



correctional services

Department:
Correctional Services
REPUBLIC OF SOUTH AFRICA

EXPRESSION OF INTEREST

**PREQUALIFICATION OF COMPETENT PANEL OF CONTRACTORS
IN CIVIL ENGINEERING FOR MAINTENANCE, REPAIRS,
ALTERATIONS, UPGRADES, NEW WORKS, ETC FOR
DEPARTMENT OF CORRECTIONAL SERVICES EASTERN CAPE
REGION FOR A PERIOD OF TWO (2) YEARS AS AND WHEN
REQUIRED.**

(CIDB GRADE 2 AND HIGHER IN CE CLASS OF WORK)

TENDER NUMBER RCECB 5 /2023

NAME OF BIDDER:

CLOSING DATE & TIME: 16 JANUARY 2024 AT 11:00AM

CSD NO:

**DEPARTMENT OF CORRECTIONAL
SERVICES:**

OCEAN TERRECE OFFICE BLOCK E

MOORE STREET, QUIGNEY

EAST LONDON

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E1 Submission procedures

E1.1 Notice and invitation to submit an expression of interest

The Department of Correctional Services hereby invites Built Environment Contractors with a CIDB Grading of 2 or Higher in the following Class of works (**CE**) to submit their interest for the assignment. This includes contractors with PE status in the same grade.

Contractors are expected to meet compliance issues along with the Functionality/Quality criteria score of **80%**, to be admitted into the list.

Qualifying contractors will be put on the panel for the duration of 2 years. Qualified contractors may be invited as and when required by DCS. They are expected to have their resources and planning processes ready to urgently respond to whichever need arises within the province.

Tenderers must be registered on the National Treasury Central Supplier Data Base and proof of registration must be submitted with the proposal (<https://secure.csd.gov.za>).

REFERENCE NO.	PROJECT NAME	VENUE, TENDER CLOSING DATE & TIME
RCECB- 5/2023	Prequalification of competent panel of contractors for urgent maintenance, repairs, alterations, upgrades ,new works, etc for department of correctional services eastern cape region for a period of two (2) years as and when required.	Tender box: Moore Street, Quigney, Block E , Ocean Terrece On or before 16 January 2024 , at 11:00pm, South African time

Expression of interest document is available for download on the DCS' website (www.dcs.gov.za/tenders, CIDB and e-tender website: www.etenders.gov.za. **NB NO HARD COPY WILL BE SUPPLIED BY THE DEPARTMENT.**

Submissions should be submitted in clearly marked sealed envelopes indicating the relevant tender reference number and deposited in the addresses stated above. **The received bids will not be opened in public.** Unsuccessful bids will be informed through publication on relevant platforms.

It is the responsibility of the bidder/s to ensure that bid documents /proposals are submitted on or before closing time and the correct location as the department will not take responsibility of wrong delivery. Bidders using courier services for delivery of their bid documents must ensure the delivery is at the correct place / location and time as the department will not be held responsible for wrong delivery.

No briefing session will be held and all technical enquiries shall be directed to Facilities Directorate only in writing at luvuyo.mzileni@dcs.gov.za and Supply Chain Management related enquiries at Sindiswa.Mncedane@dcs.gov.za within office hours (07:15 to 15:45) before **16 January 2024**.

All other prerequisites as detailed in the bid documents shall apply.

Issued by:

Supply Chain Management

Eastern Cape Region

E1.2 Submission Data

The conditions for calling for expressions of interest are the standard conditions for calling for expressions of interest as contained in this part of SANS 10845-4.

The standard conditions for calling for expressions of interest make several references to the submission data and shall have precedence in the interpretation of any ambiguity or inconsistency between the submission data and the standard conditions for calling for expressions of interest.

Each item of data given below is cross-referenced to the clause in the standard conditions of tender to which it mainly applies.

Clause Number	Submission Data
3.1	The employer is: The Department of Correctional Services
3.2	<p>The tender documents issued by the employer comprises:</p> <p>E1: Submission procedures</p> <p>E1.1 Notice and invitation to submit an expression of interest</p> <p>E1.2 Submission data</p> <p>E2: Returnable documents</p> <p>E2.1 List of returnable documents</p> <p>E2.2 Submission schedules</p> <p>E3: Indicative scope of work</p> <p>E3.1 Introduction</p> <p>E3.2 Indicative scope of work</p>
3.3	<p>The employer's agent is:</p> <p>Name: Facilities Branch</p> <p>Ocean Terrace, Block E</p> <p>Moore Street, Quigney</p> <p>East London</p> <p>Tel: 043 701 1318</p> <p>E-mail :luvuyo.mzileni@dcs.gov.za</p>
3.4	The language for communications is English
4.1	<p>Only those respondents who satisfy the following eligibility criteria are eligible to submit proposals:</p> <ol style="list-style-type: none"> 1) Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of its principals, is not under any restriction to do business with the employer. 2) The employer will consider any request to make a material change in the capabilities or formation of the tendering entity or any other criteria which formed part of the requirements used to pre-qualify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence: <ol style="list-style-type: none"> a) in the opinion of the employer, acceptance of the material change would compromise the outcome of the pre-qualification process.

Clause Number	Submission Data
	<p>3) The tenderer is registered on the National Treasury Central Supplier Data Base (https://secure.csd.gov.za).</p> <p>4) Only those tenderers who are registered in a CIDB designation Grade: 2 or Higher (CE) are eligible to submit Expressions of interest. This includes contractors with a PE status.</p>
4.2	<p>Listed below are operating areas where the service provider is expected indicate their preferred area of operation (Please tick preferred area to attend to breakdowns')</p> <p>Eastern Cape Region:</p> <p>Mthatha Management Area <input type="checkbox"/></p> <p>Kirkwood Management Area <input type="checkbox"/></p> <p>East London Management Area <input type="checkbox"/></p> <p>Sada Management Area <input type="checkbox"/></p> <p>St Albans Management Area <input type="checkbox"/></p> <p>Amathole Management Area <input type="checkbox"/></p>
5.1	No compulsory clarification meeting
5.2	<p>The employer's address for delivery of Expression of Interests and identification details to be shown on each Expression of Interest package as indicated in E1 (page 3-4) above: Department of Correctional Services, head Office.</p> <p>Identification Details: Expressions of interest should be submitted in clearly marked, sealed envelopes indicating the relevant proposal number.</p>
5.3	Tender submissions shall be submitted as <u>an original copy</u> .
5.4	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers shall not be accepted.
5.5	The closing time for submission of expressions of interest is as stated in the Notice and invitation to submit an expression of interest on or before 16 January 2024.
5.6	Late submissions will be returned unopened after the closing time stated in the submission data, unless it is necessary to open a submission to obtain a forwarding address, to the respondent concerned.
5.7	The tenderer is required to submit with its tender the following certificates and/or documentation in addition to the requirement of eligibility as mentioned in Clause 4.1.

Clause Number	Submission Data
	<p>Tenders will not be considered responsive should the listed mandatory pre-requisites not be met.</p> <p><u>A1 Mandatory documents (failure to provide the following documents will be considered non-responsive):</u></p> <p>A-1.1 Tender must be accompanied with a valid and active CIDB Registration certificate (or CIDB CRS number) in a contractor designation of Grade 2 or Higher (CE Class of works).</p> <p>A-1.2 Proof of Treasury Central Supplier Database registration or MAAA number.</p> <p><u>B Returnable schedules required for tender evaluation purposes</u></p> <p>B-1 Record of Addenda to Tender Documents (Only one for the tender)</p> <p>B-2 Compulsory declaration</p> <p>B-3 SB4 Declaration of interest</p> <p>B-4 Relevant project experience.</p> <p>B-5 Location of a contractor.</p> <p>B-6 Evaluation schedule 1: Expertise of key personnel & CV's</p> <p>B-7 Evaluation schedule 2: Relevant project experience</p> <p>B-8 Evaluation schedule 3: Project reference</p> <p>B-90 Preferred area of operation</p>
5.8	<p><u>Mandatory requirements (failure to adhere to the requirements, the tender will be considered non-responsive):</u></p> <ol style="list-style-type: none"> 1. The tender document must be signed off by the authorised person of the tenderer wherever spaces are provided in black and permanent ink. 2. Documents that have correction fluid on them will be rendered non-responsive. Documents must remain intact. 3. No Joint Ventures allowed 4. Valid CIDB certificate or CRS number 5. Prospective bidders should be based in South Africa 6. Prospective bidders should not be on the National Treasury's Database of Restricted Suppliers. 7. The tender or any of its directors must not be listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector and the tender has not : <ol style="list-style-type: none"> i) Abuse the employers supply chain management system or ii) Failed to perform on any previous contract and has been given a written notice to this effect. 8. Company profile 9. Proof address.
5.9	<ol style="list-style-type: none"> 1. The evaluation criteria and maximum score in respect of each of the criteria are given hereunder.

Clause Number	Submission Data				
	<p>2. RELEVANT PROJECT EXPERIENCE - Proof of projects/experience related to the scope of work (completion certificates signed on a client letterhead must be attached): 40 points.</p> <p><u>Breakdown of Points:</u></p> <ul style="list-style-type: none"> Contractor must have completed at least 3 or more projects on the range of CIDB Grading 2 or higher. For each, attach a Practical Completion Certificate with the bid & appointment letter. or Contractor must have completed at least 2 projects on the range of CIDB Grading 2 or higher. For each, attach a Practical Completion Certificate with the bid & appointment letter. or Contractor must have completed at least 1 project on the range of CIDB Grading 2 or higher. For each, attach a Practical Completion Certificate with the bid & appointment letter. or Contractor with less than 3 projects in any of the above or did not submit Practical completion certificates or still has projects under construction or not reached completion or did not submit an appointment letter. 	<p>5</p> <p>4</p> <p>3</p> <p>0</p>	<p>8</p> <p>8</p> <p>8</p> <p>8</p>	<p>40</p>	
	<p>3. PROJECT REFERENCE – PROOF OF PAST PERFORMANCE (attach the project references from previous project managers, stamped by a project manager and signed and submit with this bid): 20 Points.</p> <p><u>Breakdown of Points:</u></p> <ul style="list-style-type: none"> Bidder scoring/rated maximum points in all categories in the past 3 projects of similar nature or size (Grade 2 or higher). (total = 25 points). or Bidder scoring/ rated high points in some areas in all categories in the past 2 projects of similar nature or size (Grade 2 or higher). (total = 20 – 24 points). or Bidder scoring/ rated relatively high points in some areas in all categories in the past 1 projects of similar nature or size (Grade 2 or higher). (total = 15 – 19 points). or Bidder scoring/ rated relatively rated average or poor points in some areas or all areas in all categories in the past 3 projects of similar nature or size (Grade 2 or higher). (total = less than 15 points). 	<p>10</p> <p>7</p> <p>5</p> <p>3</p>	<p>3</p> <p>3</p> <p>3</p> <p>3</p>	<p>30</p>	

Clause Number	Submission Data	
5.11	Score (Points)	Prompt for judgement
	0-29	Failed to address the questions / issues.
	30-49	A detrimental response / answer / solution – limited or poor evidence of skill / experience sought or high risk that relevant skills will not be available.
	50-69	Less than acceptable – response / answer / solution lacks convincing evidence of skill / experience sought or medium risk that relevant skills will not be available.
	70-79	Acceptable response – answer / solution to the particular aspect of the requirements and evidence given of skill / experience sought are convincing.
	80-89	Above acceptable – response / answer / solution demonstrating real understanding of requirements and evidence of ability to meet it.
	90-100	Excellent – response / answer / solution gives real confidence that the bidder will add real value.
	The scores of each of the evaluators will be averaged, weighted and then totalled to obtain the final score for quality.	

- **NB:** Academic Qualifications and Trade Certificate should be relevant to a class of work of each tenderer e.g. an EB contractor must submit representatives or site personnel with Electrical qualification and also a Trade Test Certificate accredited by CETA, MERSETA, ESETA & EWSETA.
- Proposed resources/personnel must be employed by the tenderer at the time of submission, and this assertion must coincide with the employees CV. All qualifications and certificates submitted must be valid and certified.

E2 Returnable documents

E2.1 List of returnable documents

The tender document must be returned in three sections which is clearly marked with coloured separators named as follows:

Section A: Bidder Information

A-1 For the tender evaluation

A-1.1 Valid (current) B-BBEE status level verification certificate substantiating their B-BBEE rating issued by a Verification Agency accredited by SANAS* has to be submitted along with the tender, if preferential points are claimed or to be considered.

A-1.2 Proof of CIDB Registration

A-1.3 Proof of registration on the National Treasury Central Supplier Database (CSD Report)

B-2 Compulsory declaration

B-3 SBD 6.1, B-BBEE Certificate, Sworn Affidavits (EME), Sworn Affidavit (QSE).

B-4 Company profile.

B-5 Location of a contractor.

B-6 Evaluation schedule 1: Expertise of key personnel & CV's

B-7 Evaluation schedule 2: Relevant project experience

B-8 Evaluation schedule 4: Project reference

A-1.2

**VALID CIDB CERTIFICATE OF A TENDERER
(ATTACH HERE)**

A-1.3

PROOF OF REGISTRATION ON THE NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD REPORT)

(ATTACH HERE)

B-1 Record of Addenda to Tender Documents

RECORD OF ADDENDA TO BID DOCUMENTS	
Project title	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
RCECB	RCECB 5/2023
I / We confirm that the following communications received from the Department of Correctional Services before the submission of this tender offer, amending the tender documents, have been taken into account in this bid offer: (Attach additional pages if more space is required)	

Item	Date	Title or Details	No. of Pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

B-2 Returnable schedules

Compulsory declarationThe following particulars must be furnished. **In the case of a joint venture**, a separate declaration in respect of each partner must be completed and submitted.

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
Email:	
Telephone:	
Cell no	
Fax:	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Close Corporation registration number	
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Section 3: SARS Information

Tax reference number	
VAT registration number:	<i>(State Not Registered if not registered for VAT)</i>

Section 4: Central Supplier Database Registration Number

Central Supplier Database Registration number <i>(Compulsory)</i>	
CIDB Registration number <i>(if applicable)</i>	

Section 5: Particulars of principals

Principal: means a natural person who is a partner in a partnership, a sole proprietor, a director of a company established in terms of the Companies Act of 2008 (Act No. 71 of 2008) or a member of a close corporation registered in terms of the Close Corporation Act, 1984, (Act No. 69 of 1984).

[illegible]

Attach separate page if necessary

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any principal is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|--|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

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

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

*insert separate page if necessary

Section 7: Record of family member in the service of the state

Family member: a person's spouse, whether in a marriage or in a customary union according to indigenous law, domestic partner in a civil union, or child, parent, brother, sister, whether such a relationship results from birth, marriage or adoption

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a member of any municipal council | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a member of any provincial legislature | |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity |
| <input type="checkbox"/> a member of the board of directors of any municipal entity | <input type="checkbox"/> an employee of Parliament or a provincial legislature |
| <input type="checkbox"/> an official of any municipality or municipal entity | |

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

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

*insert separate page if necessary

Section 8: Record of termination of previous contracts with an organ of state

Was any contract between the tendering entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

☐ Yes ☐ No (Tick appropriate box)

If yes, provide particulars (insert separate page if necessary)

Section 9: Declaration

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the tendering entity confirms that the contents of this Declaration are within my personal knowledge, and save where stated otherwise in an attachment hereto, are to the best of my belief both true and correct, and:

i) neither the name of the tendering entity or any of its principals appears on:

- a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)

<p>b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)</p> <p>ii) neither the tendering entity of any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);</p> <p>iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);</p> <p>iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers</p> <p>v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc.) or intention to not win a tender;</p> <p>vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;</p> <p>vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;</p> <p>viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any Sub-Consultants who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.</p>
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The undersigned, who warrants that she/ he is duly authorised to do so on behalf of the enterprise, confirms that the content of this schedule presented by the tenderer are within my personal knowledge and are to the best of my knowledge both true and correct.

Signed	Date
-----	-----
Name	Position
-----	-----
<i>Enterprise name</i>	

NOTE 1 The Standard Conditions of Tender contained in SANS 10845-3 prohibits anticompetitive practices (clause 3.1) and requires that tenderers avoid conflicts of interest, only submit a tender offer if the tenderer or any of his principals is not under any restriction to do business with employer (4.1.1) and submit only one tender either as a single tendering entity or as a member in a joint venture (clause 4.13.1). Clause 5.7 also empowers the Employer to disqualify any tenderer who engages in fraudulent and corrupt practice. Clause 3.1 also requires tenderers to comply with all legal obligations.

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct, which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

NOTE: 4: Regulation 45 of Supply Chain Management regulations requires a municipality or municipal entity to disclose in the notes to the annual statements particulars of any award made to a close family member in the service of the state.

NOTE: 5 Corrupt activities which give rise to an offence in terms of the Prevention and Combating of Corrupt Activities Act of 2004) include improperly influencing in any way the procurement of any contract, the fixing of the price, consideration or other moneys stipulated or otherwise provided for in any contract and the manipulating by any means of the award of a tender.

NOTE: 6 Section 4 of the Competition Act of 1998 prohibits restrictive horizontal practice including agreements between parties in a horizontal relationship which have the effect of substantially preventing or lessening competition, directly or indirectly fixing prices or dividing markets or constitute collusive tendering. Section 5 also prohibits restrictive vertical practices. Any restrictive practices that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties.

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**

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

2.2.1 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

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

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.

- 3.7 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

B-3 B-BBEE Certificate, Sworn Affidavits (EME), Sworn Affidavit (QSE). (A-1)

**VALID ORIGINAL OR CERTIFIED COPY OF B-BBEE
CERTIFICATE**

(IF APPLICABLE, ATTACH HERE)

SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE (EME) – CONTRACTORS

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of “Black People”	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization-</p> <p>i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date</p>

1. I hereby declare under Oath that:

- ☐ The Enterprise is _____% **Black Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Woman Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Designated Group Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.

- ☐ Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was equal to/or less than R10,000,000.00 (Ten Million Rands or less),
- ☐ Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned but less than 100% black owned	Level Two (125% B-BBEE procurement recognition level)	
At least 30% Black Owned but less than 51% black owned	Level Four (100% B-BBEE procurement recognition level)	
Less than 30% Black Owned	Level Five (80% B-BBEE procurement recognition level)	

NB: KEY NOTES FOR EMES (extract from Gazette No. 41287)

- 3.6.2.4.1 An Exempted Micro Enterprise (EME) with a total annual revenue of less than R1.8 million in the case of BEPs and less than R3 million in the case of Contractors are :
 - A) Not subject to the discounting principle and therefore do not have to comply with the QSE Skills Development element, and
 - B) Not required to have an authorised B-BBEE verification certificate, and may present an affidavit or a certificate issued by the Companies and Intellectual Property Commission (CIPC), in respect of their ownership and annual turnover.
 - Contractors and/Built Environment Professionals are encouraged to familiarize themselves with the Construction Sector Codes (CSC000) as issued through Government Gazette No. 41287, Board No. NOTICE 931 OF 2017.
Details are available on: www.thedti.gov.za/economic_empowerment/bee_sector_charters.jsp
 - An electronic copy can also be requested through DRPW offices (Supply Chain Offices)
4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp

SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE (QSE) – CONTRACTORS

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop etc.):	
Nature of Business:	
Definition of “Black People”	<p>As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Coloureds and Indians –</p> <p>(a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization-</p> <p>i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date</p>

2. I hereby declare under Oath that:

- ☐ The Enterprise is _____% **Black Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Woman Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Designated Group Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013.

- ☐ Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end of _____, the annual Total Revenue was between 10 million (ten Million Rands) and less than R50,000,000.00 (Fifty Million Rands).
- ☐ Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned but less than 100% black owned	Level Two (125% B-BBEE procurement recognition level)	

NB: KEY NOTES FOR QSE (extract from Gazette No. 41287)

- 5.6.3 A QSE that is at least 51% Black Owned or 100% Black Owned that does not comply with paragraph 3.6.2.3 above, will be discounted by one level from that level awarded in paragraphs 5.3.1 and 5.3.2 respectively.
 - 5.3.4 Despite paragraphs 5.2, 5.3.1 and 5.3.2, an at least 51% Black Owned QSE's B-BBEE Status Level and corresponding B-BBEE Recognition Level will be enhanced by one level if it achieves full points (excluding the bonus points) for the Skills Development element of the QSE Scorecard (paragraphs 1.1, 1.2 and 1.3 of Statement CSC603) or the Preferential Procurement and Supplier Development element of the QSE Scorecard (paragraphs 1.1, 1.2, 1.3 and 2.1 of CSC604).
 - 5.3.5 For the avoidance of doubt, a Measured Entity that is measured in terms of the full QSE scorecard is not eligible for enhancement in terms of paragraph 5.3.4 above.
 - Contractors and/or Built Environment Professionals are encouraged to familiarize themselves with the Construction Sector Codes (CSC000) as issued through Government Gazette No. 41287, Board No. NOTICE 931 OF 2017.
Details are available on: www.thedti.gov.za/economic_empowerment/bee_sector_charters.jsp
 - An electronic copy can also be requested through DRPW offices (Supply Chain Offices)
4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths

Signature & stamp

B-4 Evaluation schedule 3: Company profile

Tenderers must attach a company profile which indicate list of past projects complete, under construction and those cancelled or not yet started. The following information is expected to cover at least the following areas:

NO.	NAME OF PROJECT.	NAME OF CLIENT.	CONTACT DETAILS OF CLIENT.	PROJECT VALUE	PROJECT STATUS (i.e Under Construction, Complete, Started, Etc)
1					
2					
3					
4					

Attach a separate page to address this issue (the above table is just for reference purposes.

Tenderers should bear in mind that their assertions about the project can be verified in a number of ways, including by contacting the references. DCS reserves the right to verify all information presented by the tenderer.

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

Signed

Date

Name

Position

Enterprise name

B-5 Location of a contractor.

Distance from worksite

Provide physical address/address 1 and contact details of the bidder. ***It must exactly be the same as that which is reflected on CSD.***

<u>NAME OF A BIDDER:</u>
<u>PHYSICAL ADDRESS/ADDRESS 1</u>
<u>TELEPHONE:</u>
<u>CONTACT PERSON:</u>

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

Signed	_____	Date	_____
Name	_____	Position	_____
Enterprise name	_____		

B-6 Evaluation schedule 1: Expertise of key personnel & CV's

The experience of the key persons (at least two) who will be responsible on behalf of the contractor for the management of the project and the project team will be evaluated in relation to her/ his academic and professional qualifications and experience.

Please Note:

1. The Respondent must complete the CV template provided in this document for **each personnel it intends to claim capacity for and that meets the criteria.**
2. A **Certified copy** of the key personnel's **qualifications** and **registration** with a Professional Institution must be attached to this Annexure.
3. Only three projects must be submitted.

The CIDB *Competence Standard for Contractors* established the competencies that should exist within a contracting enterprise within a CIDB Class of Construction Works, within a Construction Category and where relevant within a sub-Category.

For the purposes of this document, the following terms and definitions apply:

- **class of construction works:** the class of construction works referred to in Schedule 3 of the Construction Industry Development Regulations 2004 and 2013 as amended and published in terms of the Construction Industry Development Board Act of 2000 (Act 38 of 2000);
- **competent:** having suitable or sufficient skill, knowledge and experience;
- **construction category:** 'Open', 'Limited' or 'Trade Contractor' defined in Section 3.1;
- **contractor:** person or organization that contracts to provide the goods, services or engineering and construction works covered by the contract;
- **Trade Test Certificate:** Key personnel must in possession of a Trade Test Certificate (building, mechanical, electrical, plumbing) accredited by CETA, MERSETA, ESETA, and EWSETA.

CURRICULUM VITAE AND CERTIFICATES OF QUALIFICATION OF KEY PERSONNEL
(COMPULSORY) – for each person

Name:	Date of birth:
Profession:	Nationality:
Qualifications:	
Professional Registration Number:	
Name of Employer (firm):	
Current position:	Years with firm:
<u>Employment Record:</u>	
<div>Example only</div>	
<u>Experience Record Pertinent to Required service:</u>	

Attach a separate sheet which details all the above key information. None submission of this information will lead to a bidder losing points on Quality/ Functionality evaluation. Attach a CV to detail the above information

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

Signed

Date

Name

Position

Enterprise name

B-7 Evaluation schedule 3: Relevant Project Experience

Tenderers must submit a max one-page description of at least three projects per specialisation area which one or more team members have undertaken that best display the skills needed for the project:

The description of each project must include the following information:

1. Essential introductory information:
 - 1.1. Name of project.
 - 1.2. Name of client.
 - 1.3. Contact details of client.
 - 1.4. Contact details (including telephone numbers and email addresses) of currently contactable references.
 - 1.5. The period during which the project was performed, and also, if this is different, the period during which the tenderer's team members were contracted.
 - 1.6. Cost of works and/or contract value (making it clear in broad terms what this cost/value purchased, and to what extent (if any) this cost/value was part of a larger project budget or programme budget).

NO.	NAME OF PROJECT.	NAME OF CLIENT.	CONTACT DETAILS OF CLIENT.	PROJECT VALUE	DATE COMPLETED
1					
2					
3					
4					

Attach a separate page to address this issue (the above table is just for reference purposes).

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

Signed

Date

Name

Position

Enterprise name

Evaluation Schedule 4 – Project Reference Forms - 1

Project title:	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
Project Number:	RCECB 5/2023

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
 _____ (company name) declare

that I was the Project Manager on the following building construction project successfully
 executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:

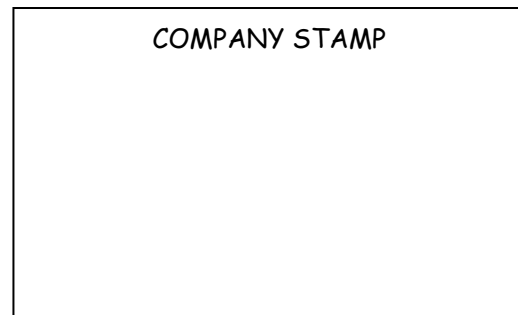
D. My contact details are:

Telephone: _____ Cell phone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2018

Signature of principal agent



NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date

B-8 Evaluation Schedule 4 – Project Reference Forms - 2

Project title:	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES FOR A PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
Project Number:	RCECB 5/2023

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
 _____ (company name) declare

that I was the Project Manager on the following building construction project successfully
 executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:

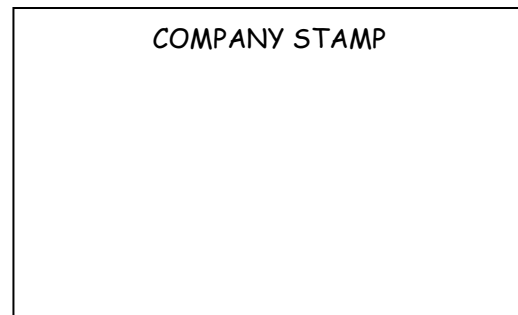
D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2018

Signature of principal agent



NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date

B-8 Evaluation Schedule 4 – Project Reference Forms - 3

Project title:	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES FOR A PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
Project Number:	RCECB - 5/2023

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
 _____ (company name) declare

that I was the Project Manager on the following building construction project successfully
 executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:

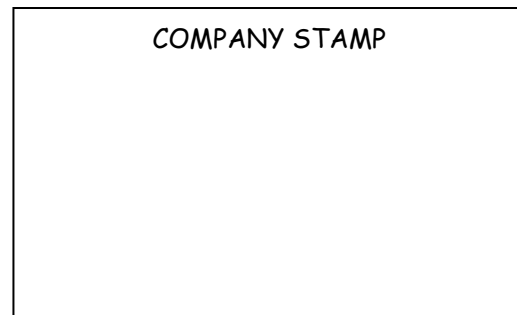
D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2018

Signature of principal agent



NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date

B-8 Evaluation Schedule 4 – Project Reference Forms - 4

Project title:	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES FOR A PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
Project Number:	RCECB – 5/2023

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
_____ (company name) declare

that I was the Project Manager on the following building construction project successfully
executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:

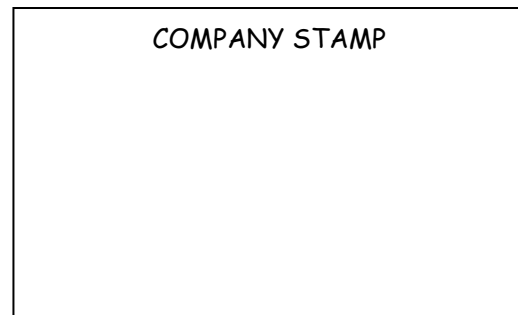
D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2018

Signature of principal agent



NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date

B-8 Evaluation Schedule 4 – Project Reference Forms - 5

Project title:	PREQUALIFICATION OF A LIST OF COMPETENT CONTRACTORS TO ATTEND TO URGENT MAINTENANCE, REPAIRS, ALTERATIONS AND/OR UPGRADES WORK OF DCS FACILITIES FOR A PERIOD OF TWO (2) YEARS AS AND WHEN REQUIRED.
Project Number:	RCECB – 5/2023

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
_____ (company name) declare

that I was the Project Manager on the following building construction project successfully
executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:

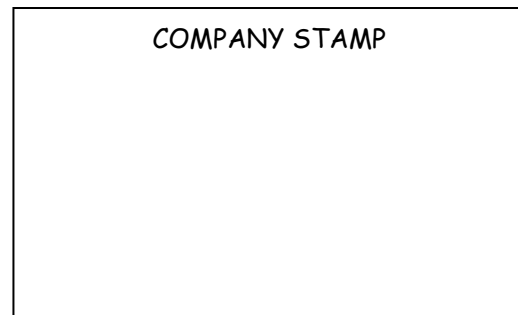
D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2018

Signature of principal agent



NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date

B-9 Preferred area of operation

We would prefer that we only get invited to projects which are taking place in the following areas, indicated in the table below:

Please tick to select (one or more)	Area of operation
Regions	
<input type="checkbox"/>	1. East London Management Area
<input type="checkbox"/>	2. Sada Management Area
<input type="checkbox"/>	3. Mthatha Management Area
<input type="checkbox"/>	4. Amathole Management Area
<input type="checkbox"/>	5. Kirkwood Management area
<input type="checkbox"/>	6. St Albans Management Area

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

Signed

Date

Name

Position

Enterprise name
