

Reference: R.033-120-2019/1R

Date: 08 December 2023

Email: ProcurementNR3@sanral.co.za

Fax Number: 27 (0) 12 426 6232

Direct Line: 27 (0) 12 426 6294

Website: www.nra.co.za

SANRAL



BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

Dear Tenderers

CONTRACT NUMBER: SANRAL R.033-120-2019/1R

CONTRACT TITLE: THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13 MODIMOLLE (KM 0.6) (TOTAL 12.3km)

ADDENDUM NO.1

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

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

Yours sincerely,

Brian Mdziniso
PG 3 CHAIRPERSON
SANRAL NORTHERN REGION

Part 1: AMENDMENTS TO TENDER DOCUMENT.

| Pages | Clause / Item | Amendment / Addition |
|---|---|--|
| 1. Entire Tender Document (Volumes 3, 4, 5, 6 and 7) | | |
| All | All | <p>Delete all references to the project number: "SANRAL R.033-120-2019/1"</p> <p>And replace with the following new project number: "SANRAL R.033-120-2019/1R"</p> |
| Front Pages | Project Base Date | <p>Delete on both the front page and overleaf title page for each tender document volume: "DATE: JUNE 2023"</p> <p>And replace with the following: "DATE: DECEMBER 2023"</p> |
| 2. Volume 3 Book 1 Part T1 | | |
| T1-4 | T1.1 Tender Notice and Invitation to Tender | <p>Delete the following paragraph: "It is a requirement of this project that the successful tenderer subcontract a minimum of 40 percent (40%) of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data."</p> <p>And replace it with the following: "It is a requirement of this project that the successful tenderer subcontract a minimum of 30 percent (30 %) or higher as tendered of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data."</p> <p>TENDER DOCUMENTS</p> <p>Delete the date from which the tender documents are available: "29 June 2023"</p> <p>And replace it with the following: "8 December 2023"</p> <p>Delete the following paragraph: "Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to 10 July 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive."</p> <p>And replace it with the following: "Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to 13 December 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive, if "any material</p> |

| Pages | Clause / Item | Amendment / Addition |
|-------|-----------------------------------|--|
| | | <p>amendment/s" contained in the addenda or additional information is not included in the tender offer/submission."</p> <p>TENDERER'S MEETING</p> <p><i>Delete the date on which the clarification briefing meeting will be held:</i> "12 July 2023"</p> <p><i>And replace it with the following:</i> "To be Confirmed."</p> <p>COMPLETION AND DELIVERY OF TENDERS</p> <p><i>Delete the closing time for receipt of tenders:</i> "11h00 on Friday 03 August 2023"</p> <p><i>And replace it with the following:</i> "11h00 on Friday 26 January 2024"</p> |
| T-7 | T1.2 Tender Data Clause C.1.6.2.1 | <i>Delete the clause in its entirety.</i> |
| T-10 | T1.2 Tender Data Clause C.2.7 | <p>Clarification meeting</p> <p><i>Delete the date on which the clarification briefing meeting will be held:</i> "12 July 2023"</p> <p><i>And replace it with the following:</i> "To be Confirmed."</p> |
| T-10 | T1.2 Tender Data Clause C.2.8 | <p>Seek Clarification</p> <p><i>Delete and replace with the following:</i></p> <p>"Request clarifications at least with 12 (twelve) working days before the closing date."</p> |
| T-13 | T1.2 Tender Data Clause C.3.1.1 | <p>Respond to requests from the tenderer</p> <p><i>Delete the date on which the clarification briefing meeting will be held:</i></p> <p>The employer shall respond to clarifications received up to twelve (12) working days before tender closing date.</p> <p>The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 working days before tender closing date.</p> <p><i>And replace with the following:</i></p> |

| Pages | Clause / Item | Amendment / Addition |
|-------|---------------------------------|--|
| | | <p>“The Employer shall respond to clarifications received up to 12 (twelve) working days before tender closing date.</p> <p>The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 (three) working days before tender closing date.”</p> |
| T-13 | T1.2 Tender Data Clause C.3.4.1 | <p>Opening of tender submissions</p> <p><i>Delete the opening time of tender submissions:</i></p> <p>One Envelope: The time for opening of the tender offer via live streaming at Northern Region Offices are: Time: 11h00 on Friday 03 August 2023 Location: A live streaming link will be provided by the Procurement Office.</p> <p><i>And replace it with the following:</i></p> <p>One Envelope: The time for opening of the tender offers via live streaming or at Northern Region Offices are:</p> <p>Time: 11h00 on Friday 26 January 2024</p> <p>Location: A live streaming link will be provided by the Procurement Office.</p> |
| T-15 | T1.2 Tender Data Clause C.3.9.4 | <p><i>Add the following:</i></p> <p>“Should the original price not be retained after balancing, the tenderer will be rendered non responsive.”</p> <p><i>The above to be added just below:</i></p> <p>Where there is an omission of a line item, no correction is possible, and the offer may be declared non-responsive.</p> <p><i>Add the following sentence:</i></p> <p>“During testing of tender responsiveness, clause C.3.8 of CIDB tender conditions will be applicable.”</p> <p><i>The above be added below:</i></p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates.</p> <p><i>Delete the following:</i></p> |

| Pages | Clause / Item | Amendment / Addition | | | | | | | | | | | | | | | | | | | | | | | | | |
|----------------|--------------------------------|--|----------------|------------------|----------------|--|-----------|--|------------------|----------------|------------------|----------------|--------------|---------|-------|-------|-------|-------|---------|------|-------|---------|------|-------|---------|------|-------|
| | | <p>“Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates, and subject the tenderer to the sanction under C.2.16.2.”</p> <p><i>Replace with the following:</i></p> <p>“Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates.”</p> | | | | | | | | | | | | | | | | | | | | | | | | | |
| T-15 | T1.2 Tender Data Clause C.3.11 | <p><i>Delete all information in the data column and replace with the following:</i></p> <p>“Evaluating price and preference</p> <p>i. 80/20 preference point system for acquisition of goods and services for Rand value equal to or above R2 000 and up to R50 million</p> <p>The following formula will be used to calculate the points out of 80 for price:</p> $P_s = 80(1 - (P_t - P_m) / P_m)$ <p>Where:</p> <p>P_s is the points scored for price of tender under consideration. P_t is the price of the tender under consideration; and P_m is the price of the lowest acceptable tender.</p> <p>ii. 90/10 preference point system for acquisition of goods and services for Rand value above R50 million</p> <p>The following formula will be used to calculate the points out of 90 for price:</p> $P_s = 90(1 - (P_t - P_m) / P_m)$ <p>Where:</p> <p>P_s is the points scored for price of tender under consideration. P_t is the price of the tender under consideration; and P_m is the price of the lowest acceptable tender.</p> <p>In the event that the calculated value is negative, the allocated score shall be 0 (zero).</p> <p>Scoring preference (Specific Goals):</p> <p>Points for specific goals will be awarded according to the table below:</p> <table border="1" data-bbox="464 1621 1489 1948"> <thead> <tr> <th rowspan="2">Specific goals</th> <th rowspan="2">Criteria</th> <th colspan="2">10 points</th> <th colspan="2">20 points</th> </tr> <tr> <th>Point allocation</th> <th>Maximum points</th> <th>Point allocation</th> <th>Maximum points</th> </tr> </thead> <tbody> <tr> <td rowspan="4">B-BBEE Level</td> <td>Level 1</td> <td>10.00</td> <td rowspan="4">10.00</td> <td>20.00</td> <td rowspan="4">20.00</td> </tr> <tr> <td>Level 2</td> <td>9.00</td> <td>18.00</td> </tr> <tr> <td>Level 3</td> <td>6.00</td> <td>14.00</td> </tr> <tr> <td>Level 4</td> <td>5.00</td> <td>12.00</td> </tr> </tbody> </table> | Specific goals | Criteria | 10 points | | 20 points | | Point allocation | Maximum points | Point allocation | Maximum points | B-BBEE Level | Level 1 | 10.00 | 10.00 | 20.00 | 20.00 | Level 2 | 9.00 | 18.00 | Level 3 | 6.00 | 14.00 | Level 4 | 5.00 | 12.00 |
| Specific goals | Criteria | 10 points | | | 20 points | | | | | | | | | | | | | | | | | | | | | | |
| | | Point allocation | Maximum points | Point allocation | Maximum points | | | | | | | | | | | | | | | | | | | | | | |
| B-BBEE Level | Level 1 | 10.00 | 10.00 | 20.00 | 20.00 | | | | | | | | | | | | | | | | | | | | | | |
| | Level 2 | 9.00 | | 18.00 | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 3 | 6.00 | | 14.00 | | | | | | | | | | | | | | | | | | | | | | | |
| | Level 4 | 5.00 | | 12.00 | | | | | | | | | | | | | | | | | | | | | | | |

| Pages | Clause / Item | Amendment / Addition | | | | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------|---------------|---|---------|------|--|------|--|---------|------|--|------|--|---------|------|--|------|--|---------|------|--|------|--|---------------------------|------|--|------|--|
| | | <table border="1"> <tr> <td data-bbox="464 248 671 293">Level 5</td> <td data-bbox="671 248 879 293">4.00</td> <td data-bbox="879 248 1086 293"></td> <td data-bbox="1086 248 1294 293">8.00</td> <td data-bbox="1294 248 1482 293"></td> </tr> <tr> <td data-bbox="464 293 671 338">Level 6</td> <td data-bbox="671 293 879 338">3.00</td> <td data-bbox="879 293 1086 338"></td> <td data-bbox="1086 293 1294 338">6.00</td> <td data-bbox="1294 293 1482 338"></td> </tr> <tr> <td data-bbox="464 338 671 383">Level 7</td> <td data-bbox="671 338 879 383">2.00</td> <td data-bbox="879 338 1086 383"></td> <td data-bbox="1086 338 1294 383">4.00</td> <td data-bbox="1294 338 1482 383"></td> </tr> <tr> <td data-bbox="464 383 671 427">Level 8</td> <td data-bbox="671 383 879 427">1.00</td> <td data-bbox="879 383 1086 427"></td> <td data-bbox="1086 383 1294 427">2.00</td> <td data-bbox="1294 383 1482 427"></td> </tr> <tr> <td data-bbox="464 427 671 528">Non-compliant contributor</td> <td data-bbox="671 427 879 528">0.00</td> <td data-bbox="879 427 1086 528"></td> <td data-bbox="1086 427 1294 528">0.00</td> <td data-bbox="1294 427 1482 528"></td> </tr> </table> | Level 5 | 4.00 | | 8.00 | | Level 6 | 3.00 | | 6.00 | | Level 7 | 2.00 | | 4.00 | | Level 8 | 1.00 | | 2.00 | | Non-compliant contributor | 0.00 | | 0.00 | |
| Level 5 | 4.00 | | 8.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| Level 6 | 3.00 | | 6.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| Level 7 | 2.00 | | 4.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| Level 8 | 1.00 | | 2.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| Non-compliant contributor | 0.00 | | 0.00 | | | | | | | | | | | | | | | | | | | | | | | | |
| | | <p data-bbox="459 533 1139 562"><i>A valid B-BBEE verification certificate must be submitted.</i></p> <p data-bbox="459 593 1465 651">1. The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:</p> <ul style="list-style-type: none"> <li data-bbox="517 656 1465 745">- the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; or <li data-bbox="517 750 1465 929">- in the event that the Measured Entity operates in more than one sector or a sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of annual revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes; and <p data-bbox="517 934 1465 992">i. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and</p> <p data-bbox="517 996 1465 1025">ii. The certificate shall:</p> <ul style="list-style-type: none"> <li data-bbox="558 1028 1054 1057">- be valid at the tender closing date; and <li data-bbox="558 1059 1465 1117">- have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or <li data-bbox="558 1120 1465 1299">- be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and <li data-bbox="558 1301 1465 1359">- have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C.2.15); and <p data-bbox="517 1361 1038 1391">iii. A valid BBEE Certificates shall contain:</p> <ul style="list-style-type: none"> <li data-bbox="558 1393 1465 1451">- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address. <li data-bbox="558 1453 1123 1482">- Value-Added Tax number, where applicable. <li data-bbox="558 1485 1465 1574">- The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes. <li data-bbox="558 1576 1374 1606">- B-BBEE status with corresponding procurement recognition level. <li data-bbox="558 1608 1410 1637">- The relevant Codes used to issue the B-BBEE verification certificate. <li data-bbox="558 1639 1465 1787">- Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate. <li data-bbox="558 1789 1465 1848">- Financial period which was used to issue the B-BBEE Verification Certificate. <p data-bbox="517 1850 991 1879">iv. A valid Sworn Affidavit shall contain:</p> <ul style="list-style-type: none"> <li data-bbox="558 1881 1465 1939">- Name/s of deponent as they appear in the identity document and the identity number. | | | | | | | | | | | | | | | | | | | | | | | | | |

| Pages | Clause / Item | Amendment / Addition |
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| | | <ul style="list-style-type: none"> - Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit. - Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address. - Percentage black ownership, black female ownership and whether they fall within a designated group. - Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts. - Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue. The valid format of the Financial Year-End is Day/Month/Year - B-BBEE status level. An enterprise can only have one status level. - Date deponent signed and date of Commissioner of Oath must be the same. - Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest, and Compliance with any other information requested to be attached to Returnable Schedule Form C1; and <p>v. Compliance with any other information requested to be attached to Returnable Schedule Form C1; and</p> <p>vi. In the event of a Joint Venture (JV), a project-specific consolidated (SANRAL project number indicated) valid B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted.</p> <p>Sub-contracting</p> <p>If the tender documents indicate that the tenderer intends sub-contracting more than 25% of the value of the contract to any other person not qualifying for at least the status level that the tenderer qualifies for, 0 (zero) points for B-BBEE level (under Specific Goals) shall be awarded, unless the intended sub-contractor is an EME that has the capacity to execute the sub-contract.</p> <p>Criteria for breaking deadlock</p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots."</p> |
| T-19 | T1.2 Tender Data Clause C.3.13 | <p><i>In the first paragraph Replace "C.3.13(g) to (k)" in the first paragraph with "C.3.13(g) to (l)"</i></p> <p><i>Add the following after k):</i></p> <p><i>"l) Price negotiations.</i></p> |

| Pages | Clause / Item | Amendment / Addition |
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| | | <ol style="list-style-type: none"> 1. If the price offered by a tenderer scoring the highest points is not market related, the Organ of state may not award the tender to that tenderer. 2. The Organs of state may – <ol style="list-style-type: none"> i. Negotiate a market related price with the tenderer scoring the highest points or cancel the tender; ii. If the tenderer does not agree to a market related price, negotiate a market related price with the tenderer scoring the second highest points or cancel the tender; iii. If the tenderer scoring the second highest points does not agree to a market related price, negotiate a market related price with the tenderer scoring the third highest points or cancel the tender; 3. If a market related price is not agreed as envisaged in paragraph 2(iii), the organ of state must cancel the tender.” |
| 3. Volume 3 Book 1 Part T2 | | |
| T-24 | Table of contents | <p><i>Add Form A14: DECLARATION OF TENDERER’S FINANCIAL SUBMISSION</i></p> <p><i>Delete the following forms to the Table of Content:</i></p> <p><i>FORM C1.3: BLACK OWNERSHIP DECLARATION</i></p> <p><i>FORM C1.4: SUB-CONTRACTING DECLARATION</i></p> |
| T-25 | Form A1 | <p><i>Delete the date on which the clarification briefing meeting was be held: “12 July 2023”</i></p> <p><i>And replace it with the following:</i></p> <p>Non-compulsory clarification meeting (Virtual)</p> <p>A tender clarification briefing presentation is available to be downloaded from the SANRAL website by the following link https://www.nra.co.za/sanral-tenders/status?region_id=national . A non- compulsory clarification briefing meeting date and time will be confirmed. A link to the clarification briefing meeting will be sent to tenderers who complete and submit a Certificate of Intention to Submit a Tender (Form A1.1). A tenderer’s representative cannot represent more than one tenderer at the tender briefing meeting.</p> |
| T-26 | Form A1.1 | <i>Replace the Notes to Tenderer in Form A1.1 with attached Appendix J format</i> |
| T-55 | Form A8 | <i>Replace the entire Form A8 with the version included in Appendix F.</i> |
| T-63 | Form A13 | <i>Replace the entire Form A13 with the version included in Appendix A of this Addendum 1.</i> |
| New | Form A14 | <i>Add the new Form A14 using the version included in Appendix I of this Addendum 1.</i> |
| T-70 | Form C1.2 | <i>Replace the entire Form C1.2 with the version included in Appendix B of this Addendum 1.</i> |

| Pages | Clause / Item | Amendment / Addition |
|-----------------------------------|---|--|
| | | <p><i>Amend the title:</i></p> <p>“FORM C1.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022”</p> <p><i>And replace it with the following:</i></p> <p>FORM C1.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1</p> |
| T-74 | Form C1.3 | <i>Delete the entire Form C1.3: BLACK OWNERSHIP DECLARATION</i> |
| T-75 | Form C1.4 | <i>Delete the entire Form C1.4: SUB-CONTRACTING DECLARATION</i> |
| T-120 | Form F1 | <p><i>Replace Under Local Content Declaration:</i></p> <p>“PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017”</p> <p><i>And replace it with the following:</i></p> <p>“PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)”</p> |
| T-120 | Form F1 | <i>Delete the rows for Forms C1.3 and C1.4</i> |
| 4. Volume 3 Book 2 Part C1 | | |
| C2-3 | C1.1.1 Form of Offer | <p><i>Delete PREFERENCE CLAIMED:</i></p> <p>“I/we claim the following B-BBEE contributor status level as per Returnable Schedule Form C1: Tenderer's B-BBEE Verification Certificate. In the event of any difference between the above stated status level and the Verification Certificate attached to Form C1, the Verification Certificate shall apply”</p> <p><i>And replace PREFERENCE CLAIMED with the following:</i></p> <p>“I/we claim; a B-BBEE contributor status level (as per Returnable Schedule Form C1: Tenderer's B-BBEE Verification Certificate. In the event of any difference between the above stated B-BBEE contributor status level and the B-BBEE Verification Certificate attached to Form C1, the B-BBEE Verification Certificate shall apply”.</p> |
| C2-8 | C1.1.3 Appendix to Form of Acceptance | <p><i>Delete the last sentence of Notes to Compiler Nr. 3:</i></p> <p>“This shall include the contractual required subcontracting percentage if the tendered subcontract percentage is less than the minimum prescribed 40%.”</p> |
| C2-5 | Part C1.2.1: Conditions of Contract Clause 15.2 | <p><i>Delete the word “or” at the end of sub-paragraph (g).</i></p> <p><i>Add the word “or” at the end of sub-paragraph (h).</i></p> |

| Pages | Clause / Item | Amendment / Addition | | | | | | | | | | | | |
|---|---|--|---|------------------------------------|-----|----|------------|----|------------|----|------------|----|-----|----|
| | | <p>Add the following after sub-paragraph (h)</p> <p>(i) <i>"In the event that its director/s are found guilty by a Court of Law on the counts of fraud charges against them, SANRAL reserves the right to terminate the contract and to assert all legal recourse available to it."</i></p> | | | | | | | | | | | | |
| C1-55 | C1.2.2 Appendix to Tender: Contract Data – Information provided by the Employer | <p>Replace the data for Clause A4.4 with the following: <i>"The percentage of the contract value that may be sublet is dependent on the Minimum Targeted Enterprise subletting targets and shall not exceed the Maximum Subcontracting allowed % as per the following table:</i></p> <table border="1"> <thead> <tr> <th>Minimum Targeted Enterprise (TE) subletting (%)</th> <th>Maximum Subcontracting allowed (%)</th> </tr> </thead> <tbody> <tr> <td>≤30</td> <td>50</td> </tr> <tr> <td>>30 to ≤40</td> <td>60</td> </tr> <tr> <td>>40 to <45</td> <td>65</td> </tr> <tr> <td>≥45 to <50</td> <td>70</td> </tr> <tr> <td>≥50</td> <td>80</td> </tr> </tbody> </table> | Minimum Targeted Enterprise (TE) subletting (%) | Maximum Subcontracting allowed (%) | ≤30 | 50 | >30 to ≤40 | 60 | >40 to <45 | 65 | ≥45 to <50 | 70 | ≥50 | 80 |
| Minimum Targeted Enterprise (TE) subletting (%) | Maximum Subcontracting allowed (%) | | | | | | | | | | | | | |
| ≤30 | 50 | | | | | | | | | | | | | |
| >30 to ≤40 | 60 | | | | | | | | | | | | | |
| >40 to <45 | 65 | | | | | | | | | | | | | |
| ≥45 to <50 | 70 | | | | | | | | | | | | | |
| ≥50 | 80 | | | | | | | | | | | | | |
| 5. Volume 3 Book 3 Part C3 Scope of Works: Section B: Specification Data | | | | | | | | | | | | | | |
| C3-257 | Part C3 Scope of Works: Section B: Specification Data: SANRAL Standard Specification Sections: C3-257 Section D D1003 Target Group Participation: D1003.04 Contract Participation Goal (CPG) | <p>Delete the Specification Data for Sub-Clause "CPG for Targeted Enterprises" (but keep the minimum contribution by target groups unchanged): "Minimum percentage of the greater of either 40% or the C1.1.1 Form of Offer stated percentage, of the Final Contract Value by the end of the contract to Targeted Enterprises. The Final Contract Value is defined in clause D1003.04".</p> <p>And replace with the following: <i>"Minimum of 30% of the Final Contract Value by the end of the contract to Targeted Enterprises. The Final Contract Value for purposes of this clause, is defined in clause D1003.04."</i></p> | | | | | | | | | | | | |

APPENDIX J

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

CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

Notes to Tenderer:

1. The duly completed certificate of intention to submit a tender must be submitted by whoever intends to tender for this particular tender prior to **Wednesday, 13 December 2023**. Failure to submit the certificate of intention to tender within the required period may render the tenderer non-responsive and SANRAL does not accept responsibility for any communication not received by the tenderer timeously.
2. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive if “any material amendment/s” contained in the addenda or additional information is not included in the tender offer/submission.
3. Late notification of intention to tender by a prospective tenderer will not necessarily result in the tender closing date being extended.
4. Should you intend to submit a tender for this particular tender please sign the certificate, scan and email the completed document to the email address indicated in T1.1 of this tender document.
5. The Employer shall send all correspondences, including Addenda, only to the Tenderer’s email address as provided herein; in addition, the Employer shall upload all correspondences on SANRAL website and National Treasury eTender Portal.

This is to certify that I,

.....

representative of (insert name of tenderer)

of (address)

.....

telephone number

fax number

e-mail

intends to submit a tender in response to the tender notice and invitation for tender this contract.

TENDERER'S REPRESENTATIVE Date

(Signature)

APPENDIX E

FORM A3.3: DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

Notes to tenderer:

1. This declaration:
 - (a) must form part of all tenders submitted.
 - (b) in the case of a joint venture (JV), must be completed and submitted by each member of the JV
2. This form serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse and/or misused the State's procurement of the supply chain management system.
3. The tender of any tenderer may be disregarded if that tenderer or any of its directors have –
 - (a) abused and/or misused the State's procurement and/or supply chain management system;
 - (b) committed fraud, corruption or any other improper conduct in relation to such State system and/or;
 - (c) has been charged with fraud, corruption or any other improper conduct whether of a criminal or civil nature during the course and scope of rendering services to the state or any other party and/or entity; or
 - (d) failed to perform on any previous contract [with the State].
4. In order to give effect to the above, the following questionnaire must be completed and submitted with this tender.

| | | | |
|-------|---|-----------|----------|
| 4.1 | Is the tenderer or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector? Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/ Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied. The Database of Restricted Suppliers now resides on the National Treasury website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page. | Yes .. | No .. |
| 4.1.1 | If Yes, furnish particulars: | | |
| 4.2 | Is the tenderer or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combatting of Corrupt Activities Act (No. 12 of 2004)? The Register for Tender Defaulters can be accessed on the National Treasury website (www.treasury.gov.za) by clicking on its link at the bottom of the home page. | Yes .. | No .. |
| 4.2.1 | If Yes, furnish particulars: | | |
| 4.3 | Was the tenderer or any of its directors convicted by a court of law (including a court outside the Republic of South Africa) for fraud or corruption during the past five years? | Yes .. | No .. |
| 4.3.1 | If Yes, furnish particulars: | | |
| 4.4 | Was any contract between the tenderer and any organ of State terminated during the past five years on account of failure to perform on or comply with the contract? | Yes .. | No .. |
| 4.4.1 | If Yes, furnish particulars: | | |

CERTIFICATION

I, the undersigned,

certify that the information furnished on this declaration form is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

Signature:

Name:

Position:

Date:

Name of tenderer:

APPENDIX C:

FORM A3.5: DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS (Incorporating SBD6.2)

Notes to Tenderers:

1. This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).
2. Before completing this declaration, Tenderers must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the South African Bureau of Standards (SABS) approved technical specification number SANS 1286:2017 and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. The local content (LC) expressed as a percentage of the tender price must be calculated in accordance with the SABS approved technical specification number SANS 1286:211 as follows:

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

Where:

- x is the imported content in Rand
- y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) on the date of advertisement of the bid as indicated in paragraph 3.1 below.

The SABS approved technical specification number SANS 1286:2017 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

- 1.2 A tender may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule – Form A3.6) are not submitted as part of the tender documentation.
2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SANS 1286:2017) for this bid is/are as follows:

Table A.3.5(a): Minimum Thresholds for Local Production and Content

| Steel Construction Materials | Components | Stipulated Minimum Threshold |
|---|---|------------------------------|
| Steel Value-added Construction Material Products | | |
| Fabricated Structural Steel | Latticed steelwork, reinforcement steel, columns, beams, plate girders, rafters, bracing, cladding supports, stair stringers & treads, ladders, steel flooring, floor grating, handrailing and balustrading, scaffolding, ducting, gutters, launders, downpipes and trusses | 100% |
| Fasteners | Bolts, nuts, rivets and nails | 100% |
| Wire Products | All fencing products, all barbed wire and mesh fencing, fabric/mesh reinforcing, gabions, wire | 100% |

| | | |
|--|---|-------------------------------------|
| | rope/strand and chains, welding electrodes, nails/tacks, springs and screws | |
| <p>Only locally produced or locally manufactured steel products and components for construction with a minimum threshold for local content and production as stipulated above will be considered.</p> <p>In the designation, imported inputs raw materials (i.e. zinc and additives in the surface preparation and protection process (cleaning and coating/galvanising)) used in the production of steel products and components for the construction are deemed as locally manufactured input materials.</p> <p>The imported input raw material, as specified above, used in the manufacture and production of steel products and components for construction will be deemed to have been sourced locally for the purposes of calculating local content.</p> | | |
| Steel Construction Materials | | Stipulated Minimum Threshold |
| Primary Steel Construction Material Products | | |
| Wire Rod and Drawn Wire | | 100% |
| <p>Only locally produced or locally manufactured steel products and components for construction with a minimum threshold for local content and production as stipulated above will be considered.</p> <p>In the designation, imported inputs raw materials (i.e. zinc and additives in the surface preparation and protection process (cleaning and coating/galvanising)) used in the production of steel products and components for the construction are deemed as locally manufactured input materials.</p> <p>The imported input raw material, as specified above, used in the manufacture and production of steel products and components for construction will be deemed to have been sourced locally for the purposes of calculating local content.</p> | | |
| Cable Products | | Stipulated Minimum Threshold |
| Electrical Cable Material Products | | |
| Low Voltage | | 90% |
| Low Cost Reticulation | | 90% |
| Medium & High Voltage | | 90% |
| ACR | | 90% |
| Telecom Cable Material Products | | |
| Optical Fibre Cables | | 90% |
| Copper Telecom Cables | | 90% |
| <p>Only locally produced or locally manufactured electrical and telecommunication cables for construction with a minimum threshold for local content and production as stipulated above will be considered.</p> <p>Excluded in the designation are mainly primary steel, copper, aluminium, polyvinyl chloride (PVC), cross-linked polyethylene (XLPE), aramid yarn, and optical fibre used for fabrication of cable products. This is to encourage local manufacturers to seek the best global competitive prices for primary materials hence the competitive imported materials used in the manufacture of cables will be deemed to have been sourced locally for the purposes of calculating local content.</p> | | |
| Product Type | | Stipulated Minimum Threshold |
| Plastic Pipes | | |
| Polyvinyl chloride (PVC) pipes | | 100% |

| | | | |
|---|---|---|-------------------------------------|
| High density polyethylene (HDPE) pipes | 100% | | |
| Only locally produced or locally manufactured Plastic Pipes with a minimum threshold for local content and production as stipulated above will be considered. | | | |
| Textiles, Clothing, Leather and Footwear | | | |
| Textiles | 100% | | |
| Only locally produced or locally manufactured Textiles, Clothing, Leather and Footwear from local raw material or input, with a minimum threshold for local production and content of 100% will be considered. | | | |
| Bagged and Bulk Cement | | | |
| Cement Type | Description | Application | Stipulated Minimum Threshold |
| Cem I | Pure portland cement with a 95-100% clinker. | All civil and building construction as appropriate | 100 % |
| Cem II | Portland cement containing varying additions of secondary materials, i.e. fly ash, pozzolana, slag, silica fume, or limestone | All civil and building construction as appropriate | 100 % |
| Cem III | blast furnace cement, 50% OPC, 50% blast furnace slag | All civil and building construction as appropriate | 100 % |
| Cem IV | pozzolanic cement, OPC and fly ash | All civil and building construction as appropriate | 100 % |
| Cem V | composite cement: slag and ash cement. Blended cements with more than one blending material | All civil and building construction as appropriate | 100 % |
| Masonry Cement | Mixture of Portland cement and plasticizing materials such as limestone to improve setting time | Use in mortar, brick, block, and stone masonry construction | 100 % |
| Only locally produced or locally manufactured bagged and bulk cement produced using locally produced raw materials with the minimum threshold percentages for local production and content stated below will be considered: | | | |

Copies of Annex D, Annex E, Process for application for exemption, as well as guidelines for the calculation of the local content, is provided in Appendix 7 of Part C4.

3. Does any portion of the services or goods offered have any imported content? **Tick applicable box.**

| | | | |
|-----|--|----|--|
| YES | | NO | |
|-----|--|----|--|

- 3.1 If yes, the rate(s) of exchange to be used in this tender to calculate the local content as prescribed in paragraph 1.5 of the General Conditions must be the rate(s) published by SARB for the specific currency on 29 November 2023.

The relevant rates of exchange information is accessible on <https://www.resbank.co.za>.

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SANS 1286:2017):

Table A.3.5b: Rate of Exchange Against Currency

| Currency | Rates of Exchange |
|----------------|-------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

Note: Tenderers must submit proof of the SARB rate(s) of exchange used.

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

APPENDIX F

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

CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

Notes to tenderer:

1. The tenderer shall attach to this form:
 - 1.5 a letter (dated less than 3 months prior to the tender closing date) from a registered Financial Service Provider (registered with the FSB) which :
 - 1.5.1 Provides banking details and declares how the entity conducts its account; and
 - 1.5.2 confirms that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) available to meet the construction cash flow requirements estimated for the subject contract, or a written confirmation from any registered financial institution; or
 - 1.6 a letter (dated less than 3 months prior to the tender closing date) from the tenderer's independent registered accountant confirming that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) to meet the construction workflow requirements estimated for the subject contract. The confirmation by an independent registered accountant must indicate that the review, to be conducted in terms of ISRS4400, was done in terms of the Section 30 and Regulation 29 of the Companies Act No. 71 of 2008; or
 - 1.7 a letter (dated less than 3 months prior to the tender closing date) from the tenderer's financial sponsorship confirming that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) to meet the construction workflow requirements estimated for the subject contract
2. If the Tenderer does not have financial means, the tender may be declared non-responsive in terms of clause C.3.13(b) of the Tender Data.
3. The Tenderer (and in the event of a joint venture, the joint venture member's combined) shall have available capital in excess of R 48 055 000,
4. In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.

RE: ACCOUNT CONDUCT AND/OR CASHFLOW CONFIRMATION

To Whom It May Concern:

We hereby confirm that *(insert Tenderer's Name)* has been banking with *xxxx* Bank for a period of *xxx* years and the account has been conducted in a satisfactory manner.

The *(insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R for contract..... *(insert contract number)*. *(Note to tenderer; if cashflow confirmation is provided by another institution, delete this paragraph)*.

- i) Name of Account Holder:.....
- ii) Account number:.....
- iii) Bank name:.....
- iv) Branch number:.....
- v) Bank and branch contact details:

Option 2 - Letter to be on the tenderer's independent registered accountant letter head

RE: CASHFLOW CONFIRMATION (independent registered accountant)

To Whom It May Concern:

The *(Insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R..... for contract..... *(insert contract number)*.

Option 3 - Letter to be on tenderer's financial sponsorship letter head

RE: CASHFLOW CONFIRMATION (Financial sponsorship)

To Whom It May Concern:

The *(Insert Tenderer's Name)* has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R..... for contract..... *(insert contract number)* through a financial sponsorship from *(Insert Financial Sponsor's Name)*.

APPENDIX A

FORM A13: FORM SBD1 – INVITATION TO BID AND TERMS AND CONDITIONS FOR BIDDING

**PART A
INVITATION TO BID**

| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY) | | | | | |
|---|---|---------------|--|--|-------|
| BID NUMBER: | SANRAL R.033-120-2019/1 | CLOSING DATE: | 26 January 2024 | CLOSING TIME: | 11h00 |
| DESCRIPTION | THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13 MODIMOLLE (KM 0.6) (TOTAL 12.3km) | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| | | | | | |
| | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | Procurement Office | | CONTACT PERSON | Procurement Office | |
| TELEPHONE NUMBER | N/A | | TELEPHONE NUMBER | N/A | |
| FACSIMILE NUMBER | N/A | | FACSIMILE NUMBER | NO CHANGE REQUIRED | |
| E-MAIL ADDRESS | Procurementnr2@sanral.co.za | | E-MAIL ADDRESS | Procurementnr2@sanral.co.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 OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES 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 / OR COMPLY WITH 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:

APPENDIX I

FORM A14: DECLARATION OF TENDERER'S FINANCIAL SUBMISSION

CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

Note to Tenderer:

1. The signatory for the tenderer shall complete and sign this form declaring his/her understanding of the declaration form taking note of the points extracted below as contained in the tender document.

2. I, the undersigned, declare that:

I have submitted a balanced tender and have not tendered any negative rates, besides of Combined Site Laboratory contribution . I accept the risk of doing any work at our own tendered rates. However, I will rebalance my unit rates on request from the Employer where any unduly low or high rates are pointed out. I realise that by balancing my unit rates my tender amount will remain unchanged as prescribed in clause C.3.9 of the tender document.

The above information is to the best of my knowledge true and accurate.

SIGNATURE:

Signed and sworn before me at on the day of 20...

The deponent having:

- (i) acknowledged that he/she knows and understands the contents hereof;
- (ii) confirmed that he/she has no objection to the taking of the prescribed oath;
- (iii) that he/she considered the prescribed oath as biding upon his/her conscience; and

COMMISSIONER OF OATHS

APPENDIX B

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

CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

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

a) The applicable preference point system for this tender is the 90/10 preference point system.

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

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

1.4 To be completed by the organ of state:

The maximum points for this tender are allocated as follows:

| | POINTS |
|--|------------|
| PRICE | 90 |
| SPECIFIC GOALS | 10 |
| Total points for Price and Specific Goals | 100 |

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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.

| The specific goals allocated points in terms of this tender | Criteria | Number of points allocated (90/10 system) | Number of points claimed (90/10 system) (To be completed by the tenderer) |
|---|---------------------------|---|---|
| B-BBEE level scorecard of the tendering entity. | B-BBEE Level 1 | 10.00 | |
| | B-BBEE Level 2 | 9.00 | |
| | B-BBEE Level 3 | 6.00 | |
| | B-BBEE Level 4 | 5.00 | |
| | B-BBEE Level 5 | 4.00 | |
| | B-BBEE Level 6 | 3.00 | |
| | B-BBEE Level 7 | 2.00 | |
| | B-BBEE Level 8 | 1.00 | |
| | Non-compliant contributor | 0.00 | |

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

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium

One-person business/sole propriety

Close corporation

Public Company

Personal Liability Company

(Pty) Limited

Non-Profit Company

State Owned Company

[TICK APPLICABLE BOX]

5.4. 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:

.....

.....

The South African National Roads Agency SOC Limited

P.O. Box 415

Pretoria

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CONTRACT SANRAL R.033-120-2019/1
FOR THE IMPROVEMENT OF NATIONAL ROAD R33 SECTION 12 FROM THE N1 (KM 77.0) TO SECTION 13
MODIMOLLE (KM 0.6) (TOTAL 12.3km)

ACKNOWLEDGEMENT OF ADDENDUM NO.1

I _____

Representing Messrs _____

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

SIGNATURE: _____

DATE: _____

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

You must therefore acknowledge receipt of this addendum by emailing this form to the South African National Roads Agency SOC Limited at ProcurementNR3@sanral.co.za and the original must be attached to the Returnable Schedules.

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