.5	<16.0 <6.3	
Peas I (PI)	25.0-6.3	0 8	>31.5 25.0	14.00	<6.3	
Peas I (PII)	25.0-6.3	0	>25.0	14.00	<6.3	
Smalls (SI)	25.0-0	8	>25.0	25.00	<6.3	
Smalls (SII)	25.0-0	0 8	>31.5 25.0	50 30	<6.3 <3.15	
Smalls III (SIII)	18.0-0	0	<20.0	50 6	<6.3 <0.5	
Duff Dross (D)	6.3-0	0 20	>25.0 >6.3	- -	- -	

SCHEDULE OF INFORMATION (To be completed by tenderer)

1. Is coal according specification
.....
2. Name and address of coal supplier
.....
.....
.....
.....
3. Type of transport used to transport coal
.....
.....
.....
4. Capacity of coal transporters (load in ton)
.....
.....
5. Base of operation
.....

I hereby certify that the foregoing replies are true and correct to the best of my knowledge and belief that the replies are in respect of the following good tendered by me under this tender:

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Tender No
.....

Item No
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DESCRIPTION

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TENDERER'S SIGNATURE

.....
TENDERER'S NAME