



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

INVITATION TO BID

BID NUMBER: DFFE-T108 (22/23)

THE APPOINTMENT OF A SUITABLY QUALIFIED REGISTERED CONTRACTORS WITH THE GRADING DESIGNATION OF 2CE OR HIGHER TO ASSIST DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION PROJECTS IN FIVE PROVINCES, FOR A MINIMUM PERIOD OF ONE (1) YEAR TO A MAXIMUM PERIOD OF FIVE (5) YEARS.

Contact persons:

Name : Mr. Umesh Bahadur
Cellphone No. : 072 072 0750
E-Mail : UBahadur@dffe.gov.za

NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD) REGISTRATION INFORMATION

Company name	Supplier registration number	Unique reference number	
			Main contractor
			Sub-contracted/ joint venture comp 1
			Sub-contracted/ joint venture comp 2

CLOSING DATE OF THE BID: 17 APRIL 2023 AT 11H00

COMPULSORY BRIEFING SESSION WILL BE HELD AS FOLLOWS:

DATE: 28 MARCH 2023

TIME: 09:00 – 12:00

PLEASE NOTE THAT THE VIRTUAL BRIEFING LINK WILL BE PUBLISHED ON DFFE WEBSITE.



**forestry, fisheries
& the environment**

Department:
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REPUBLIC OF SOUTH AFRICA

TENDER NO: DFFE – T108 (22/23): THE APPOINTMENT OF A SUITABLY QUALIFIED REGISTERED CONTRACTORS WITH THE GRADING DESIGNATION OF 2CE OR HIGHER TO ASSIST DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION PROJECTS IN FIVE PROVINCES, FOR A MINIMUM PERIOD OF ONE (1) YEAR TO A MAXIMUM PERIOD OF FIVE (5) YEARS.

PROJECT NAME: THE APPOINTMENT OF A SUITABLY QUALIFIED REGISTERED CONTRACTORS WITH THE GRADING DESIGNATION OF 2CE OR HIGHER TO ASSIST DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION PROJECTS IN FIVE PROVINCES, FOR A MINIMUM PERIOD OF ONE (1) YEAR TO A MAXIMUM PERIOD OF FIVE (5) YEARS.

TO ASSIST DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION PROJECTS IN FIVE PROVINCES.

VOLUME 1 – TENDERING PROCEDURES

VOLUME 2 – RETURNABLE DOCUMENTS

VOLUME 3 – THE CONTRACT

TENDER DOCUMENT

MARCH 2023

ISSUED BY:

DEPARTMENT OF FORESTRY FISHERIES AND THE ENVIRONMENT

PRIVATE BAG X447

473 ENVIRONMENTAL HOUSE, STEVE BIKO ROAD

PRETORIA

0001

NAME OF THE TENDERER:

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1. THE TENDER

PART T1: TENDERING PROCEDURES

T1.1: TENDER NOTICE AND INVITATION TO TENDER

Department of Forestry, Fisheries and the Environment (DFFE), invites suitably qualified contractors with a CIDB registered grading designation of **2CE or higher** to assist DFFE with the implementation of Wetlands rehabilitation projects in five provinces, for a minimum period of 1 year to a maximum period of 5 years.

Bid documents will be available on the e-tender website at www.etenders.gov.za, CIDB website at www.cidb.gov.za, and DEFF website at www.dffe.gov.za from 17 March 2023.

Queries relating to the issue of these documents may be addressed to:

Name: Mr. Umesh Bahadur

Tel No. 072 072 0750

Email: ubahadur@dffe.gov.za

A compulsory clarification and presentations meeting (Briefing Session) for all projects will take place as follows:

Date: 28th of March 2023

Time: 09:00 – 12:00

MS Teams Link: [Click here to join the meeting](#)

The bids will be evaluated on using Three (3) Phase system with Phase One (1) focusing on initial screening on SCM returnable requirements, Phase Two (2) (stage one (1) focusing on mandatory requirements and stage two (2) focusing on responsiveness to the functionality criteria) and Phase Three (3) focusing on price and B-BBEE as outlined in this bid document. Bidders who fail to obtain a minimum of requirements for mandatory requirements and minimum of 75% for functionality will not be considered further.

THE CLOSING TIME FOR RECEIPT OF TENDERS IS 17th of April 2023 @ 11:00 Tenders should be submitted at the DFFE Offices (in the tender box). Only Tenders complying with the following requirements will be considered:

- i) The tender is for Consortiums with a contractor who shall have a CIDB contractor rating of **2CE or higher**.
- ii) Tenders submitted on the prescribed Tender Dossier
- iii) Tenders sealed in envelopes conspicuously marked as follows:

Tender Bid No.: DFFE-T108 (22/23)

Department of Forestry, Fisheries and the Environment

DFFE Head Office Reception

Physical address: The Environment House 473 Steve Biko Road, cnr Soutpansberg and Steve Biko Road,
Pretoria, 0083

Bid Box is situated on Ground Floor, DFFE Office at the above-mentioned address.

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.

INVITATION TO BID

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)					
BID NUMBER:	DFFE-T108 (22/23)	CLOSING DATE:	17 April 2023	CLOSING TIME:	11:00
DESCRIPTION	Appointment of suitably qualified contractors with a CIDB registered grading designation of 2CE or higher to assist DFFE with the implementation of Wetlands rehabilitation projects in five provinces, for a minimum period of one (01) year to a maximum period of five (05) years.				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM OR AGREEMENT OF FORM OF OFFER AND ACCEPTANCE.					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT <i>DEFF Head Office Reception</i> <i>Physical address: The Environment House 473 Steve Biko Road, cnr Soutpansberg and Steve Biko Road, Pretoria, 0083</i>					
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					
TAX COMPLIANCE STATUS	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	☐ Yes ☐ No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		☐ Yes ☐ No

[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]			
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	☐ Yes ☐ No [IF YES, ANSWER PART B:3]
TOTAL NUMBER OF ITEMS OFFERED		TOTAL BID PRICE	R
SIGNATURE OF BIDDER	.....	DATE	
CAPACITY UNDER WHICH THIS BID IS SIGNED			
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT	DFFE	CONTACT PERSON	Mr. Umesh Bahadur
CONTACT PERSON	Mr Nico Mamojele	TELEPHONE NUMBER	-
TELEPHONE NUMBER	012 399 9073	CELLPHONE NUMBER	072 072 0750
FACSIMILE NUMBER	-	FACSIMILE NUMBER	-
E-MAIL ADDRESS	nmamojele@dffe.gov.za	E-MAIL ADDRESS	ubahadur@dffe.gov.za

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. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE JOINT BUILDING CONTRACTS COMMITTEE (COMMONLY KNOWN AS JBCC, AS THE PRINCIPAL BUILDING AGREEMENT OR CONDITIONS OF CONTRACT AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.			
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 THE TAX COMPLIANCE STATUS (TCS) CERTIFICATE 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. FOREIGN SUPPLIERS MUST COMPLETE THE PRE-AWARD QUESTIONNAIRE IN PART B: 3.			
2.5. BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.			
2.6. IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.			
2.7. 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 ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	☐	YES ☐	NO ☐
3.2. DOES THE ENTITY HAVE A BRANCH IN THE RSA?	☐	YES ☐	NO ☐
3.3. DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	☐	YES ☐	NO ☐
3.4. DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	☐	YES ☐	NO ☐
3.5. IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	☐	YES ☐	NO ☐
IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.			

IMPORTANT NOTICE

Bidders should ensure that bids are delivered timeously to the correct address. If the bid is late, it will not be accepted for consideration.

The bid box is open, 5 days a week, Monday to Friday, between 08h00 – 16h00.

The bid box is located at DFFE Head Office Reception

Physical address: The Environment House 473 Steve Biko Road, cnr Soutpansberg and Steve Biko Road, Pretoria, 0083

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

All bidders must sign a security tender register when submitting their tender documents.

Writing must be in block letters and black ink.

This bid is subject to the preferential procurement policy framework act and the preferential procurement regulations, 2022, the joint building contracts committee (commonly known as JBCC), as the principal building agreement or conditions of contract and, if applicable, any other special conditions of contract specified by DFFE.

Copies of these conditions of contract may be obtained through most regional offices of the Association of South African Quantity Surveyors, Master Builders Association, South African Association of Consulting Engineers, South African Institute of Architects, Association of Construction Project Managers, Building Industries Federation South Africa, South African Property Owners Association or Specialist Engineering Contractors Committee.

TECHNICAL ENQUIRIES

Should you require any further information in this regard, please do not hesitate to contact:

Name: Mr. Umesh Bahadur

Tel No. 072 072 0750

Email: ubahadur@dffe.gov.za

T1.2. PROJECT DESCRIPTION

DESCRIPTION OF THE WORKS

Department of Forestry, Fisheries and the Environment (DFFE), invites suitably qualified contractors with a CIDB registered grading designation of **2CE or higher** to assist DFFE with the implementation of Wetlands rehabilitation projects in five provinces, for a minimum period of one (1) year to a maximum period of five (5) years.

INTRODUCTION AND BACKGROUND

The Expanded Public Works Programme (EPWP) was adopted by the South African government in 2004 in line with the broader strategy of addressing structural poverty in South Africa (DEA, 2014). It is a nationwide government-led initiative aimed at drawing a significant number of unemployed South Africans into productive work in a manner that would enable them to gain skills and increase their capacity to earn income.

The EPWP advances the principle of government expenditure, across all three spheres (National, Provincial and Local Government) to provide employment opportunities and skills development to the unemployed. The Department of Forestry, Fisheries and the Environment (DFFE) has, through the Environmental Programmes (EP) Branch, implemented natural resource management programmes which are in line with the EPWP through seeking ways to address environmental challenges as per the DFFE' strategic objectives.

The EPWP provides the basis against which these programmes aim to ensure the provision of decent work and sustainable livelihoods with a specific focus on integrated landscape management that supports resilient communities and the environment. Therefore, the programmes aim to target households in line with the EPWP principals on poverty and unemployment at local municipal level.

The EP Branch targets certain categories of people, specifically, the previously disadvantaged, i.e., women, youth, and people with disabilities, as well as undertake labour-intensive work which is environmentally related in its nature.

The purpose of the EP Branch is to provide management, operational oversight and to support sustainable livelihoods for local people through integrated landscape management that strives to establish resilient social-ecological systems and fosters equity in access to ecosystem services. The specific objectives are as follows:

- To enhance the rehabilitation and maintenance of degraded ecosystems and the delivery of ecosystem goods and services.
- Job creation and Economic development.
- Skills development; and
- Strengthening support for Small Medium and Micro Enterprises (SMMEs).

In line with objectives mentioned above, the EP Branch has developed a plan to quantify work in terms of Wetland rehabilitation in South Africa. The purpose of this tender is to appoint suitable qualified contractors with a CIDB registered grading designation of 2CE or higher on a various year term contracts from 2023/24 financial year to assist DFFE with the implementation of Wetland rehabilitation projects in the South Africa.

Bidders may bid for one or more project/s but are required to submit a separate bid for each Project. The name and unique number of the project must be clearly indicated on the front cover of the bid document.

The service provider shall, during the period allowed for the execution of the project, ensure that is in line with but not limited to the following legislation as amended from time to time:

- The Constitution of South Africa, 1996.
- The National Environmental Management Act, 1998 (Act 107 of 1998);
- The National Environmental Management: Biodiversity Act, 2004 (Act 10 of 2004) and applicable regulations;
- National Veld and Forest Fire Act, 1998 (Act 101 of 1998);
- Disaster Management Act, 2002 (57 of 2002);
- National Water Act, 1998 (Act 36 of 1998);
- National Forests Act, 1998 (Act 84 of 1998);
- Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983);
- Mountain Catchment Areas Act, 1981 (Act 76 of 1981);
- The Public Finance Management Act, 1999 (Act No 1 of 1999) and the Treasury Regulations issued in terms thereof;
- Basic Conditions of Employment Act, 1997 (Act No 75 of 1997) (Ministerial Determination 4: Expanded Public Works Programme);
- Basic Conditions of Employment Act, 1997 (Act No 75 of 1997): Code of Good Practice and conditions of work for Expanded Public Works Programme;
- The Broad-Based Black Economic Empowerment Act, 2003 (Act No 53 of 2003);
- Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000);
- The Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004);
- Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No 36 of 1947);
- Hazardous Substances Control Act, 1973 (Act No 15 of 1973),
- National Treasury Regulation 16A6.3, issued in terms of the Public Finance Management Act
- The Skills Development Act, 1998 (Act No. 97 of 1998) and the Skills Development Amendment Act, 2011 (Act No. 26 of 2011);
- The Reconstruction and Development Programme Fund Act, 1994 (Act No. 7 of 1994) and the Reconstruction and Development Programme Fund Amendment Act, 1998 (Act No. 79 of 1998);
- Construction Industry Development Board Act, 2000 (Act No. 38 of 2000);
- Engineering Profession Act, 2000 (Act No. 46 of 2000);

- Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);
- Quantity Surveying Profession Act, 2000 (Act No. 49 of 2000);
- The Architectural Profession Act, 2000 (Act No. 44 of 2000);
- Landscape Architectural Professions Act, 2000 (Act No. 45 of 2000);
- The National Small Enterprise Act No, 1996 (Act No. 102 of 1996).
- The National Qualifications Framework Act, 2008 (Act No 67 of 2008 and the NQF Amendment Act, 2019 (Act No. 12 of 2019)
- Employment Equity Act, 1998 (Act No. 55 of 1998)
- Protection of Personal Information Act, 2013 (Act No 4 of 2013); and
- Intellectual Property Rights from Publicly Financed Research and Development Act, 2008 (Act No. 51 of 2008).

SCOPE OF WORK

The scope of work is described in detail in the rehabilitation plans, which need to be read in with these terms of reference. These can be found at on the link as listed below.

The rehabilitation plan represents a flexible guideline of the work to be done and may be amended in response to altered environmental conditions or additional information, subject to the approval of Working for Wetlands. In addition to the physical deliverables outlined in the rehabilitation plan, the implementer will be required to quantify deliverables relating to employment & training.

The projects will commence in the 2023/24 financial year. The project duration for each project is outlined in the tables under below . Bidders should be mindful of the following:

- Through this tender, the Department will be appointing one contractor per project. The projects are listed per province in the table below. These projects are guided by the Standard Operating Procedure 12 of the Working for Wetlands Programme (Annexure 13).
- Contractors are free to bid for any Project/s where they have capacity and capability to deliver by indicating Yes or No on the table below. Bidders must note that projects awarded will be running concurrently.
- The project specifications with rehabilitation plans, where applicable, plans including the scope and extent of work required for each of the projects relating to the Wetland erosion projects are required, are attached to this TOR and available on the following link provided below.
- Bidders should take cognisance of the fact that rehabilitation efforts are governed by national and provincial legislation (as per NEMA and the NWA, which require registration of the project in terms of the Working for Wetlands EMP before work is done on drainage lines) (see Annexures 11 and 12),
- The appointed contractor (s) will be expected, in consultation with Environmental Programmes' operations manager in the specific regions, to develop detailed project plans which detail the approach to be followed, project risk management plans, health and safety plans, budgets and milestones for the deliverables and activities within each of the project areas.

- The appointed contractor (s) shall be responsible for recruitment and contracting of all EPWP participants relating to the project/s.
- The recruitment and appointment of EPWP project participants must be according to the approved DFFE and EPWP recruitment strategy.
- Employ unskilled participants/general workers, train them on First Aid and Health & Safety.
- Procurement of Personal Protective Clothing (PPE) (Annexure 3) noting that PPE must be branded in accordance with the EP Branding Manual (Annexure 9), necessary tools and equipment (Annexure 7), including First Aid (Annexure 8) for the specific industry / work performed by workers.
- Perform the pre, interim and exit medical surveillance on all project EPWP participants based on the Occupational Risk Exposure Profile (OREP).
- Provision of safe and suitable transportation for project workers to and from work sites as well as attendance of training sessions.
- Manage the signing and record keeping of daily attendance registers.
- Manage payment of monthly stipend to project participants and issuing of payslips.
- Develop and submit Occupational Health and Safety file per site and ensure compliance to Occupational Health and Safety requirements and generation of necessary monthly and project close out reports.
- Ensure provision of training and skills development interventions in line with approved training plan and training matrix attached as Annexure 5.
- All logistics (training provider, venue, transport, catering etc) associated with training must be costed in the bid and shall be the responsibility of the service provider.
- NRM projects activities are to be planned and implemented as per the project specifications (Annexure 10).
- 95% of work opportunities must be reserved for local people unless specifically authorized otherwise.
- To increase participation of the vulnerable groups of our society, bidders are required to align with the EPWP demographic targets set for youth participants at 55%, women at 60% and people living with disabilities at 2%.
- Please note that the Annexure 1 has details crucial to the scope of work for this bid.

EXPECTED DELIVERABLES AND OUTCOMES

The Scope of work is attached to this TOR and is available on the following link (Enter as guest and chose from file called ***“Working for Wetlands Tender Information”***)

https://sfiler.environment.gov.za:8443/ssf/a/c/p_name/ss_forum/p_action/1/binderId/6591/action/view_permalink/entityType/folder/novl_url/1#1676618273780

Province	Project	Project Number	District Municipality	Duration of Project in years	Project start Date	No of Participants	CIDB Grading
GAUTENG	Gauteng West	WWET002	West Rand District Municipality (DC48)	4	1-Apr-24	48	2CE
Mpumalanga	Wakkerstroom	WWET009	Gert Sibande District Municipality (DC30)	5	1-Apr-23	48	2CE
Free State	Seekoeivlei	WWET021	Thabo Mofutsanyana District Municipality (DC19)	5	1-Apr-23	48	2CE
	Wilge	WWET022	Thabo Mofutsanyana District Municipality (DC19)	5	1-Apr-23	48	2CE
	Maluti	WWET023	Thabo Mofutsanyana District Municipality (DC19)	5	1-Apr-23	48	2CE
Western Cape	Onrus	WWET031	Overberg District Municipality (DC3)	5	1-Apr-23	48	2CE
Northwest	Rustenburg	WWET033	Bojanala Platinum District	5	1-Apr-23	48	2CE
	Molopo	WWET037	Ngaka Modiri Molema District Municipality	4	1-Apr-24	48	2CE

The following items areas are to be covered for working for wetlands and bidders must indicate the project they are intending to submit an application for by ticking a **YES OR NO** below.

PROJECT LIST: WORKING FOR WETLANDS							
Province	PROJECT	PROJECT NUMBER	DISTRICT MUNICIPALITY	DURATION OF PROJECT IN YEARS	CIDB GRADING	BID SUBMITTED	
						YES	NO
GAUTENG	Gauteng West	WFWET002	West Rand District Municipality (DC48)	4	2CE		
Mpumalanga	Wakkerstroo m	WFWET009	Gert Sibande District Municipality (DC30)	5	2CE		
Free State	Seekoeivlei	WFWET021	Thabo Mofutsanyana District Municipality (DC19)	5	2CE		
	Wilge	WFWET022	Thabo Mofutsanyana District Municipality (DC19)	5	2CE		
	Maluti	WFWET023	Thabo Mofutsanyana District Municipality (DC19)	5	2CE		
Western Cape	Onrus	WFWET031	Overberg District Municipality (DC3)	5	2CE		
Northwest	Rustenburg	WFWET033	Bojanala Platinum District	5	2CE		
	Molopo	WFWET037	Ngaka Modiri Molema District Municipality	4	2CE		

Disclaimer: all planning for the wetland work will be undertaken by EP Operational and Support services, duration of projects and annual volumes will be dependent on budget allocations and availability.

PART T1: TENDERING PROCEDURES

T1.3 TENDER DATA

Clause number	Tender Data
	The conditions of tender are the Standard Conditions of Tender (Annex C as published/ amended by CIDB in August 2020) contained in Annex C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts (August 2019) as published in Government Gazette No 42622, Board Notice 423 of 2019 of 08 August 2019. (See www.cidb.org.za). The standard conditions of tender for procurements 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 tender data given below is cross-referenced to the clause in the standard conditions of tender to which it mainly applies.
C.1.1	The employer is the Department of Forestry, Fisheries, and the Environment
C.1.2	For this contract, the three-volume approach is adopted: This procurement document has been formatted and compiled under the headings as contained in the CIDB's "Standard for Uniformity in Construction Procurement." Volume 1: Tendering procedures T1.1 - Notice and invitation to tender T1.2 - Tender data Volume 2: Returnable documents T2.1 - List of returnable documents T2.2 - Returnable schedules Volume 3: Contract Part C1 - Agreements and Contract data C1.1 – Form of offer and acceptance C1.2 – Contract data C1.3 – Construction form of guarantee Part C2 - Pricing Data C2.1 – Pricing Instructions C2.2 – Bills of Quantities / Lump sum document Part C3 - Scope of Works C3.1 – Description of the works C3.2 – Construction Part C4 - Site Information
C.1.4	The Employer's agent for the purpose of this tender is deemed to be the authorised and designated representative of the Employer:

Clause number	Tender Data
	Name: Mr. Umesh Bahadur Tel No. 072 072 0750 Email: ubahadur@dfpe.gov.za
C.1.5	Cancellation and Re-Invitation of Tenders
C.1.5.1	An employer may, prior to the award of the tender, cancel a tender if- a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation. b) funds are no longer available to cover the total envisaged expenditure; or c) no acceptable tenders are received. d) there is a material irregularity in the tender process.
C.1.5.2	The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised
C.1.5.3	An employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.
C.1.6	Procurement procedures
C.1.6.1	Unless otherwise stated in the tender data, a contract will, subject to C.3.13, be concluded with the tenderer who in terms of C.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.
C.1.6.2	Competitive negotiation procedure
C.1.6.2.1	Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of C.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of C.8 relating to the material deviations or qualifications which affect the competitive position of tenderers shall not apply.
C.1.6.2.2	All responsive tenderers or at least a minimum of not less than three responsive tenderers that are highest ranked in terms of the evaluation criteria stated in the tender data shall be invited to enter into competitive negotiations based on the principle of equal treatment, keeping confidential the proposed solutions and associated information. Notwithstanding the provisions of C.2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

Clause number	Tender Data
C.1.6.2.3	At the conclusion of each round of negotiations, tenderers shall be invited by the employer to revise their tender offer based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.
C.1.6.2.4	The contract shall be awarded in accordance with the provisions of C.3.11 and C.3.13 after tenderers have been requested to submit their best and final offer.
C.2	Tenderer's obligations
C.2.1	Eligibility Only those tenderers who satisfy the following criteria are eligible to submit tenders: a) CIDB registration Registered with the CIDB, at close of tender, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019, for a 2CE or Higher class of construction work. Tenderers whose CIDB registration expires within the tender validity period, need to demonstrate that there is a reasonable chance of being registered in the appropriate grading designation during the tender evaluation period, by submitting a copy of their timely application for CIDB registration, with their tender submission. Tenders received from such tenderers who are not capable of being registered in the required contractor designation, within 10 working days after either expiry of their registration or after being requested to provide proof of registration, will be considered non-responsive. Note that in terms of the Construction Industry Development Board Act, 2000 (Act No. 38 of 2000) a registered contractor must apply for renewal of registration three months before the existing registration expires. 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(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019, are not eligible to have their tenders evaluated. Joint Ventures are eligible to submit tenders provided that: a) every member of the joint venture is registered with the CIDB; b) the lead partner has a contractor grading designation of not lower than one level below the required grading designation in the class of construction works under consideration and possesses the required recognition status, and c) the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 2CE or higher class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, as per amended notice no. 357 of 2019.

Clause number	Tender Data
C.2.1.1	Only those bidders who satisfy the following eligibility criteria are eligible to submit bids: (a) Availability of resources (b) Availability of skills to manage and perform the contract – including staff which satisfies EPWP requirements (see further requirements under C.3.1.4) (c) Previous experience on contracts of a similar value and nature (d) A letter on the companies' letterhead stating that the contractor has sufficient capacity to execute the project
C.2.2	Eligibility b) Risk to Employer Provisions applicable to Evaluation Method 1, 2, 3 and 4: Tender offers will be evaluated by an Evaluation Committee based on the technical and commercial risk criteria listed hereunder. Each criterion carries the same weight / importance and will be evaluated individually based on reports presented to the Evaluation Committee by the Project Manager / Professional Team appointed on the project. A tender offer will be declared non-responsive and removed from any further evaluation if any one criterion is found to present an unacceptable risk to the Employer. For the evaluation reports to be prepared by the Professional Team, the Tenderer is obliged to provide comprehensive information on the form for the (Particulars of tender's projects). Failure to complete the said form may cause the tender to be declared non-responsive and removed from any further consideration. The Employer reserves the right to request additional information over, and above that which is provided by the Tenderer on said form. The information must be provided by the Tenderer within the stipulated time as determined by the Project Manager, failing which the tender offer will mutatis mutandis be declared non-responsive. Technical risks: a) Criterion 1: Quality of current and previous work Quality of current and previous work performed by the Tenderer in the class of construction work stated above as per the evaluation report prepared by the Professional Team, based on its research and inspection of a representative sample of the Tenderer's current and previous work as well as, if necessary, of any additional work executed by the Tenderer, not reflected on form for the (Particulars of tender's projects). b) Criterion 2: Contractual commitment Adherence to contractual commitments, demonstrated by the Tenderer in the performance on current and previous work, evaluated in terms of: 1) the level of progress on current projects in relation to the project Programme or, if such is not available/applicable, to the contractual construction period in general. 2) the degree to which previous projects have been completed within the contractual completion periods and/or extensions thereto; and

Clause number	Tender Data
	3) general contract administration, e.g., compliance with contractual aspects such as laws and regulations, insurances, security, written contract instructions, subcontractors, time delay claims, etc as can generally be expected in standard/normal conditions of contract. c) Criterion 3: Commercial risks The level to which agreement with the Tenderer is reached in respect of the adjustment of rates which are imbalanced or unreasonable and to eliminate errors or discrepancies, without changing the tendered total amount / final offer, over and above the correction of arithmetical errors as provided for in C.2.2.1. and C.3.9
C.2.2.1	The tenderer must be notified of all arithmetic errors, omissions and/or rate imbalances that are identified in the tender offer and request the tenderer to, within a stipulated time, accept the total of the rates / prices as corrected by the Department professional team without changing the tender amount / final offer.
C.2.2.2	Cost of Tender The cost of the tender documents if charged by the employer shall be limited to the actual cost incurred by the employer for printing the documents. The Employer will not compensate the tenderer for any costs incurred in attending the meetings or making any submissions in the office of the Employer.
C.2.3	Check documents Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.
C.2.4	Confidentiality and copyright of documents Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.
C.2.6	Acknowledge addenda Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.
C.2.7	Seek clarification Request clarification of the tender documents, if necessary, by notifying the employer at least five (5) working days before the closing time stated in the tender data.
C.2.8	Insurance Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.
C.2.9	Pricing the tender offer
C.2.9.3	This contract shall not be subject to Contract Price Adjustments, foreign fluctuations, etc and all rates and prices shall remain fixed, final and binding for the full duration of this contract.

Clause number	Tender Data
C.2.11	Alterations to documents Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations (refer to the standard condition of Tender).
C.2.12	Alternative tender offers No alternative tender offers will be considered
C.2.13	Submitting a tender offer
C.2.13.1	Submit one tender offer only as a single tendering entity to provide the whole of the works identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.
C.2.13.2	Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.
C.2.13.3	Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.
C.2.13.4	Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.
C.2.13.6	Bidders are requested to deliver the submission in two envelopes. The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are: Title to appear on envelope: 1. CONTRACT NO.: <u>DFFE-T108 (22/23)</u>. (TECHNICAL PROPOSALS) The appointment of a suitably qualified contractors with a CIDB registered grading designation from 2CE or higher to assist DFFE with the implementation of Wetlands rehabilitation projects in five provinces, for a minimum period of 1 year to a maximum period of 5 years, on behalf of the Department of Forestry, Fisheries and the Environment. This envelope must contain the Returnables, SCM Documentation and Relevant Annexures. This envelope must contain printed copies of all the pages in this document, duly completed and signed, including the pricing schedules (bills of quantities), which must be submitted for each project as listed above. For identification purposes, bidders are requested to ensure that the envelopes containing the company's bids are clearly marked and are easily identifiable by the company's logo or name.

Clause number	Tender Data
	Location of tender box: Ground Floor of the Department of Forestry, Fisheries and Environment Physical address: Location of tender box: DFFE Head Office Reception Physical address: 473 Steve Biko Road, Arcadia, 0083 Identification details: TENDER BOX
C.2.13.7	Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.
C.2.13.8	Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.
C.2.13.9	Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer.
C.2.14	Information and data to be completed in all respects Accept that tender offers, which do not provide all the data or information requested completely and, in the form, required, may be regarded by the employer as non-responsive.
C.2.15	Closing time The closing time for submission of tender offers is 11h00 . The Department of Forestry, Fisheries and the Environment is not obliged to accept the lowest or any tender and reserves the right to accept any tender in whole or in part.
C.2.16	The tender offer validity period is 120 days from the closing date.
C.2.17	Clarification of tender offer after submission Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.
C.2.18.2	The Tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
C.2.19	Inspections, tests and analysis Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.
C.2.20	Submit securities, bonds and policies If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

Clause number	Tender Data
	Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.
C.2.23	The Tenderer is required to submit with his/her tender all documents and schedules listed under T2.1 and T2.2.
C.2.24	Canvassing and obtaining of additional information by tenderers The Tenderer shall not make any attempt either directly or indirectly to canvass any of the Employer's officials or the Employer's agent in respect of his tender, after the opening of the tenders but prior to the Employer arriving at a decision thereon. The Tenderer shall not make any attempt to obtain particulars of any relevant information, other than that disclosed at the opening of tenders.
C.2.25	Prohibitions on awards to persons in service of the state The Employer is prohibited to award a tender to a person - a) who is in the service of the state; or b) if that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or c) a person who is an advisor or consultant contracted with the Department. In the service of the state means to be - a) a member of:- • any municipal council; • any provincial legislature; or • the National Assembly or the National Council of Provinces; b) a member of the board of directors of any municipal entity; c) an official of any municipality or municipal entity; d) an employee of any national or provincial department; e) provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999); f) a member of the accounting authority of any national or provincial public entity; or g) An employee of Parliament or a provincial legislature. In order to give effect to the above, the questionnaire for the declaration of interests in the tender of persons in service of state in part T2 of this procurement document must be completed.
C.3	The employer's undertakings
C.3.1	Respond to requests from the tenderer The Employer will respond to requests for clarification received up to five (5) working days before the tender closing time.

Clause number	Tender Data
C.3.2	Issue Addenda Addenda will be issued until five (5) working days before the tender closing time.
C.3.5	The time and location for opening of the tender offers are: 17 th of April 2023 @11:00 at the Department of Forestry, Fisheries and the Environment : Head Office Reception Physical address: 473 Steve Biko Road, Arcadia, 0083
C.3.9	Arithmetical errors, omissions and discrepancies
C.3.9.1	Check the highest ranked tenders or tenderers with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3.11 for: a) the gross misplacement of the decimal point in any unit rate; b) omissions made in completing the pricing schedule or bills of quantities; or c) arithmetic errors in: i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or the summation of the prices.
C.3.9.2	The arithmetical errors shall be corrected in the following manner: a) Where there is a discrepancy between the amounts in words and amounts in figures, the amount in words shall govern. b) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected. c) Where there is an error in the total of the prices either as a result of other Corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices. The Tender Offer will be rejected if the tenderer does not correct or accept the Correction of the arithmetical error in the manner described above.
C.3.11	Functionality, Price and Preference The purpose of the evaluation is to ensure and promote compliance with the Constitution, specifically Section 217, which provides that when organs of state contract for goods or services, they must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective. The evaluation of bids will be undertaken in three (3) Phases.
	The Tenderer is required to submit with his tender:

Clause number	Tender Data
	1) A valid Tax Clearance / Compliance Certificate, or a unique security Personal Identification number (PIN) issued by the South African Revenue Services (where Consortium / Joint Venture / Sub-contractors / Sub-consultants are involved, each party to the association must submit a separate Valid Tax Clearance / Compliance Certificate or a unique security personal Identification number; 2) A Certificate of the Contractors Registration issued by the Construction Industry Development Board for grading of a 2CE, OR higher or a copy of the application Form for Registration in terms of the Construction Industry Development Board Act (Form F006) 3) Refer to Part T2.1 of this Procurement Document for a list of all additional documents that are to be returned with the tender. 4) The CV and qualifications of the proposed resources or expert proposed on Forms below. 5) Standard bidding documents 6) Vendor Number Registration with Central Supplier Database. 7) Letter of good standing with COIDA or FEMA 8) Joint venture/ Sub- Contracting- (if applicable) All the companies operating as Joint Ventures, the following must be complied to: A sub-contracting or joint venture agreement signed by all parties must be submitted. This agreement must explain the roles and responsibilities of all parties including the nominated signatory on behalf of the JV. • All parties to submit all relevant <u>documents listed above</u>. • Every member of the joint venture must be registered with CIDB and submit proof that their CIDB registration is active. • The lead partner must have a contractor grading designation of 2CE or higher class of construction work; and the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations must be equal to or higher than a contractor grading designation or higher class of construction work. NB: It is the condition of this bid that the successful bidder will continue with same contractor or JV partner for the duration of the contract.
	Price and `Specific Goals The procedure for the evaluation of responsive tenders is Method 2 The financial offer will be scored using Formula 2 (option 1) using appropriate formula, depending on whether Contract amount is Less than R50 000 000 as follows: - THE 80/20 PREFERENCE POINT SYSTEMS
	A maximum of 80 points is allocated for price on the following basis: 80/20

Clause number	Tender Data
	$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$ Where Ps = Points scored for price of bid under consideration Pt = Price of bid under consideration Pmin = Price of lowest acceptable bid 1. The following preference point system will be followed to advance the categories of persons: a) For contracts with a Rand value below R50 000 000, a total of 20 points may be allocated for specific goals as contemplated above, provided that the lowest acceptable tender scores 80 points for price; i. The applicable formula to be used is $P_s = 80[1 - (P_t - P_{\min})/P_{\min}]$. Provided: Ps = Points scored for price of tender under consideration; Pt = Price of tender under consideration; and Pmin = Price of the lowest applicable tender. ii. A total of 20 points may be awarded to a tenderer as follows: • 20 points: if the Bidder has more than 50% (fifty percent) Black people, Women, or people with disabilities • 0 Points: for 50% and below ownership by stipulated categories of persons b) If it is unclear whether the 80/20 or 90/10 preference point system applies, either the 80/20 or 90/10 preference point system will be applied. In such case, the lowest acceptable tender will be used to determine the applicable preference point system. 2. <u>A contract may be awarded to a tenderer that did not score the highest points only in accordance with section 2(1)(f) of the PPPFA</u> 3. Bid will be awarded to a bidder with the highest points on price and Preference Points on condition that they have met all phases of the evaluation criteria and complied with the tender requirements set out in the tender document. 4. The DFFE reserves the right to negotiate prices that are not deemed market related and not to award the tender to the bidder with the lowest price. 5. Preference point system applicable for this bid is: 80/20 6. A total of 20 points will be allocated for either of the specific goals

Clause number	Tender Data												
	Specific goals for the tender and points claimed are indicated per the table below. (Note to organs of state: Where 80/20 preference point system is applicable, corresponding points must be indicated as such. Note to tenderers: The tenderer must indicate how they claim points for each preference point system.) <table><tr><th>The specific goals allocated points in terms of this tender</th><th>Number of points allocated (80/20 system) (To be completed by the organ of state)</th><th>Number of points claimed (80/20 system) (To be completed by the tenderer)</th></tr><tr><td>>50% ownership by Black people, Or</td><td>20</td><td></td></tr><tr><td>>50% ownership by Women, Or</td><td>20</td><td></td></tr><tr><td>>50% ownership by people with Disability</td><td>20</td><td></td></tr></table> For bidders to claim preference points, the following must be adhered to: a) Submit a complete and signed SBD 6.1, b) Bidders are requested to submit a valid B-BBEE Status Level Verification Certificate issued by SANAS, or Accredited Verification Agency; or B-BBEE Certificate issued by CIPC, or Sworn Affidavit commissioned by Commissioner of Oaths together with their bids. c) If the application is made by a Joint Venture or Partnership, the accreditation credentials in name of joined entities should be submitted. Members in the joint venture must meet the requirement of the proposal. d) Submit a CSD report. NB: Failure on the part of a tenderer to submit proof or documentation stated above in terms of this tender to claim preference points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.	The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	>50% ownership by Black people, Or	20		>50% ownership by Women, Or	20		>50% ownership by people with Disability	20	
The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)											
>50% ownership by Black people, Or	20												
>50% ownership by Women, Or	20												
>50% ownership by people with Disability	20												
	Bid offers will only be accepted on condition that: a) The bidder is not under restrictions, or has principals who under restrictions, preventing participating in the employer's procurement. b) The bidder can as necessary, and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competencies, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract. c) The bidder has in his or her possession a unique security personal identification number (PIN) issued by the South African Revenue Services. d) Copy of CSD/ MAAA Number.												

Clause number	Tender Data
	e) The bidder has attended the compulsory online briefing session f) The bidder is registered with the Construction Industry Development Board in an appropriate contractor grading designation. g) The bidder has the legal capacity to enter into the contract. h) The bidder is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing. i) The bidder or any of its directors is not listed in the Register of Bid 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. j) The bidder has not: i. abused the Employer's Supply Chain Management System; or failed to perform on any previous contract and has been given a written notice to this effect.
	Evaluation Criteria: i) This Project is estimated to have a cost of LESS than R50, 000, 000.00 and consequently the Tender proposals will be evaluated in accordance with the 80/20 preference point system, as contemplated in the Preferential Procurement Policy Framework Act (Act 5 of 2000) as amended in 2022. ii) A minimum of 30% of the value of this contract, excluding escalation and contingencies, must be allocated to the development of the EME Contractors and Local labour, where the project cost is more than R30, 000, 000 (Thirty Million Rand Only). iii) The points out of 80 will be calculated on the basis of price and 20 points on specific goals. iv) The Functionality Evaluation is indicated below and a full Assessment schedule is on page 32 v) Experience of the Company and Project Team in terms of the stated requirements of the project. vi) Track record/ potential of the tendering company/ firm to serve as a stable contractual partner. vii) Price as per proposal submission viii) The Preference Benefit and Financial Plans of the Bidders who pass the FUNCTIONAL EVALUATION Phase will be evaluated for ward of the contract. ix) The preference points out of 20 will be allocated as contemplated in ithe Preferential Procurement Policy Framework Act, 2022 and in line with the Construction Sector Codes. x) The evaluation of Bids will be undertaken in terms of the PFMA The tender process requires the technical and pricing proposals to be submitted. Weighting with respect to response evaluation will be applied according to the following broad guidelines:
C.3.13.1	Tender offers will only be accepted on condition that:

Clause number	Tender Data
	k) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation; l) the bidder or any of its directors is not listed in the Register of Bid 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; m) the bidder has not: ii. abused the Employer's Supply Chain Management System; or iii. failed to perform on any previous contract and has been given a written notice to this effect. n) Has completed the SBD1, SBD4, 6.1, 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. o) Has submitted the documentation listed in T2.21 and T2.22
C.3.18	The number of paper copies of the signed contract to be provided by the employer is ONE.

T1.4 QUALIFICATION OF ELIGIBILITY

- a) A valid copy of the Tax Clearance Certificate/ Tax Compliance Status Pin issued by SARS to the supplier/ copy of Central Supplier Database (CSD)/ MAAA supplier Number must be submitted together with the bid.
- b) In case of bids where Consortia / Joint Ventures / Sub-contractors are involved, such must be clearly indicated and each party must submit a separate Tax Clearance Certificate or copy of Tax Compliance Status Pin or CSD/ MAAA supplier Number together with the bid.
- c) Bidder should submit a valid Tax Clearance Certificate/ Tax Compliance Status Pin/copy of CSD/ MAAA Number.
- d) A foreign recommended bidder with neither South African tax obligation nor history of doing business in South Africa must complete Standard Bidding Document (SBD 1) and the information must be submitted to SARS on the following email governmentinstitute@sars.gov.za to issue a confirmation of the tax obligation letter in terms of paragraph 3.6 of the instruction note no 9 of 2017/18.
- e) Please take note that DFFE is not bound to select any of the firms submitting proposals. DFFE reserves the right not to award any of the bids and not to award the contract to the lowest bidding price.
- f) Bidders must score a minimum of 75% (The minimum qualifying score that must be obtained for functionality in order for a tender to be considered further should not be generic. It should be determined separately for each tender on a case-by-case basis. The minimum qualifying score must not be prescribed so low that it may jeopardize the quality of the service required nor so high that it may be restrictive to the extent that it jeopardizes the fairness of the SCM system).
- g) The bid proposals should be submitted with all required information containing technical information.

The envelope with the technical proposal including the following:

- A valid copy of the Tax Clearance Certificate or Tax Compliance Status Pin issued by SARS or copy of CSD/ MAAA Number.
- Entity registration Certificate (CK1).
- Valid COID certificate issued by the Department of Labour OR Federated Employers Mutual Assurance Company FEMA Certificate of compliance with Occupational Health and Safety Act 1993 and Construction Regulations 2014.
- A response to the terms of reference or methodology on how to implement the description of works.
- Profile of the company and description of similar work undertaken.
- Numbers, names and CVs of proposed experts/ consultants assigned to the project, including their roles and responsibilities, supported by certified copies of qualifications where required.
- Agreement between service providers in the case of a joint venture/ Consortium.
- Letter of authority to sign documents on behalf of the company/ joint venture/ consortium.

The following information must be endorsed on the envelop:

- Bid number:
- Closing date:
- Name of the Bidder:
- Technical Proposal and Financial Proposal.

- h) The evaluation of bids can only be done on the basis of information required by the DFFE.
- i) The tenderer is required to submit a B-BBEE Verification Certificate in accordance with the Construction Sector Codes of Practice promulgated in Gazette 32305 on 5 June 2009 (see Returnable Schedule). See also www.sanas.co.za for details of accredited Verification Agencies. Up to 100 tender evaluation points will be awarded to tenderers who submit responsive tenders and who are found to be eligible for the preference claimed. Points are based on a tenderer's scorecard measured in terms of the Broad-Based Black Economic Empowerment Act (B-BBEE, Act 53 of 2003) and the Regulations (2022) to the Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000).
- j) Tenderers are requested to submit the original and valid B-BBEE Status Level Verification Certificate or certified copies thereof issued by verification agencies accredited by South African National Accreditation System (SANAS) only or DTI SWORN Affidavit certified by Commissioner of Oath together with their bids, to substantiate their B-BBEE rating claims, failing which the B-BBEE preference points claimed will be forfeited.
- k) A trust, consortium or joint venture must submit a consolidated B-BBEE Status Level Verification Certificate for every separate bid to substantiate their B-BBEE rating claims.
- l) Any supplier who is not registered on CSD during an award stage of the tender will not be considered.
- m) Only Bidders with a construction registered with **CIDB 2CE** or higher will be considered eligible for the project where the minimum requirement of the grading has been met.

EVALUATION METHOD

The purpose of the evaluation is to ensure and promote compliance with the Constitution, specifically Section 217, which provides that when organs of state contract for goods or services, they must do so in accordance with a system which is fair, equitable, transparent, competitive and cost-effective.

- I. This project is estimated to have a value of less than R50 000 000 and consequently the 80/20-point system will apply. 80 Points max will apply to Price (Ps) and 20 points will apply to specific goals.
- II. The evaluation of bids will be undertaken in terms of the PFMA.
- III. The evaluation for Project Number **WFWET002, WFWET009, WFWET021, WFWET022, WFWET023, WFWET031, WFWET033, and WFWET037** will be carried out in three phases and are as follows:

Phase 1 – Pre-Compliance

Phase 2 – Technical Evaluation

Phase 3 – Price and Preference points

Phase 1: Pre-Compliance

Bidders will have to complete and submit all returnable documents requested in the bidding document to determine their eligibility to participate in the bid. Failure of this may result in the bid being set aside and will not be evaluated any further. Only those bidders that are responsive to the submission requirements at this stage will be further evaluated at phase 2.

Pre-Compliance Requirements

- A valid copy of the Tax Clearance Certificate or Tax Compliance Status Pin issued by SARS or copy of CSD/MAAANumber.
- Entity registration Certificate (CK1).
- Valid COIDA certificate issued by the Department of Labour OR Federated Employers Mutual Assurance Company FEMA Certificate of compliance with Occupational Health and Safety Act 1993 and Construction Regulations 2014.
- Completed and signed standard bidding documents (SBD1, 3.1, 4, and 6.1).
- Agreement between service providers in the case of a joint venture/Consortium.
- Letter of authority to sign documents on behalf of the company/joint venture/Consortium.

Phase 2: Technical (Functional) Evaluation

The Functional Evaluation will be carried out to assess the Bidder's suitability to undertake the project, the Bidder's Company Experience, Current Resource, Current Expertise and project cost will be evaluated. Phase 2 will be carried out in two stages:

- I. Stage 1 - Mandatory Requirement
- II. Stage 2 - Functional Evaluation Criteria

Stage 1 - Mandatory Requirements

The following Mandatory Requirement shall apply to this bid: -

- a) Main contractor must have a CIDB contractor grading designation of 2CE or higher.

Criteria	Yes/No
Contractor Registered with CIDB 2CE or Higher	
The bidder has attended the compulsory briefing session	

This is a mandatory requirement of the Bid and only bidders that satisfy these criteria 100% (Attach Proof) will proceed to Stage 2 Functional Evaluation.

Stage 2 - Functional Evaluation

Only bid proposals that meet pre-compliance for Project Number Project Number **WWET002, WWET009, WWET021, WWET022, WWET023, WWET031, WWET033, and WWET037** and may be evaluated on functionality criteria.

The bidder must score a minimum of 75% during Phase 2 (functionality/ technical) of the evaluation process to qualify for Phase 3 of the evaluation where only the price and specific goal will be considered.

The following values/ indicators will be applicable when evaluating functionality:

CRITERIA	FUNCTIONAL EVALUATION CRITERIA EVALUATION METHOD FOR WETLANDS EROSION PROJECTS		
A proposed Project Management Approach	A proposed Project Management Approach		
	Provision of a proposed Project Management approach and detailed methodology and implementation plan that demonstrates how the Service Provider will meet the Wetland Erosion Rehabilitation objectives .		
	Contractor's will be required to provide a Project Management Approach with an Action plan.	Indicator	Weight
	The Project Management approach must demonstrate a good understanding of the EPWP, & Wetland Erosion Rehabilitation approach. It incorporates a clear Action plan with clear deliverables and timeframes.	5	50
	The Project Management approach must demonstrate a basic understanding of the EPWP& Wetland Erosion Rehabilitation approach. It incorporates a basic Action plan with basic deliverables and timeframes.	4	
	Action plan provided with deliverables and timeframes	3	
	Action plan provided with no deliverables and timeframes.	2	
	Task not well understood.	1	

CRITERIA	FUNCTIONAL EVALUATION CRITERIA EVALUATION METHOD FOR WETLANDS EROSION PROJECTS		
	No information provided	0	
Qualification of Bidders' core management team	Qualification of Bidders' Team Leader		
	The bidder is required to provides evidence that their team leader has the relevant qualifications required to ensure the efficient delivery of the work (Project management angle and the small-scale construction type work) Qualifications relevant to the type of the work applied for		
	Qualifications of the Team leader	Indicator	Weight
	The team leader has a relevant <u>Degree / B-Tech</u> in Natural Resource Management or, Economic development or, Business management or, Civil Engineering or, Construction Management	5	15
	The team leader has a relevant <u>Three-Year Diploma</u> in Natural Resource Management or, Economic development or, Business management or, Civil Engineering or, Construction Management	4	
	The team leader has a relevant <u>Two-year Diploma</u> in Natural Resource Management or, Economic development or, Business management or, Civil Engineering or, Construction Management	3	
	The team leader has relevant <u>certificates</u> in Natural Resource Management or, Economic development or, Business management or, Civil Engineering or Construction Management	2	
	The team leader has matric, grade 12	1	
	Not compliant	0	
Project experience of the Bidders' team leader	Project experience of the Bidder's Team Leader		
	The bidder is required to provide evidence that their team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient delivery of the work		
	Experience of the Project Team leader	Indicator	Weight
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient deliverable of the work with <u>5 year and more</u> of experience	5	20
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources	4	

CRITERIA	FUNCTIONAL EVALUATION CRITERIA EVALUATION METHOD FOR WETLANDS EROSION PROJECTS		
	Management field, required to ensure the efficient deliverable of the work with <u>4 years and less than 5 years</u> of experience		
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient deliverable of the work with <u>3 years and less than 4 years</u> of experience	3	
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient deliverable of the work with <u>2 years and less than 3 years</u> of experience	2	
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient deliverable of the work with <u>1 year and less than 2 years</u> of experience	1	
	The bidder provides evidence that the bidder's team leader has the relevant project experience, in a similar Natural Resources Management field, required to ensure the efficient deliverable of the work with <u>less than 1 year of experience or no experience</u>	0	
Project experience of the Bidder (company)	Project experience of the Bidder (company), The bidder is required to provide evidence of its relevant project experience and completed projects in a similar Natural Resources Management Field or Construction Management Field with the project value of R130 000 for the past ten years		
	Contractor is required to submit copies of Projects awards from past clients Certificates of Project completions & or payments certificates where projects is still in progress, with the minimum project value of R130 000 for the past ten years	Indicator	Weight
	The contractor provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management Field or Construction Management Field, required to ensure the efficient deliverable of the work with 5 year or more of experience.	5	15
	The bidder provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management Field or Construction Management Field, required to ensure the	4	

CRITERIA	FUNCTIONAL EVALUATION CRITERIA EVALUATION METHOD FOR WETLANDS EROSION PROJECTS		
	efficient deliverable of the work with 4 years and less than 5 years of experience.		
	The bidder provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management field or Construction Management Field, required to ensure the efficient deliverable of the work with 3 and less than 4 years of experience.	3	
	The bidder provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management Field or Construction Management Field, required to ensure the efficient deliverable of the work with 2 years and less than 3 years of experience.	2	
	The bidder provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management Field or Construction Management Field, required to ensure the efficient deliverable of the work with 1 year and less than 2 years of experience	1	
	The bidder provides evidence that the bidder has the relevant project experience, in a similar Natural Resources Management Field or Construction Management Field, required to ensure the efficient deliverable of the work with less than 1 year of experience or no experience	0	
TOTAL FUNCTIONALITY			100

Bidders scoring **75%** or more in Functionality will then proceed to Phase 3 **Price** and Preference Points.

Phase 3: Price and preference

Bidders that scored the minimum of 75% or more on functionality will be further evaluated on the 80/20 preference point principle. Bidders that are categorised as EME or QSE according to their BBBEE status will be awarded full points for this criterion. BBBEE and Financial Plans Evaluation will be in accordance with the 80/20 preference points system of the

PPPFA Regulations.

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

Where

P_s = Points scored for price of bid under consideration

P_t = Price of bid under consideration

$P_{\min}$ = Price of lowest acceptable bid

- i. The following preference point system will be followed to advance the categories of persons:
 - a. For contracts with a Rand value **below R50 000 000**, a total of **20 points** may be allocated for specific goals as contemplated above, provided that the lowest acceptable tender scores **80 points** for price;
 - i. The applicable formula to be used is $Ps=80[1-(Pt-Pmin)/Pmin]$. Provided:
 Ps = Points scored for price of tender under consideration;
 Pt = Price of tender under consideration; and
 Pmin = Price of the lowest applicable tender.
 - ii. A total of 20 points may be awarded to a tenderer as follows:
 - 20 points: if the Bidder has more than 50% (fifty percent) Black people, Women, or people with disabilities
 - 0 Points: for 50% and below ownership by stipulated categories of persons
 - b. If it is unclear whether the 80/20 or 90/10 preference point system applies, either the 80/20 or 90/10 preference point system will be applied. In such case, the lowest acceptable tender will be used to determine the applicable preference point system.
2. **A contract may be awarded to a tenderer that did not score the highest points only in accordance with section 2(1)(f) of the PPPFA**
3. Bid will be awarded to a bidder with the highest points on price and Preference Points on condition that they have met all phases of the evaluation criteria and complied with the tender requirements set out in the tender document.
4. The DFFE reserves the right to negotiate prices that are not deemed market related and not to award the tender to the bidder with the lowest price.
5. Preference point system applicable for this bid is: **80/20**
6. A total of **20** points will be allocated for either of the specific goals

SPECIFIC GOALS	80/20
>50% ownership by Black people, Or	20
>50% ownership by Women, Or	20
>50% ownership by people with Disability	20

7. For bidders to claim preference points, the following must be adhered to:
 - a) Submit a complete and signed SBD 6.1,
 - b) Bidders are requested to submit a valid B-BBEE Status Level Verification Certificate issued by SANAS, or Accredited Verification Agency; or B-BBEE Certificate issued by CIPC, or Sworn Affidavit commissioned by Commissioner of Oaths together with their bids

- c) If the application is made by a Joint Venture or Partnership, the accreditation credentials in name of joined entities should be submitted. Members in the joint venture must meet the requirement of the proposal.
- d) Submit a CSD report.

Award of Tender

- Bidders should note that DFFE is not bound to select any of the firms submitting proposals.
- DFFE reserves the right not to award any of the bids and not to award the contract to the lowest bidding price.

T1.5. SCHEDULE OF CONTRACT DOCUMENTS

The following documents form part of this Contract:

THE TENDER

PART 1: TENDER PROCEDURE

SANS 294: 2015 – Standard Conditions of Tender (Annex F). This publication is available from Standards South Africa (a division of SABS) Tel (012) 428-6929/33.

THE TENDER

PART 2: RETURNABLE DOCUMENTS AND SCHEDULES

Schedule of Returnables

THE CONTRACT

PART C.1: AGREEMENT AND CONTRACT DATA

The joint building contracts committee (commonly known as JBCC, as the principal building agreement or conditions of contract and, if applicable, any other special conditions of contract specified by DFFE.

Copies of these conditions of contract may be obtained through most regional offices of the Association of South African Quantity Surveyors, Master Builders Association, South African Association of Consulting Engineers, South African Institute of Architects, Association of Construction Project Managers, Building Industries Federation South Africa, South African Property Owners Association or Specialist Engineering Contractors Committee.

PART C.2: PRICING DATA

The pricing Data and Schedule of Rates

PART C.3: EMPLOYERS REQUIREMENTS

The Standard Specifications for General Buildings Standards.

PART C.4: SITE INFORMATION

Site layouts plans will be provided to the bidder.

PART T2: RETURNABLE DOCUMENTS AND SCHEDULES

T2.1 LIST OF RETURNABLE DOCUMENTS

The following documents must be returned by the Bidder for evaluation purposes in addition to the Schedule listed in previous paragraphs. **Failure to supply the documents listed below may result in disqualification.**

THE FOLLOWING DOCUMENTS MUST BE FURNISHED (FAILURE TO SUBMIT COMPULSORY DOCUMENTATION MAY RESULT IN YOUR BID BEING DISQUALIFIED)		YES	NO
1	Tax Compliance (Provide PIN)	Yes ☐	No ☐
2	Latest three year audited financial statements (In case of Close Corporation Financials must be signed by the Managing Member of the CC)	Yes ☐	No ☐
3	B-BEE Certificate issued by SANAS accredited verification agent/ OR AFFIDAVIT FOR EME/QSE ON DTI FORMAT	Yes ☐	No ☐
4	Proof of valid registration with CIDB	Yes ☐	No ☐
5	Declaration of Bidders past Supply Chain Practices.	Yes ☐	No ☐
6	Completion of Form Q for completed projects	Yes ☐	No ☐
7	CV's and copies of qualifications and Registrations for Project Staff as per Form R	Yes ☐	No ☐
8	Signed Bidders Disclosure	Yes ☐	No ☐
9	Bank Letter confirming financial capacity	Yes ☐	No ☐
10	Certified Joint Venture Agreement (In case of Joint Ventures and Consortium)	Yes ☐	No ☐
11	Valid COIDA or FMA certificate issued by the Department of Labour	Yes ☐	No ☐
12	Submit an original Briefing session certificate of attendance, if applicable	Yes ☐	No ☐
13	Fully Completed and Signed all SBD forms	Yes ☐	No ☐

T2.2 RETURNABLE SCHEDULES

FORM B: CERTIFICATE OF TENDERER'S ATTENDANCE OF BRIEFING SESSION, IF APPLICABLE

ATTACH THE ORIGINALLY STAMPED CERTIFICATE ISSUED AT THE BRIEFING SESSION TO THIS PAGE

FORM C: RECORD OF ADDENDA TO TENDER DOCUMENTS

We confirm that the following communications received from the DFFE or their Agent 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.		

Attach additional pages if more space is required.

Signature _____

Date _____

Name _____

Capacity _____

Tenderer _____

FORM D: VENDOR NUMBER REGISTRATION WITH CENTRAL SUPPLIER DATABASE

1. Bidders must submit Vendor Number Registration with Central Supplier Database
2. Failure to submit the Vendor Number Registration with Central Supplier Database may result with the bidder being disqualified.

ENTITY NAME

**VENDOR NUMBER
REGISTRATION**

NAME

**SIGNATURE OF
BIDDER**

DATE

**CAPACITY UNDER WHICH
BID IS SIGNED**

FORM E: AUTHORITY FOR SIGNATORY

Signatories for companies shall confirm their authority thereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors, to this form.

By resolution of the board of directors passed at a meeting held on 20.....

Mr/Ms
whose signature appears below, has been duly authorised to sign all documents in connection with the Tender for Contract

No and any Contract which may arise therefrom on behalf of

(block capitals).....
.....
.....
.....

SIGNED ON BEHALF OF THE COMPANY :

IN HIS/HER CAPACITY AS :

DATE :

SIGNATURE OF SIGNATORY :

WITNESSES : 1).....

: 2).....

FORM F: TAX COMPLIANCE

CONDITIONS PERTAINING TO TAX

TAX CLEARANCE CERTIFICATE REQUIREMENTS

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the bidder's tax obligations.

1. Any person who requires his or her tax compliance status to be disclosed to a Government institution or department, for purposes of submitting a bid or to confirm its good standing after the phasing out of paper based TCCs must request a unique security personal identification number (PIN) from SARS.
2. Very important to note is that the disclosure of a bidder's tax compliance status is an express condition for all acceptable Government bids. Failure to make the relevant disclosures will invalidate your bid and your response will be null and void.
3. The Government institution or department must use the PIN referred to above to verify a person's tax compliance status with SARS.
4. Bidders to complete the table below and provide a unique security personal identification number (PIN) from SARS which will enable the DEFF to access online real-time verification of a person's tax compliance status with the electronic Tax Compliance Status (TCS) system. Failure to submit the PIN may result in the bid being disqualified.

Full name of bidder:	Electronic Tax Compliance Status System PIN No:

NAME:

SIGNATURE OF BIDDER

DATE

CAPACITY UNDER WHICH BID IS SIGNED

FORM G: PREFERENCE SCHEDULE

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 The applicable preference points is as follows:

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) The 80/20 preference point system will be applicable for this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

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

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - Pmin}{Pmin} \right)$$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

(Note to organs of state: Preference point system applicable for this bid is: **80/20**

corresponding points must also be indicated as such.

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)
>50% ownership by Black people, Or	20	
>50% ownership by Women, Or	20	
>50% ownership by people with Disability	20	

DECLARATION WITH REGARD TO COMPANY/FIRM

4.2. Name of company/firm

4.3. Company registration number:

4.4. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

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

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

WITNESSES

- 1.
- 2.

.....
SIGNATURE(S) OF BIDDERS(S)

DATE

ADDRESS.....
.....
.....
.....

FORM H: PROOF OF REGISTRATION WITH CIDB

1. Attach original or certified copy of CIDB registration certificate to this page.
2. In the case of a joint venture / consortium (excluding consulting engineering partners) parties must each attach original or certified copy of their CIDB registration certificate.

Firm	CRS Number	CIDB Grading	Lead Partner (Indicate with X)
Combined CIDB Grading for Joint Venture / Consortium:			

(Calculator is available at <https://registers.cidb.org.za/common/jvcalc.asp>)

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Person authorized to sign the bid:

Full name (in BLOCK letters):

Signature:

Date:

FORM I: BIDDERS DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest ¹in the enterprise, employed by the state? YES/NO

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

Full Name	Identity Number	Name of Stateinstitution

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

2.2.1 If so, furnish particulars:

.....
.....

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

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

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

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

.....
Signature

.....
Date

.....
Capacity

.....
Name of Bidder

FORM J: OHS ACT DECLARATION AND SUBMISSION

The Bidder declares himself to be conversant with the following:

1. All the requirements, regulations and standards of the Occupational Health and Safety Act (Act 85 of 1993), hereinafter referred to as "The Act", together with its amendments and with special reference to the following Sections of the Act:
 - i) Section 8: General duties of Employers to their employees
 - ii) Section 9: General duties of Employers and self-employed persons to persons other than employees.
 - iii) Section 13: Duty to Inform
 - iv) Section 37: Acts or omissions by employees or mandatories
 - v) Sub-section 37(2) relating to the purpose and meaning of this Agreement
2. Construction Regulations, 2014 (Government Notice R.84) pertaining to the Contractor and to all his Subcontractors, or any amendments thereto.
3. Bid document Volume 5: Johannesburg Roads Agency's Specification for Occupational Health and Safety, including all the Annexures.
4. Bid document Volume 3: Project Specification PD: Supplement to Volume 5: Specification for Occupational Health and Safety.
5. Bid document Volume 3: C1.7 Agreement in terms of Occupational Health and Safety Act.

The Bidder declares that he has or will obtain the necessary knowledge, competence and resources to comply fully with all OHS requirements should he be awarded the contract.

The Bidder confirms that he has included with his bid a written proposal describing how he will comply with OHS requirements.

Signature _____ Date _____

Name _____ Capacity _____

Bidder _____

FORM K: PROOF OF PROFESSIONAL INDEMNITY

The Bidder shall provide written proof of adequate Professional Indemnity (Attached to this page) to the value of at least R5 000 000.00 million.

The Bidder hereby certifies that the information provided as per the above is true.

Signature _____ Date _____

Name _____ Capacity _____

Bidder _____

FORM L: PLANT AND EQUIPMENT SCHEDULE

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 RELEVANT EQUIPMENT IMMEDIATELY AVAILABLE FOR THIS CONTRACT

QUANTITY	DESCRIPTION, SIZE, CAPACITY, ETC

(b) DETAILS OF MAJOR RELEVANT EQUIPMENT THAT WILL BE HIRED OR ACQUIRED FOR THIS CONTRACT
IF MY/ OUR TENDER IS ACCEPTABLE

QUANTITY	DESCRIPTION, SIZE, CAPACITY, ETC

Signature _____

Date _____

Name _____

Capacity _____

Bidder _____

FORM M: COIDA CERTIFICATE ISSUED BY DEPARTMENT OF LABOUR

The Bidder must submit ***COIDA CERTIFICATE FROM DEPARTMENT OF LABOUR***.

The Bidder hereby certifies that the COIDA CERTIFICATE as required by the Bid, has been submitted and is attached after this page.

Signature _____ Date _____

Name _____ Capacity _____

Bidder _____

ATTACH AFTER THIS PAGE

FORM N: RESOLUTION

RESOLUTION OF BOARD OF DIRECTORS

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

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

Held at _____ (place)

on _____ (date)

RESOLVED that:

1. The Enterprise submits a Bid / Tender to the Department of Forestry, Fisheries and Environment in respect of the following project:

2.

(Project description as per Bid / Tender Document)

Bid / Tender Number: _____ (Bid / Tender Number as per Bid / Tender Document)

3. *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

The bidding enterprise hereby absolves the Department of Forestry, Fisheries and Environment from any liability whatsoever that may arise as a result of this document being signed.

1. Note: 1. * Delete which is not applicable. 2. NB: This resolution must, where possible, be signed by <u>all</u> the Directors / Members / Partners of the Bidding Enterprise.

2. ENTERPRISE STAMP

3. In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
5. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

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

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

Held at _____ (place)

on _____ (date)

RESOLVED that:

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

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

to the Department of Forestry, Fisheries and Environment in respect of the following project:

(Project description as per Bid /Tender Document)

Bid / Tender Number: _____ (Bid / Tender Number as per Bid / Tender Document)

5. *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

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

Physical address: _____

_____ (code)

Postal Address: _____

_____ (code)

Telephone number: _____

Fax number: _____

	Name	Capacity	Signature
1			
2			
3			
4			
5			

	Name	Capacity	Signature
6			
7			
8			
9			
10			
11			
12			

The bidding enterprise hereby absolves the Department of Forestry, Fisheries and Environment from any liability whatsoever that may arise as a result of this document being signed.

1. Note:

1. * Delete which is not applicable.
2. NB: This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.
3. In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
5. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

2. ENTERPRISE STAMP

FORM O: JOINT VENTURE AGREEMENT

The Bidder hereby certifies that the JOINT VENTURE AGREEMENT as required by the Bid, have been submitted and are attached after this page.

Signature	_____	Date	_____
Name	_____	Capacity	_____
Bidder	_____		

FORM P: SCHEDULE OF BIDDER'S EXPERIENCE IN CONSTRUCTION PROJECTS

DFFE shall not be held responsible for incorrect judgement misled by unclear written letters/words on the forms below, to be completed by the Bidder(s). **DO NOT COMPLETE THE FORMS BY WRITING "SEE ATTACHED"**, Bidder(s) who refer to attachment might be scored zero. Attachment shall strictly be made where specified and at the correct location, any attachment other than what has been requested by DFFE, shall be completely ignored, and scored zero, where points allocation is required.

When completing Forms, Bidder(s) may make copies of the original Forms, should the provided forms be inadequate for their completion of the information required. Forms must be hand completed in black ink, no computer regenerated forms will be accepted. Forms must be completed in full..

FORM Q: COMPLETED PROJECTS

Name of the Bidder		
NUMBER OF YEARS' EXPERIENCE IN THE BUILT ENVIRONMENT OR CONSTRUCTION		
PROJECT No.	1	2
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (Name, Tel/ Cell no and Fax no)		
Clients Contact Person (email address)		
Consulting Engineer (Name, Tel/ Cell no and Fax no)		
Appointment Value (at least R130K)		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Completion certificate attached (Yes or No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Main Contractor (Yes/No)		

PROJECT No.	3	4
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (Name, Tel/ Cell no and Fax no)		
Clients Contact Person (email address)		
Consulting Engineer (Name, Tel/ Cell no and Fax no)		
Appointment Value (at least R130K)		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Completion certificate attached (Yes or No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Main Contractor (Yes/No)		

PROJECT No.	5	6
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (Name, Tel/ Cell no and Fax no)		
Clients Contact Person (email address)		
Consulting Engineer (name, Tel no and fax no)		
Appointment Value (at least R130K)		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Completion certificate attached (Yes or No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Main Contractor (Yes/No)		

PROJECT No.	7	8
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (Name, Tel/ Cell no and Fax no)		
Clients Contact Person (email address)		
Consulting Engineer (Name, Tel/ Cell no and Fax no)		
Appointment Value (at least R130K)		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Completion certificate attached (Yes or No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Main Contractor (Yes/No)		

PROJECT No.	9	10
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (Name, Tel/ Cell no and Fax no)		
Clients Contact Person (email address)		
Consulting Engineer (Name, Tel/ Cell no and Fax no)		
Appointment Value (at least R130K)		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Completion certificate attached (Yes or No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Main Contractor (Yes/No)		

FORM R: EXPERIENCE OF NOMINATED PERSONNEL

Bidders must have experienced staff, who have previously worked on similar projects. The information will be verified with the references provided. Any information found to be untruthful will lead to the immediate disqualification of the Service Provider. The bidder must have in its proposal a: -

- i) Project Team Leader with more than 5 years' experience in design, construction management and contract management.

Bidders are required to complete the forms attached as evidence and also submit detailed CVs as well as the qualifications and professional registrations of the above-mentioned personnel.

It is **mandatory** to complete all fields in Form S for each project listed as this information will be deemed to be material to the award of the Contract. Failure to complete all fields for the project listed may lead to the bidder losing points during functional evaluation under the categories. Should the bidder choose to present the required information in the attachments, then the bidder must **COMPLETE FORM FIRST and then** make a clear reference to such attachments so that they may be considered; and such attachments must provide the same information requested for in Form S.

FORM S PROJECT LEADER

Project Leader in the Company

Post	Name	Experience in years
Project Leader		

Bidders are required to submit as attachments their CV's after this page,

Signature _____ Date _____

Name _____ Capacity _____

Bidder _____

Project Team Leader

The Bidder must note that repeating the same year under different project will still be considered as one year's experience.

PROJECT TEAM LEADER		
Name and Surname		
Experience in years' experience in Natural Resources Management or Construction		
EXPERIENCE IN NATURAL RESOURCES MANAGEMENT OR CONSTRUCTION		
YEAR of Experience	Year 1 (.....) (e.g.2019 etc)	Year 2 (.....) (e.g.2018).
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (name, Tel/Cell no and fax no)		
Clients Contact Person (email address)		
Consulting Engineer (name, Tel no and fax no)		
Appointment Value		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Roles/Responsibilities performed by the Bidder on the project:		

EXPERIENCE IN NATURAL RESOURCES MANAGEMENT OR CONSTRUCTION		
YEAR of Experience	Year 3 (.....) (e.g.2019 etc)	Year 4 (.....) (e.g.2018).
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (name, Tel/Cell no and fax no)		
Clients Contact Person (email address)		
Consulting Engineer (name, Tel no and fax no)		
Appointment Value		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Roles/Responsibilities performed by the Bidder on the project:		

EXPERIENCE IN NATURAL RESOURCES MANAGEMENT OR CONSTRUCTION		
YEAR of Experience	Year 5 (.....) (e.g.2019 etc)	Year 6 (.....) (e.g.2018).
Project Name		
Nature of Project		
Client (Responsible for supervision)		
Client Contact person		
Clients Contact Person (name, Tel/Cell no and fax no)		
Clients Contact Person (email address)		
Consulting Engineer (name, Tel no and fax no)		
Appointment Value		
Project Location (Province)		
Project Duration(months)		
Project Commencement Date (months/year)		
Is the Project Completed (Yes/No)		
Estimated Completion Date (If not yet Completed)		
Completion Date (If Completed) (months/year)		
Roles/Responsibilities performed by the Bidder on the project:		

Signature _____

Date _____

Name _____

Capacity _____

Bidder _____

**FORM T LETTER OF COMMITMENT TO SUBMIT CONSTRUCTION METHODOLOGY, SAFE WORK PLAN AND
QUALITY CONTROL PLAN**

The bidder must **NOTE THAT a quality proposal detailing the following is not required for now but a letter committing to submit when required by the Department** should be attached to the Bid after this bid:

The quality proposal will comprise the following:

- Construction Methodologies (Method Statements):

The example methodologies provided should be in line and reflect all items that will typically be completed during the construction of the new roads and associated stormwater systems.

- Safe Work Procedures:

The bidder has to give a description on items that will be addressed in his safety plan. All activities in the construction programme to be discussed and to be in line with the Occupational Health and Safety Act and the Construction Regulations. Full details to be supplied on successful appointment.

- Quality control plan:

The bidder has to give a description on how the quality control procedures for all activities will be enforced and he has to give a brief description on his abilities and qualifications of his quality control personnel.

Signature _____

Date _____

Name _____

Capacity _____

Bidder _____

THE CONTRACT

C1 AGREEMENT AND CONTRACT

This bid is subject to the preferential procurement policy framework act and the preferential procurement regulations, 2022, the joint building contracts committee (commonly known as JBCC, as the principal building agreement or conditions of contract and, if applicable, any other special conditions of contract specified by DFFE.

Copies of these conditions of contract may be obtained through most regional offices of the Association of South African Quantity Surveyors, Master Builders Association, South African Association of Consulting Engineers, South African Institute of Architects, Association of Construction Project Managers, Building Industries Federation South Africa, South African Property Owners Association or Specialist Engineering Contractors Committee.

Project Name:	DFFE - T108 (22/23): THE APPOINTMENT OF A SUITABLY QUALIFIED REGISTERED CONTRACTORS WITH THE GRADING DESIGNATION OF 2CE OR HIGHER TO ASSIST DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION PROJECTS IN FIVE PROVINCES, FOR A MINIMUM PERIOD OF ONE (1) YEAR TO A MAXIMUM PERIOD OF FIVE (5) YEARS.
Reference no.:	DFFE-T108 (22/23)

Advertisement Date:	17th of March 2023	Validity:	120 days
Closing Date:	17th of April 2023	Closing time:	11:h00 am

C1.1 FORM OF OFFER AND ACCEPTANCE OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract in respect of the following works:

STAMP

**APPOINTMENT OF A SUITABLY QUALIFIED REGISTERED CONTRACTOR
GRADING DESIGNATION OF 2GB AND/OR 3GB OR HIGHER TO ASSIST
DFFE WITH THE IMPLEMENTATION OF WETLANDS REHABILITATION
PROJECTS IN FIVE PROVINCES, FOR OVER THE PERIOD OF 5 YEARS.**

The Tenderer, identified in the Offer signature block below, 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 authorised, 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):	
Rand (in figures):	R
The award of the tender may be subjected to further price negotiation with the preferred tenderer(s). The negotiated and agreed price will be considered for acceptance as <u>a firm and final offer</u> .	

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.

THIS OFFER IS MADE BY THE FOLLOWING: (cross out block which is not applicable)

Company or Close Corporation: And: Whose Registration Number is: And: Whose Income Tax Reference Number is: CSD supplier number:.....	OR	Natural Person or Partnership: Whose Identity Number(s) is/are: Whose Income Tax Reference Number is/are: CSD supplier number:.....
--	----	--

AND WHO IS (if applicable):

Trading	under	the	name	and	style	of:
.....						

AND WHO IS:

Represented herein, and who is duly authorised to do so, by: Mr/Mrs/Ms: In his/her capacity as:	Note: A Resolution / Power of Attorney, signed by all the Directors / Members / Partners of the Legal Entity must accompany this Offer, authorizing the Representative to make this offer.
---	---

SIGNED FOR THE TENDERER:

Name of representative	Signature	Date

WITNESSED BY:

Name of witness	Signature	Date

This Offer is in respect of: (Please indicate with an "X" in the appropriate block)

The official documents ☐

The official alternative ☐

Own alternative (only if documentation makes provision therefore) .. ☐

SECURITY OFFERED:

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, (which includes this Agreement)
Part C2	Pricing Data
Part C3	Employers Requirements
Part C4	Tender Drawings

and documents or parts thereof, which may be incorporated by reference into Parts C1 to C4. Deviations from and amendments to the documents listed in the Tender Data and any addenda thereto 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 letter of acceptance, contact the Employer's agent (whose details will then be given to the Tenderer) to arrange the proof of insurance and any other documentation to be provided in terms of the Conditions of Contract identified in the Contract Data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this Agreement.

Notwithstanding anything contained herein, this Agreement comes into effect on the date when the Tenderer receives one fully completed original copy of this document, including the Schedule of Deviations (if any). Unless the Tenderer (now Contractor) within five 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

NAME(s): (BLOCK LETTERS)		
CAPACITY of authorized agents:		
SIGNATURE(s) of authorized agents:		
SIGNED at	on this	day of
WITNESSE(s): (Full name – BLOCK LETTERS – and signature)		
1. ....	.....	.....
2. ....	.....	.....

SCHEDULE OF DEVIATIONS

1. Subject	.....
Details	.....
	
	
	
2 Subject	.....
Details	.....
	
	
	
3 Subject	.....
Details	.....
	
	
	
4 Subject	.....
Details	.....
	
	
	

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

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

C1.2 DRAWINGS

Drawings shall be produced according to SANS or equivalent standards. All drawings to be supplied by the Contractor have to be listed in the MASTER DOCUMENT INDEX (MDI). All drawings shall be made available electronically and hard copy. As a minimum, the MDI has to indicate the following drawings for consideration:

- Construction Drawings
- As-built drawings
- Documentation drawings for Maintenance Manuals.

Drawings shall be prepared specifically for this contract and not be marked-up drawings. Two bound A3 sets as well as an electronic copy, of the complete construction project, that shows the buildings, services and infrastructure as built must be completed and handed over.

C1.3 SET OF OPERATING AND MAINTENANCE MANUALS

This is applicable only to the Retention Pond.

These manuals shall provide sufficient information for the operation of the system and shall include the following as a minimum:

- Description of all parts and operations
- Description of all controls and their functions
- Procedures for starting and stopping
- Emergency and/or alternate procedures in the case of breakdowns, power failures, etc.
- Fault finding
- Daily checks on start-up

Maintenance manuals shall have all the information to ensure that the system will be properly maintained. It shall be comprehensive to the extent that a technician can service the system. Fault diagnostics shall also be included so that faults can be traced and components are exchanged with a minimum of difficulty. Sections covering the following aspects shall be included as a minimum:

- Trouble shooting and fault finding.
- Preventative maintenance, which shall include a comprehensive check list for each and every type of service.
- A list of all parts and non-standard tools required
- A recommended list of spares that must be kept in stock as well as minimum spare stock levels.

C2 PRICING DATA

The Joint Building Contracts Committee (commonly known as JBCC, as the principal building agreement or conditions of contract and, if applicable, any other special conditions of contract specified by DFFE.

C2.1 PRICING INSTRUCTIONS

In preparation of tenders, bidders should consider the following budget items (including but not limited to) as a guideline when costing for a Project that must be inclusive of all disbursement costs such as delivery costs, travelling and accommodation costs and other expenses for the total duration of the project period and VAT (where applicable/relevant to VAT vendors).

- a) Cost of employment (EPWP Wages, COIDA and UIF) – refer to the EPWP Minimum Wages Rates attached as **Annexure 4**
- b) Personal Protective Clothing (as per the minimum requirements attached as **Annexure 3** including related costs associated with H&S in the event of a natural disaster or pandemic.
- c) Standard manual for tools and equipment (minimum requirements attached as **Annexure 7**) related to construction of Concrete, Gabion and earthen interventions.
- d) Mechanical and Technical Equipment (minimum requirements attached as **Annexure 7**) such as compactors and other mechanical equipment, as needed. In the case of ecological monitoring, the tools needed for community-based monitoring and data management.
- e) Transport of workers/ project participants and soft interventions rehabilitation materials where needed.
- f) Training of workers/project participants (e.g., machine operators, chain-saw operators etc.) (**Annexure 5**)
- g) Medical examinations for all participants before going into the field..
- h) Costs related to the designs of the interventions based on available scientific information.
- i) Potential contractor must have a CIBD grading related to the specific project with a valid registration in place for the project the bidder is intending to submit an application for. All the cost related to construction and/or other engineering concrete intervention or gabions must be included.
- j) Soft Interventions Rehabilitation Materials where needed.
- k) Post implementation sign-off on completion.
- l) Project Insurance, The Service Provider shall ensure that the Project carries the public liability of the maximum of R5 million, contractors' risk of spread and personal accident insurance. These costs will form part of the Project budget. Any other insurance will be at the cost of the Service Provider
- m) VAT (where applicable/relevant for VAT vendors)
- n) Annexure 13, The Working for Wetlands Best Management practices

To determine the bid price, the attached Price Breakdown (**Annexure 2**) will need to be completed in the prescribed format as provided. It should be submitted in hard-copy as well as on a flash drive with the tender document. This must include

all costs associated to this Project that should be outlined under the following three deliverables for the Project, which the Department will make payments against, namely:

- a) EPWP Wages (including COIDA and UIF for EPWP participants as specified on each project's deliverables);
- b) Training for EPWP participants as specified on each project's deliverables (including accredited and non-accredited as well as all associated costs for the delivery of the training);
- c) EP Deliverables (which will include all any other project related costs outside of EPWP Wages, COIDA, UIF and Training).

The number of person-days must be indicated on the spreadsheet and all the required information must be outlined for each of the years of the project duration.

The bid price will comprise of a "Total person-day cost" that will be used to compare between bidders that will compete per Project that will be calculated as follows:

The total bid price for i) Training and ii) EP Deliverables (which includes all other Project related costs excluding EPWP wages, COIDA, UIF and Training) for the contract period will be divided by the number of person-days for the project.

One tender document must be submitted for each Project. This document needs to have a price schedule (SBD 3.1) and Price Breakdown (Annexure 2) for each project selected.

NOTE: *It should be noted that the Government's financial year starts on 1 April every year. Depending on the commencement date of the successful service provider's contract, the contract period of the project may run over a few financial years depending on the project duration.*

DFFE reserves the right to negotiate price with a recommended service provider(s) identified in the evaluation process per project number without offering the same opportunity to any other bidder(s) who has not been recommended.

Travelling costs and time spent or incurred between home and office of bidder and DFFE office will not be for the account of DFFE.

The service provider shall ensure that, during the detailed costing stage, project deliverables and related activities are inclusive of Value Added Tax (VAT) (where applicable to VAT vendors). Refer to Section 11 (Legislative Framework of the Bid) below for more details.

The tenderer is responsible for all the cost that they shall incur related to the preparation and submission of the bid.

Price will be valid for 120 days.

The bid price for the first year will be fixed. For the outer years, the bidder needs to consider a Consumer Price Index (CPI) of 4%. However, the annualised CPI, as published by Stats SA will be used to adjust annual costs allowing for actual CPI increases.

LIST OF ANNEXURES

#	ANNEXURE DESCRIPTION	ANNEXURE NUMBER
1	Bidder Guide Notes	Annexure 1
2	Price Breakdown (WfWet)	Annexure 2
3	Minimum PPE Requirements	Annexure 3
4	EPWP Minimum Wage Rates	Annexure 4
5	NRM Training Matrix	Annexure 5
6	Consent and Indemnity Form	Annexure 6
7	Minimum Tools and Equipment	Annexure 7
8	First Aid stock List	Annexure 8
9	EP Branding Guideline	Annexure 9
10	NRM Ops Standards	Annexure 10
11	EMPr	Annexure 11
12	EMPr Std. Operating Procedure WfWet	Annexure 12
13	Best Management Practices WfWet	Annexure 13