

5. Gazetted statutory price increases in respect of the labour component that may come into effect between the date of tender submission and date of tender award period may be considered at the time of tender operationalisation.
6. Adjusted month for CPA calculations of the contract prices per item in C.2.2 and C.2.3 – Schedule of Rates – **Applicable only– for 1CE or higher Items 1A4.1, 1A4.2, 1A4.3, 1A4.4, 1A4.5, 1A4.6, 1A4.7, 1A4.8, 2A4.1, 2A4.2, 2A4.3, 2A4.4, 2A4.5, 2A4.6, 2A4.7, 2A4.8, and 2CE or higher Items 1AA4.1, 1AA4.2, 1AA4.3, 1AA4.4, 1AA4.5, 1AA4.6, 1AA4.7, 1AA4.8, 2AA4.1, 2AA4.2, 2AA4.3, 2AA4.4, 2AA4.5, 2AA4.6, 2AA4.7, 2AA4.8** shall be calculated based upon the annual Sectorial Determination published by the Department of Labour.

Clause 6.8.3: Variation in the cost of special materials

Price adjustment for variations in the cost of special materials is provided for in the Special Materials Schedule at the end of this Part 1: Contract Data provided by the Employer.

Clause 4.2 of the Contract Price Adjustment Schedule

Delete the words “by the Contractor” that appear after “.... entered in the Contract Data”

Clause 6.8.4:

Add the following to Clause 6.8.4:

Notwithstanding the above, in the event that a public holiday is proclaimed after 7 days before the closing date for an offer on a Works Project, no costs other than those that can be claimed under Clause 5.12.3 shall be added to the Contract Price.

Add the following after Clause 6.8.4:

- 6.8.5. If price adjustment for variations in the cost of plant and materials imported from outside of South Africa is provided for in the contract data, such adjustment shall be based on the information contained on the schedule titled **“Price Basis for Imported Resources”** and as below. For the purposes of this clause the Rand value of imported Plant and Materials inserted on the schedule titled **“Price Basis for Imported Resources”** (column (F)) shall be the value in foreign currency (column (A)) converted to South African Rand (column (C)) by using the closing spot selling rate quoted by **Employer’s** main banker, NEDBANK, on the Base Date (seven calendar days before tender closing date) rounded to the second decimal place (column(B)), to which shall be added any Customs Surcharge and Customs Duty applicable at that date (columns (D) and (E)).

6.8.5.1 Adjustment for variations in rates of exchange:

- (a) The value in foreign currency inserted in column (A) shall be subject to clause (h) below when recalculating the Rand value.
- (b) The rate of exchange inserted in column (B) shall be the closing spot selling rate quoted by **Employer’s** main banker, NEDBANK, on the Base Date, rounded to the second decimal place, subject to sub-paragraph (c) below.
- (c) If the rate of exchange inserted by the Tenderer differs from the NEDBANK rate referred to above, then the NEDBANK rate shall apply and the Rand value in columns (C) and (F) shall be recalculated accordingly, without altering the price in the Schedules of Quantities for the relevant items.
- (d) If a tender from a supplier or sub-contractor provides for variations in rates of exchange, the Contractor may **only** claim for variations in rates of exchange if he binds the supplier or sub-contractor to the same provision to take out forward cover as described in sub-paragraph (e) below.
- (e) The Contractor (or supplier or sub-contractor) shall within five working days from the date of placing a firm order on an overseas supplier, cover or recover forward by way of a contract with a bank which is an authorised foreign exchange dealer, the foreign exchange component of the cost of any imported Plant and Materials inserted by the Tenderer on the schedule titled **“Price Basis for Imported Resources”**.
- (f) When the Contractor (or supplier or sub-contractor) so obtains forward cover, the Contractor shall immediately notify the Employer of the rate obtained and furnish the Employer with a copy of the foreign exchange contract note.