



**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

**HEAD OF DEPARTMENT
MR. MOTSAMAI MOHLAHO
PUBLIC WORKS & INFRASTRUCTURE**

BID NUMBER: DPWFS EOI 001/2024

DOCUMENTATION:

**REQUEST FOR EXPRESSION OF INTEREST TO
PARTICIPATE IN A HEALTH AND SAFETY CONSULTANTS
PANEL ON A FRAMEWORK CONTRACT FOR A PERIOD
OF THREE (3) YEARS**

OCTOBER 2024

TENDER NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY
AGENTS FOR A PERIOD OF THREE
YEARS



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infrastructure

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

BEWARE OF SCM FRAUD AND PHISHING

WHAT IS FRAUD AND PHISHING?

- *SCM fraud is a careful thought dishonesty, deceptive and corrupt process with the intention to influence any stage of the SCM process in order to make a financial gain or cause a loss. It can be perpetrated by contractors or sub-contractors external to the organization, as well as officials within the Department.*
- *Phishing is a form of fraud in which an attacker masquerades as a reputable entity or person in email or other forms of communication. Attacker will commonly use phishing emails to distribute malicious links or attachments that can perform variety of functions. Some will extract login credentials or account information from victims*

How does phishing work?

- The phisher may begin by **determining who their targeted victims** will be (whether at an organization or individual level) and creates strategies to collect data they can use to attack.
- Next, the phisher will create **methods like fake emails or phony web pages to send messages** that lure data from their victims.
- Phishers then send messages that **appear trustworthy** to the victims and begin the attack.
- Once the attack has been deployed, phishers will **monitor and collect the data** that victims provide on the fake web pages.
- Finally, phishers use the collected data to make illegal purchases or **commit fraudulent acts**.

That being said, not all attacks look and operate the same way. Phishing scams can take a variety of forms and can have different goals in their deployment.

IMPORTANT:

- No official of the department is allowed to request any form of gratuity and/or reward for assisting any bidder with their bid is considered over other bids for appointment.
- Report all suspicious acts and requests to South African Police Service on 08600 10111 **AND**;
- National Ant-Corruption Hotline: 0800 701 701 (toll free number) **OR**
- Email to: integrity@publicservicecorruptionhotline.org.za

TENDER NUMBER:

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Department of Public Works & Infrastructure
FREE STATE PROVINCE

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS
FOR A PERIOD OF THREE YEARS

THE DEPARTMENT OF PUBLIC WORKS & INFRASTRUCTURE

Physical address: OR Tambo House Cnr St Andrews Street and Markgraaff Street Bloemfontein 9301	Post box number: P.O. Box 690 Bloemfontein 9301
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DIRECTORATE: SUPPLY CHAIN MANAGEMENT Contact Person: Name: Mr. Mosiuoa Kolobe Telephone: 051 492 1750/3886 Email: kolobem@fsworks.gov.za	DIRECTORATE: PROJECT MANAGEMEN UNIT Contact Person: Name: Mr. Ditaba Matsela Telephone: 051 403 7823 Email: matselad@fsworks.gov.za
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TENDERER:

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PRICES WILL BE APPLICABLE POST-APPOINTMENT

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TENDER NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS
FOR A PERIOD OF THREE YEARS



**public works &
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Department of
Public Works & Infrastructure
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FREE STATE PROVINCIAL GOVERNMENT

**REQUEST FOR EXPRESSION OF INTEREST TO PARTICIPATE IN A HEALTH AND
SAFETY CONSULTANTS PANEL ON A FRAMEWORK CONTRACT**

REFERENCE NO. DPWFS EOI 001/2024

TENDER NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD
OF THREE YEARS



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TENDER NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD
OF THREE YEARS



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THE TENDER

PART T1: TENDERING PROCEDURES

T1.1 - Tender Notice and Invitation to Tender

TENDER NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



TENDER: DPWFS EOI 001/2024

DESCRIPTION: REQUEST FOR EXPRESSION OF INTEREST TO PARTICIPATE IN A HEALTH AND SAFETY CONSULTANTS PANEL ON A FRAMEWORK CONTRACT FOR A PERIOD OF THREE (3) YEARS

T1.1: Tender Notice and Invitation to tender

Project title:	REQUEST FOR EXPRESSION OF INTEREST TO PARTICIPATE IN A HEALTH AND SAFETY CONSULTANTS PANEL ON A FRAMEWORK CONTRACT FOR A PERIOD OF THREE (3) YEARS		
Tender No:	DPWFS RFP 001/2024		
Advertising date:	18 OCTOBER 2024	Closing Date:	18 NOVEMBER 2024
Closing time:	11:00am	Validity Period	90 Days (Calendar Days)
Compulsory briefing session Date:	NO BRIEFING SESSION	Compulsory briefing session Time:	NO BRIEFING SESSION
Tenders are to be delivered to the following address on the stipulated closing date and time:	Department of Public Works and Infrastructure: Ground Floor (Main Entrance Foyer) at OR Tambo House (Old Lebohang Building); St Andrew Street; Bloemfontein		

COLLECTION OF TENDER DOCUMENTS

- Please note that bid documents are obtainable from e-tender portal on www.etenders.gov.za from 18 October 2024 **OR**
- Bid documents will also be available from 18 October 2024 from 09h00 to 14h30 at the Department of Public Works and Infrastructure SCM Offices, Room 101B, First Floor, OR Tambo House Cnr Markgraaf and St Andrews Street, Bloemfontein. However, a non-refundable tender / bid deposit of R1 282.00 is payable in cash (***please bring the exact amount***) on ***collection of the bid documents***. [Payments to be made at Room 102, 01st Floor, OR Tambo House].

The physical address for collection of tender documents is:

FREE STATE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

Cnr St Andrews Street and Markgraaff Street

OR Tambo House

Room 101B, 1st Floor

Bloemfontein

9301

BIDS ARE TO BE COMPLETED IN ACCORDANCE WITH THE CONDITIONS AND BID RULES CONTAINED IN THE BID DOCUMENTS. BID DOCUMENTS MUST BE PROPERLY INDEXED AND NEATLY BOUNDED.

REASONS FOR DISQUALIFICATION

The department reserves the right to disqualify any bidder which does any one or more of the following, and such disqualification may take place without prior notice to the offending bidder, however the bidder will be notified in writing of such disqualification:

- a. Bidders who's tax matters are not compliant with SARS requirements as reflected on eFiling and/or CSD at the time of award (however such bidders will be advised in writing to approach the SARS in order ensure that tax matters are compliant within a period of seven working days;
- b. Bidders who submitted incomplete information and documentation according to the requirements of this bid document, e.g. not submitting both a fully completed document with all returnable documents as stated on this tender document;
- c. Bidders who submitted information that is fraudulent, factually untrue or inaccurate information;
- d. Bidders who received information not available to other bidders through fraudulent means.
- e. Bidders whose CIDB grading status has been suspended and/or cancelled.
- f. Bidders who do not comply with mandatory requirement as stated in this document.
- g. Telegraphic, telephonic, telefax, facsimile and late tenders will not be accepted.
- h. Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data

1. EVALUATION CRITERIA

THIS BID SHALL BE EVALUATED IN TWO STAGES (MANDATORY REQUIREMENTS AND EVALUATION OF FUNCTIONALITY):

1.1. This original or certified copy of the original must be attached. Only EMEs and QSEs can submit a sworn bid shall be evaluated in three stages.

- 1.1.1. On stage one EOI will be evaluated on compliance with mandatory requirements
- 1.1.2. On stage two EOI will be evaluated on functionality as stipulated on the request for proposal
- 1.1.3. Prices will be on gazetted rates as provided by South African Council for the Project and Construction Management Professions (SACPCMP).
- 1.1.4. Bidders may be called to present the Technical approach and Methodology.
- 1.1.5. Issuing of task order will be done on as and when basis for specific tasks and the Department will invite firms to submit responses for such a tasks order.
- 1.1.6. The Department will invite request for expression of interest on "as and when basis" to health and safety agent Firms which are appointed to participate in this Framework Contract. The issuing of specific tasks orders will be informed by the evaluation of bids received from firms.
- 1.1.7. The appointment will be done on rotational basis in line with the Standard Operating Procedures of the Department.
- 1.1.8. The relevant Consultants will be required to submit the proposal in line with the project at that particular time. Failure to submit the required proposal to the department will result in the department moving to the next Consultant on the rotation list.

1.2. Stage One (A) – Compliance with the mandatory requirements

- 1.2.1. Provide a unique security Personal Identification Number (PIN) issued by the South African Revenue Services showing tax compliance status of the bidding entity (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must supply their tax compliance pins) which will be confirmed at the time of award.
- 1.2.2. A valid proof of registration with **SACPCMP** (certified copy of certificate must be attached/PRIVY seal)
- 1.2.3. Minimum Professional indemnity insurance of R5 million or above will be required (proof to be attached).
- 1.2.4. Attach duly completed and signed SBD documents (SBD 1 and SBD 4).
- 1.2.5. Complete and sign the Annual Financial Statements Declaration for the preceding financial year within 12 months of the financial year end (e.g. for the financial ended 28 February 2024). Attach the income statement and the balance sheet as support for the declaration.
- 1.2.6. **All documents must be completed in writing with a black pen.**



1.3. Stage One (B) Non – Mandatory requirements required for evaluation purposes:

- 1.3.1. Attach a valid municipal services (water, sanitation, rates and electricity) clearance certificate or a current bill of account not owing more than ninety (90) days or a valid lease agreement with a current statement from the lessor not owing more than 90 days.
- 1.3.2. A valid proof of registration on the National Treasury's Central Supplier's Database must be accompanying this bid (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must submit a separate or a unique security personal Identification number).
- a) However, joint ventures, partnerships, including unincorporated partnerships must register on the CSD within 15 days of the date of the bid being awarded to the successful bidder.
- 1.3.3. Attach duly completed and signed Annexure A - Record of Addenda to tender documents.
- 1.3.4. Attach duly completed and signed Annexure B - Proposed amendments and qualifications.
- 1.3.5. Schedule of equipment offered
- 1.3.6. Duly completed and signed SBD 6.1 – Preference points claim form in terms of the Preferential Procurement Regulations 2022.
- 1.3.7. Attach appointment letters, Reference Letters and completion certificates where the contractor has carried out similar nature of works.

1.4. Stage Two – Evaluation based on functionality

- 1.4.1. The minimum score for functionality which each bidder must obtain is 124 points out of 165 points for evaluation of preference points (price will be negotiated based on each profession's guideline).
- 1.4.2. The functionality criteria must be evaluated in conjunction with the stages below.
- 1.4.3. Each bid will be evaluated for functionality on the following areas:

NO	CRITERION	GUIDELINE FOR CRITERION	MAXIMUM SCORE										
1	Organizational structure and staffing clearly indicating experience of all key staff	<p>Certified copies of Qualifications and Professional Registration with relevant Council (SACPCMP) within Built Environment Professional bodies and Experience of Professional Construction Health and Safety Agent (Pr. CHSA) registered with SACPCMP for which a detailed CV with traceable and contactable reference for similar construction projects completed.</p> <p>NOTE: This should be supported by CVs of all key staff and completed in the format of Resource Information sheet attached to the document and clearly stating their relevant experience to date:</p> <ul style="list-style-type: none"> REFER TO ANNEXURE ONE BELOW: FUNCTIONALITY - EVALUATION OF THE BUILT ENVIRONMENT PROFESSIONAL TEAM BELOW. Bidders MUST complete a separate Resource Information form for each profession and attach certified copies of all relevant qualifications. Failure to complete the form will result in points being forfeited. <table border="1"> <tr> <td>5 years' experience</td> <td>40 points</td> </tr> <tr> <td>4 years</td> <td>32 points</td> </tr> <tr> <td>3 years</td> <td>24 points</td> </tr> <tr> <td>2 years</td> <td>16 points</td> </tr> <tr> <td>1 year</td> <td>8 points</td> </tr> </table> <p>Note: The Department may request bidders to make provision for Skills transfer under each profession during the implementation phase of the project.</p> <p>Note: Minimum score for this criteria is 24 points out of 40 points failure which leads to disqualification and there will be no further evaluation in other criteria of the functionality.</p>	5 years' experience	40 points	4 years	32 points	3 years	24 points	2 years	16 points	1 year	8 points	40
5 years' experience	40 points												
4 years	32 points												
3 years	24 points												
2 years	16 points												
1 year	8 points												



2	Capacity of the consulting firm	Capacity of the consulting firm to execute the works. In order to qualify here, the Consultants will have to demonstrate their capacity/ ability to execute the works needed	40	
		5 Projects		40 points
		4 Projects		32 Points
		3 Projects		24 Points
		2 Projects		16 Points
		1 Projects		8 Points
		Bidders must submit supporting documents of Building Construction projects that were successfully completed in the last five (5), i.e. Appointment letters of both consulting firm which are accompanied by the practical completion certificate issued for each project. In addition, the firm must attach a signed and stamped reference letter from the employer with a logo for each of project submitted as proof for this criteria.		
3	Methodology and Approach based on FIPDM	Scoring of consulting firm on a “MOCK PROJECT” to construct a school from initiation to close-out in line with Framework for Infrastructure Procurement and Delivery Management System.	70	
		Here consultants are expected to outline in detail how they are going to implement the project from initiation to close-out:		
		Stage 01 – Initiation		5 points
		Stage 02 – Concept		10 points
		Stage 03 – Design Development		10 points
		Stage 04 – Design Documentation		10 points
		Stage 05 – Works		15 points
		Stage 06 – Handover		10 points
Stage 07 – Closeout	10 points			
4	Finances	<u>FINANCES</u>	15	
		<ul style="list-style-type: none"> • Cash flow projections aligned with the programme (5 points) • Analysis of the Annual Financial Declaration and its supporting documents (5 points). <ul style="list-style-type: none"> ○ Confirmation of the availability of cash flow for the first three months of the project. <p>(above three bullets – 10 points)</p> <ul style="list-style-type: none"> • Financial Capability: Cash –flow (05 points) <p>Operating cash flow ratio measures a company’s short-term liquidity. <i>Formula:</i> Operating Cash Flows Ratio = Cash Flows from Operations/Current liabilities {submit latest/most recent (not more than 2 years old) Financial Statements signed-off by registered Professional Accountant).</p> <ul style="list-style-type: none"> ○ Operating Cash Flows Ratio ≥ 1 – 05 points ○ Operating Cash Flows Ratio $> 0.5 < 1$ – 04 points ○ Operating Cash Flows Ratio ≤ 0.5 – 03 points ○ Operating Cash Flows Ratio ≤ 0 – 02 points ○ Submission of incomplete or irrelevant financial statements – 01 point ○ No submission of financial statements – 00 points 		
TOTAL		Minimum score of 75%	165	

1.5. SPECIAL CONDITIONS OF BID

- 1.5.1. The Tenderer should propose the structure and composition of their team i.e. the main disciplines involved, the key staff member / Lead responsible for each discipline, and the proposed technical and support staff and site staff.
- 1.5.2. The roles and responsibilities of each key staff member / expert should be set out as job descriptions. In the case of an association / joint venture / consortium, it should, indicate how the duties and responsibilities are to be shared amongst the parties involved.
- 1.5.3. A matching organizational and staffing proposal must also be provided as support to this page.
- 1.5.4. An individual may be nominated to serve as the team leader in more than one discipline and as the team leader and a discipline specific leader. Please note that the table below is should be regarded as minimum requirements for staffing composition and thus bidders may include additional resources where necessary.

1.6. The scoring of the approach paper will be as follows:

Rating	Score out of 5	Score out of 10	Score out of 15	Score out of 20	Score out of 25	Approach and methodology
Poor	1	2	3	4	5	The approach and / or methodology is poor / is very unlikely to satisfy project objectives or requirements. The tenderer has completely misunderstood all aspects of the scope of work and does not deal with any critical aspects of the project.
Average	2	4	6	8	10	The approach and / or methodology is not good / is unlikely to satisfy project objectives or requirements. The tenderer has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project.
Good	3	6	9	12	15	The approach is generic and not tailored to address the specific project objectives and methodology. The approach does not adequately deal with the critical characteristics of the project. The quality plan, manner in which risk is to be managed etc., is too generic.
Very Good	4	8	12	16	20	The approach is specifically tailored to address the specific project objectives and methodology and is sufficiently flexible to accommodate changes that may occur during execution. The quality plan and approach to managing risk etc., is specifically tailored to the critical characteristics of the project.
Excellent	5	10	15	20	25	Besides meeting the "good" rating, the important issues are approached in an innovative and efficient way, indicating that the tenderer has outstanding knowledge of state-of-the- art approaches. The approach paper details ways to improve the project outcomes and the quality of the outputs.



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.

Signed at: _____ Date: _____
 Signed by: _____ Position: _____
 Tenderer's Name: _____

2. Pricing instructions

2.1. Fees from Initiation to Close-out will be negotiated based on applicable Gazette

2.2. The successful firm or consortia will enter into a Service Level Agreement.

3. The successful firm or bidder will perform all the work as per individual health and safety environment Acts, codes and standard.

4. General terms and conditions

4.1. Where an expression is not received by the Department in the tender box by the closing date and time, it will be regarded as a late proposal and thus it will not be considered.

4.2. The Respondent shall not assume that information and/or documents supplied to the Department, at any time prior to this request, are still available to the Department, and shall consequently not make any reference to such information document in its response to this request.

4.3. The Respondent is responsible for all costs incurred in the preparation and submission of the proposal.

4.4. A copy/(ies) of any affiliations, memberships and/or accreditations that support your submission must be included in the proposal.

4.5. Kindly note that the Department is entitled to:

- a. Amend any tender conditions, validity period, specifications, or extend the closing date and/or time of these tender before the closing date. All Respondents to whom the bids documents have been issued, will be advised through the appropriate media platform, e.g. eTender portal or through email those service providers who shall attended the compulsory briefing session, of any such amendments in good time;
- b. Verify any information contained in a proposal;
- c. Not to appoint any bidder;
- d. Vary, alter, and/ or amend the terms of this bid, at any time prior to the finalisation of its adjudication hereof.

6.2 An omission to disclose material information, a factual inaccuracy, and/ or a misrepresentation of fact may result in the disqualification of a proposal, or cancellation of any subsequent contract.

6.3 The Department also reserves the right to award this RFP as a whole or in part without furnishing reasons.

6.4 The Department also reserves the right to cancel or withdraw from this RFP as a whole or in part without furnishing reasons and without attracting any liability.

6.5 The Respondent hereby offers to render all of the services described in the attached documents (if any) to the Department on the terms and conditions and in accordance with the specifications stipulated in this bid documents (and which shall be taken as part of, and incorporated into, this proposal at the prices inserted therein).

6.6 This proposal and its acceptance shall be subject to the terms and conditions contained in this RFP document.

6.7 Proposals submitted by companies must be signed by a person or persons duly authorised thereto by a resolution of a Board of Directors.

6.8 The Respondent shall prepare for a possible presentation should the Department require such and the Respondent shall be notified thereof no later than 4 (four) days before the actual presentation date.

Note: The format of the presentation will be to take the 'MOCK PROJECT) from Initiation to close out as per

5. LEGISLATION AND STANDARDS

- 5.1. It is the expectation of the Department that the bidder is familiar with all legislations and standards applicable to this Bid, including the following:
- a. Cost Control measures for the construction of new primary and secondary schools and the provision of additional buildings at existing schools,
 - b. The National Treasury's Standard on Infrastructure Procurement and Delivery Management System (SIPDM),
 - c. Public Finance Management Act, act no 1 of 1999 as update on 30 April 2015,
 - d. Preferential Procurement Regulations of 2017,
 - e. The CIDB Act, act no 38 of 2000,
 - f. National Treasury Designated Sectors Instruction note number 15 of 2016 – 2017 for steel products and components for construction,
 - g. Norms and Standards (2013) Guidelines for Special Schools, and
 - h. All the relevant Legislations, Treasury Regulations, Circulars, and Instruction Notes.

6. CONCLUSION

- 6.1. Failure to comply with any of the terms and conditions as set out above will invalidate the Proposal.
- 6.2. The Department's decision on proposals received shall be final and binding.

7. CONTRACTING DATA

- 7.1. Standard Professional Services.
- 7.2. The conditions applicable to this Contract are the Standard Professional Services Contract (July 2009 edition) published by the Construction Industry Development Board (CIDB).

8. SERVICE LEVEL AGREEMENT

- 8.1. A Service Level agreement will be entered into with the successful bidder. Skills transfer Plan will be part of the Service Level Agreement



PART T1: TENDERING PROCEDURES

T1.2 – Tender Data

Annexure A

Standard Conditions of Tender

Standard Conditions of Tender

C.1 General

C.1.1 Actions

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

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

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

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

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

C.1.2 Tender Documents

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

C.1.3 Interpretation

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

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

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

a) conflict of interest means any situation in which:

- i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
- ii) an individual or tenderer is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
- iii) incompatibility or contradictory interests exist between an employee and the tenderer who employs that employee.

b) comparative offer means the price after the factors of a non-firm price and all unconditional discounts it can be utilised to have been taken into consideration;

c) corrupt practice means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;

d) fraudulent practice means the misrepresentation of the facts in order to influence the tender

process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels;

C.1.4 Communication and employer's agent

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

C.1.5 Cancellation and Re-Invitation of Tenders

C.1.5.1 An employer may, prior to the award of the tender, cancel a tender if-

- a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation;
- b) funds are no longer available to cover the total envisaged expenditure; or
- c) no acceptable tenders are received.
- d) there is a material irregularity in the tender process.

C.1.5.2 The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised

C.1.5.3 An employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.

C.1.6 Procurement procedures

C.1.6.1 General

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

C.1.6.2 Competitive negotiation procedure

C.1.6.2.1 Where the tender data 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.

C.1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to revise their tender offer based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

C.1.6.2.4 The contract shall be awarded in accordance with the provisions of C.3.11 and C.3.13 after tenderers have been requested to submit their best and final offer.

C.1.6.3 Proposal procedure using the two stage-system

C.1.6.3.1 Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the tender

data, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

C.1.6.3.2 Option 2

C.1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement documents. C.1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

C.2 Tenderer's obligations

C.2.1 Eligibility

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

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

C.2.2 Cost of tendering

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

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

C.2.3 Check documents

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

C.2.4 Confidentiality and copyright of documents

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

C.2.5 Reference documents

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

C.2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

C.2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

C.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five (5) working days before the closing time stated in the tender data.

C.2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

C.2.10 Pricing the tender offer

C.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable fourteen (14) days before the closing time stated in the tender data.

C.2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

C.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

C.2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

C.2.11 Alterations to documents

Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.

C.2.12 Alternative tender offers

C.2.12.1 Unless otherwise stated in the tender data, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

C.2.12.2 Accept that an alternative tender offer must be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

C.2.12.3 An alternative tender offer must only be considered if the main tender offer is the winning tender.

C.2.13 Submitting a tender offer

C.2.13.1 Submit one tender offer only, either as a single tendering entity or as a member in a joint venture 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.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

C.2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope

marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

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

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

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

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

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

C.2.15 Closing time

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

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

C.2.16 Tender offer validity

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

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

C.2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted. If the validity period stated in C.2.16 lapses before the employer evaluating tender, the contractor reserves the right to review the price based on Consumer Price Index (CPI).

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

C.2.17 Clarification of tender offer after submission

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

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

C.2.18 Provide other material

C.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the

material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

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

C.2.19 Inspections, tests and analysis

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

C.2.20 Submit securities, bonds and policies

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

C.2.21 Check final draft

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

C.2.22 Return of other tender documents

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

C.2.23 Certificates

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

C.3 The employer's undertakings

C.3.1 Respond to requests from the tenderer

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

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

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

C.3.2 Issue Addenda

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

C.3.3 Return late tender offers

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

C.3.4 Opening of tender submissions

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

C.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened and, where

applicable, the total of his prices, number of points claimed for its BBBEE status level and time for completion for the main tender offer only.

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

C.3.5 Two-envelope system

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

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

C.3.6 Non-disclosure

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

C.3.7 Grounds for rejection and disqualification

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

C.3.8 Test for responsiveness

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

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

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

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

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

C.3.9 Arithmetical errors, omissions and discrepancies

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

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

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

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

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

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

C.3.10 Clarification of a tender offer

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

C.3.11 Evaluation of tender offers

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

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

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

The activities associated with evaluating tender offers are as follows:

- a) Open and record tender offers received
- b) Determine whether or not tender offers are complete
- c) Determine whether or not tender offers are responsive
- d) Evaluate tender offers
- e) Determine if there are any grounds for disqualification

- f) Determine acceptability of preferred tenderer
- g) Prepare a tender evaluation report
- h) Confirm the recommendation contained in the tender evaluation report

C.3.11.1 General

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

C.3.12 Insurance provided by the employer

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

C.3.13 Acceptance of tender offer

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

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

C.3.14 Prepare contract documents

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

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

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

C.3.15 Complete adjudicator's contract

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

C.3.16 Registration of the award

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

C.3.17 Provide copies of the contracts

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

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OF THREE YEARS



C.3.18 Provide written reasons for actions taken

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



PART T2: RETURNABLE DOCUMENTS

T2.1 - List of Returnable Documents

FREESTATE PROVINCIAL GOVERNMENT**DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE****BID NO:** DPWFS EOI 001/2024**DESCRIPTION:** PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS**E2.1 List of Returnable Documents**

The tenderer must complete the following returnable documents:

1 Returnable Schedules required only for tender evaluation purposes

- Attach duly completed and signed Annexure A - Record of Addenda to tender documents.
- Attach duly completed and signed Annexure B - Proposed amendments and qualifications.
- Attach duly completed and signed Annexure D - Compulsory Declaration.
- Resolution of Board of Directors
- Resolution of Board of Directors to enter into Consortia or Joint Ventures (in case of Joint Venture or Consortia)
- Special Resolution of Consortia or Joint Ventures.
- Standard Bidding Document (SBD 1) – Invitation to Bid
- Standard Bidding Document 4 (SBD 4) – Bidders Disclosure
- Standard Bidding a Document (SBD 6.1) – Preference points claim form in terms of the Preferential Procurement Regulations 2022.
- Annual Financial Statement Declaration.
- All other relevant documents, including but not limited to the company registration documents, curriculum vitae's (resource information sheet format) of all relevant officials and identity documents of all directors and relevant officials
- Acceptance of Bid Conditions and Bidder's Details

2 Returnable Schedules that will be incorporated into the contract

- Preferencing Schedule (direct preferences)

3 Other documents that will be incorporated into the contract**4 C1.1 Contract Data (Part 2)****5 C2. Pricing Data**

C2.1 Pricing Instruction

6 C3 Scope of Work

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DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



Annexure A: Record of Addenda to tender documents

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

	Date	Title of Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signature..... Date.....

Name..... Position.....

Tenderer.....

TENDER NUMBER:

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public works & infrastructure

Department of Public Works & Infrastructure
FREE STATE PROVINCE

Annexure B: Proposed amendments and qualifications

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause 5.8 of SANS 10845-3 regarding the employer's handling of material deviations and qualifications.

Page	Clause or item	Proposal

Signature..... Date.....

Name..... Position.....

Tenderer.....

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 Tender to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(project description as per Tender Document)

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

- 2 *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

1. * Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.

ENTERPRISE STAMP

TENDER NUMBER:

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DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



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Department of
Public Works & Infrastructure
FREE STATE PROVINCE

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:

1 The Enterprise submits a Tender, in consortium/joint venture with the following Enterprises:

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the consortium/joint venture)

to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(Project description as per Tender Document)

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

2 *Mr/Mrs/Ms: _____

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

and who will sign as follows: _____

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

3 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.

4 The Enterprise choose 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:

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Public Works & Infrastructure
FREE STATE PROVINCE

Physical address:

_____ (code)

Postal Address:

_____ (code)

Telephone number: _____ (code)

Fax number: _____ (code)

TENDER NUMBER:

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DESCRIPTION:

PANEL OF HEALTH AND SAFETY
AGENTS FOR A PERIOD OF THREE
YEARS



public works &
infrastructure

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Note:

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

ENTERPRISE STAMP

ENTERPRISE STAMP

TENDER NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

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

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

Held at _____ (place)

on _____ (date)

RESOLVED that:

A. The above-mentioned Enterprises submit a tender in consortium/joint venture to the Department of Public and Infrastructure Works, Free State Province in respect of the following project:

(Project description as per Tender Document)

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

B. Mr/Mrs/Ms: _____

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

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FREE STATE PROVINCE

and who will sign as follows: _____

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

C. The Enterprises constituting the consortium/joint venture, notwithstanding its composition, shall conduct all business under the name and style of:

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

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

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

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

Physical address: _____

_____ (code) _____

Postal Address: _____

_____ (code) _____

Telephone number: _____

Fax number: _____

TENDER NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



SBD 1

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	DPWFS EOI 001/2024	CLOSING DATE:	18 NOVEMBER 2024	CLOSING TIME:	11:00
DESCRIPTION	REQUEST FOR PROPOSAL TO PARTICIPATE IN A HEALTH AND SAFETY CONSULTANTS PANEL ON A FRAMEWORK CONTRACT				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Ground Floor (Main Entrance Foyer)					
O.R Tambo House (Lebohang Building);					
Cnr. Markgraaff and St Andrews Street,					
Bloemfontein, 9301					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr. Mosiuoa Kolobe		CONTACT PERSON	Mr. Ditaba Matsela	
TELEPHONE NUMBER	051 492 3886/ 1750		TELEPHONE NUMBER	051 403 7823	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	kolobem@fsworks.gov.za		E-MAIL ADDRESS	matselad@fsworks.gov.za	
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					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]	
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?				<input type="checkbox"/> YES <input type="checkbox"/> 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 BELOW.					

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 IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.**
- 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
- 1.4. **THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).**

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 VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
- 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

2. Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

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

2.2.1 If so, furnish particulars:
.....
...
.....
...

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

2.3.1 If so, furnish particulars:
.....
...
.....
...

3 DECLARATION

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.

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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.
I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6

OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

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.

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

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

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

1. GENERAL CONDITIONS

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

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

1.2 To be completed by the organ of state

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the **90/10** preference point system.
- b) The applicable preference point system for this tender is the **80/20** preference point system.
- c) Either the **90/10 or 80/20 preference point system** will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

	POINTS	POINTS
PRICE	80	90
SPECIFIC GOALS	20	10
Total points for Price and SPECIFIC GOALS	100	100

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$P_s = 80 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$	or	$P_s = 90 \left(1 - \frac{P_t - P_{min}}{P_{min}} \right)$

Where

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

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

3.2.1. POINTS AWARDED FOR PRICE

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

80/20	or	90/10
$P_s = 80 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$	or	$P_s = 90 \left(1 + \frac{P_t - P_{max}}{P_{max}} \right)$

Where

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

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the

tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
- (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

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

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

The specific goals allocated points in terms of this tender	Number of points allocated (90/10 system) (To be completed by the organ of state)	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Race: Black ownership 100%	3	6		
Gender: Women ownership 100%	3	6		
People living with Disability 100%	2	4		
Companies from Free state 100%	1	2		
Youth ownership 100%	1	2		
Total Points Claimed out	10	20		

NB: The Department reserves the right to amend the Specific goals as and when required

DECLARATION WITH REGARD TO COMPANY/FIRM

- 4.3. Name of company/firm.....
- 4.4. Company registration number:
- 4.5. TYPE OF COMPANY/ FIRM
- Partnership/Joint Venture / Consortium
 - One-person business/sole propriety
 - Close corporation

TENDER NUMBER:

DPWFS EOI 001/2024



public works & infrastructure

Department of Public Works & Infrastructure
FREE STATE PROVINCE

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS

- Public Company
- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

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

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

.....
SIGNATURE(S) OF TENDERER(S)

SURNAME AND NAME:

DATE:

ADDRESS:
.....
.....

TENDER NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



Schedule of the Tenderer's Experience (Particulars of Tenderers Projects)

FORM: PARTICULARS OF TENDERERS PROJECTS			
Project title:	EXPRESSION OF INTEREST TO PARTICIPATE IN A HEALTH AND SAFETY CONSULTANTS PANEL ON A FRAMEWORK CONTRACT		
Contract no:	DPWFS EOI 001/2024	Closing date:	18 November 2024
Advertising date:	18 October 2024	Validity period:	90 days

Note: The Tenderer is required to furnish the following particulars and to attach additional pages if more space is required. Failure to furnish the particulars will result in the tender offer being disqualified from further consideration.

1. PARTICULARS OF THE TENDERER'S CURRENT AND PREVIOUS COMMITMENTS

1.1. Current projects: Appointment letter(s) must be provided to buttress the information supplied below.

Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
1						
2						
3						
4						
5						
6						

TENDER NUMBER: DPWFS EOI 001/2024



DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS

Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
7						
8						
9						
10						
11						
12						

Name of Tenderer	Signature	Date

TENDER NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS



1.2. Completed projects: Both appointment letter(s) and completion certificates linked to the project(s) listed below must be provided to buttress the information provided.

Projects completed in the previous 5 (five) years	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Date of Certificate of Practical Completion
1						
2						
3						
4						
5						
6						
7						
8						
9						

TENDER NUMBER: DPWFS EOI 001/2024



DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS

Projects completed in the previous 5 (five) years	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Date of Certificate of Practical Completion
10						
11						
12						

Name of Tenderer	Signature	Date

TENDER
NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE
YEARS



RESOURCE INFORMATION SHEET (CV): Professional Construction Health and Safety Agent (Pr. CHSA)

Professional Registration(s)	
Professional Registration Number(s):	
Date of Birth:	
ID number:	
Employed by:	
Number of years with current employer	
Position held with current employer	

NAME AND SURNAME:

SIGNATURE OF RESOURCE:

DATE:

TENDER
NUMBER:

DPWFS EOI 001/2024



public works &
infrastructure

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE
YEARS

Key projects worked on (align to evaluation)	Name of project	Role in Project	Project Value	Duration of Project	Project Start Date	Project End Date	Reference Name	Reference Contact number
1								
2								
3								
4								
5								
6								

TENDER
NUMBER:

DPWFS EOI 001/2024



public works &
infrastructure

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE
YEARS

Key projects worked on (align to evaluation)	Name of project	Role in Project	Project Value	Duration of Project	Project Start Date	Project End Date	Reference Name	Reference Contact number
7								
8								
9								
10								
11								
12								

TENDER NUMBER: DPWFS EOI 001/2024



DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE YEARS

Key projects worked on (align to evaluation)	Name of project	Role in Project	Project Value	Duration of Project	Project Start Date	Project End Date	Reference Name	Reference Contact number
13								
14								
15								

In your opinion why you would be the right resource for this project, based on your experience?

NAME:

SIGNATURE OF RESOURCE:

DATE:

TENDER
NUMBER: DPWFS EOI 001/2024

DESCRIPTION: PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE
YEARS



C1.2 - Contract Data

STANDARD PROFESSIONAL SERVICES CONTRACT

Pricing Instructions

Fees from Initiation to Close-out will be negotiated based on applicable Gazette

The successful firm or consortia will enter into a Contractual Agreement with the Department.

The successful firm or bidder will perform all the work as per individual Built Environment Acts, codes and standard.

Standard Professional Services.

The conditions applicable to this Contract are the **Standard Professional Services Contract (July 2009 edition)** published by the **Construction Industry Development Board (CIDB) - (Annexed)**

TENDER
NUMBER:

DPWFS EOI 001/2024

DESCRIPTION:

PANEL OF HEALTH AND SAFETY AGENTS FOR A PERIOD OF THREE
YEARS



**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

PART C.3: INDICATIVE SCOPE OF SERVICES

C3. INDICATIVE SCOPE OF SERVICES

3. INDICATIVE SCOPE OF SERVICE

3.1. INTRODUCTION

3.1.1. The scope of service for the consultants will be in accordance with the following:

- a. The appointed Agent will act as per Construction Regulations 5(5) and 5(6) and discharge their duties as expected under Occupational Health and Safety Act 85 of 1993.
- b. The Consultants have to be registered as a Professional Construction Health and Safety Agent as outlined by the SACPCMP (South African Council for the Project and Construction Management Professions).
- c. The South African Council for the Project and Construction Management Professions has, under Section 34(2) of the Project and Construction Management Profession Act, 2000 (Act No. 48 of 2000) determined the guideline scope of services and tariff of fees in the Schedule. **As per GOVERNMENT GAZETTE, 13 SEPTEMBER 2019. If there's a new gazette, the latest gazette will applicable.**

3.1.2. Statutory responsibilities

The appointed agent will be expected to undertake the following responsibilities as requires under sub-regulation (5) and (6) of Construction regulations:

- a. Manage health and safety on a construction project for the client; and
- b. Be registered with a statutory body approved by the Chief Inspector as qualified to perform required functions;

3.1.3. Deliverables

a. Stage 1: Project initiation and briefing

- Agree OHS policy for the project
- Draft baseline risk assessment
- Draft OHS Specifications
- Attend design meetings

b. Stage 2: Concept and feasibility

- Review preliminary design documentation
- Final baseline risk assessment
- Update draft OHS Specifications
- Template for OHS file

c. Stage 3: Design development

- Review Design Documentation
- Compile Baseline Risk Assessment
- Compile OHS Specifications
- Manage .co-ordinate ,integrate and record design risk management process with other consultants

d. Stage 4: Tender documentation and procurement



- Finalize Specifications
- Design Risk Management Record
- OHS Documentation to Authorities where required (i.e. Waste disposals etc.)
- Evaluate Contractors Tender document to ensure that they have adequately resourced for Health and Safety during construction

e. Stage 5: Construction documentation and management

- Assess and Approve Contractors Health and Safety PLAN.
- Attend Site and Technical Meetings.
- Monitor design Risk.
- Monitor implementation of the OHS Plan by the contractor.
- Ensure that All Sub contractors comply with the approved OHS plan.
- Conduct Monthly Audits.
- Communicate Audit findings with contractor and project management team.
- Verify maintenance of the OHS File.
- Design Risk Management Record

f. Stage 6: close-out

- Design risk management records.
- Records of changes to specifications and OHS plans.
- OHS Audit Reports.
- OHS report of compliance for occupation (Practical completion /Works and Final).
- Close out Report.

NOTE: The above deliverables are not exhaustive and are not meant to limit the Agent to carry out any other responsibilities as required under the Act and Construction Regulations 2014.

3.1.4. Project location

- a. Projects will be allocated as when required, over the period of three years.