

Reference: SANRAL N.003-010-2020/2RF

Date: 08 December 2023

Direct Line: 033 392 8133

Email: ProcurementER4@sanral.co.za

Website: www.nra.co.za

SANRAL



BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

Dear Tenderers,

CONTRACT NUMBER: SANRAL N.003-010-2020/2RF - CONSULTING ENGINEERING SERVICES FOR THE OPERATIONS AND MAINTENANCE OF THE MARIANHILL TOLL PLAZA ON NATIONAL ROUTE N3 (Re-Tender)

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,

PROCUREMENT OFFICER

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THIS ADDENDUM CONTAINS THE FOLLOWING AMENDMENTS TO SANRAL N.003-010-2020/2RF:

- **PART A: AMENDMENTS TO THE TENDER DOCUMENT**
- **PART B: QUESTIONS & ANSWERS FORM THE PREVIOUS DOCUMENT**
- **ATTACHMENTS:**
 - **AN AMENDED TECHNICAL SUBMISSION – SANRAL N.003-010-2020/2RF**
 - **AN AMENDED FINANCIAL SUBMISSION – SANRAL N.003-010-2020/2RF**

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Directors: Mr T Mhambi (Chairperson), Mr R Demana (CEO), Ms R Buthelezi, Mr R Haswell, Mr C Hlabisa, Mr E Makhubela, Mr T Matosa, Ms N Noxaka | Company Secretary: Ms A Mathew

Reg. No. 1998/009584/30

PART A: AMENDMENTS TO THE TENDER DOCUMENT

CONTRACT SANRAL N.003-010-2020/2RF

CONSULTING ENGINEERING SERVICES FOR THE OPERATIONS AND MAINTENANCE OF THE MARIANHILL TOLL PLAZA ON NATIONAL ROUTE N3

1. AMENDMENTS TO VOLUME 3 PROJECT DOCUMENT

(PLEASE NOTE RED IS TO INDICATE THE CHANGES)

**DELETE ALL REFERENCE MADE TO SANRAL N.003-010-2020/2F
REPLACE WITH SANRAL N.003-010-2020/2RF**

AMEND T1.1 AS FOLLOWS:

T1.1 TENDER NOTICE AND INVITATION TO TENDER (Incorporating SBD1)

CLOSING DATE (AT 11:00): FRIDAY, 15 JANUARY 2023

The South African National Roads Agency SOC Limited (SANRAL) invites tenders from Consulting Engineering Firms for the provision of Consulting Engineering Services for the Operations and Maintenance of the Mariannhill Toll Plaza on the National Route N3. This project is in the province of KwaZulu Natal and in the *eThekweni Metropolitan Municipality* and the approximate programme is for design and works/service contract documentation to be completed by July 2024, followed by supervision of 72 Months commencing October 2024

Only tenderers who are registered on the National Treasury Central Supplier Database and meet minimum requirements for the key persons as stated in Clause C.2.1 of the Tender Data at the tender closing date, are eligible to tender.

Joint Ventures (JV) will be allowed on condition that one JV partner is a Targeted Enterprise. The JV partner will, however, not contribute to sub-contract target for Targeted Enterprises.

TENDER DOCUMENTS

Tender documents are available from 8 December 2023. at no cost in electronic format downloadable from the SANRAL's website by following the link: https://www.nra.co.za/sanral-tenders/status?region_id=national . Tenderers must have access to Microsoft © Office 2013 and Acrobat Adobe © 9.0 or similar compatible software.

Delete the following:

Tenderers must submit, via email to ProcurementER4@sanral.co.za, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to Friday 02 of June 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.

Replace with the following:

Tenderers must submit, via email to ProcurementER4@sanral.co.za the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to Tuesday 12 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 amendment/s" contained in the addenda or additional information is not included in the tender offer/submission.

TENDERER'S MEETING

No Clarification Meeting

COMPLETION AND DELIVERY OF TENDERS

Delete the following:

The closing time and date for receipt of tenders is 11:00 on 7 July 2023

Replace with the following:

The closing time for receipt of tenders is 11:00 on Monday, 15 January 2024.

Telegraphic, telephonic, telex, e-mail, facsimile and late tenders will not be accepted.
Tenders may only be submitted in the format as stated in the Tender Data.

Requirements for completing, sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.

Queries relating to issues arising from these documents may be addressed to:
e-mail: ProcurementER4@sanral.co.za

The following amendments and additions to the Project Document shall apply:

PAGE	CLAUSE / ITEM	AMENDMENT / ADDITION
PART T1: TENDERING PROCEDURES		
Book1	Tender Notice	COMPLETION AND DELIVERY OF TENDERS Amend the closing time for receipt of tenders to "11h00 on 15 January 2023
Book 1	C.1.6.3.1	Delete the clause in its entirety.
Book 1	C.2.1	Meet the minimum requirements for the key persons as stated in the Scope of Works in Clause C.3.1.9 : Personnel requirements.
Book 1	C2.7	Tenderer's Meeting No Clarification Meeting
Book 1	C2.8	Seek Clarification. Delete the following: Request clarifications at least 12 (twelve) working days before the closing date. Replace with the following: Request clarifications at least 7 (seven) working days before the closing date.
Book 1	C.2.15.1	Submission in Tender box: Delete the words "Electronic submissions will not be accepted." Below: Electronic submissions will not be accepted. The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are: Reception Area South African National Road Agency SOC Limited Physical address: 58 Van Eck Place, Mkondeni, Pietermaritzburg, 3201
Book 1	C2.15.2	Add clause C.2.16.2 Should the tenderer not accept the validity extension or if the tenderer does not withdraw a condition attached to a conditioned acceptance, this shall result in a non-responsive tender, or the tenderer is considered to have made an election to exclude itself from the tender process.
Book 1	C3.1.1	Delete the following: The Employer shall respond clarifications received up to 12 (twelve) working days before tender closing date. Replace with the following: The Employer shall respond clarifications received up to 7 (seven) working days before tender closing date. The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 (three) working days before tender closing date.

Book 1	C3.4.1	<p>Opening of tender submissions</p> <p>Delete and replace with the following:</p> <p>The time for opening of the technical offer via live streaming are: Time: 11h00 on 15 January 2023 Location: Streaming link to be sent to all tenderers that completed and submitted Form A1.1.</p>
Book 1	C3.9	<p><i>Add the following:</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>Should the original price not be retained after balancing the rate/s, the submission will be rendered non-responsive.</i></p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the corrections proposed and/or fails to justify or balance the imbalanced rates to the satisfaction of the employer.</p> <p><i>During testing of tender responsiveness, clause C.3.8 of CIDB tender conditions will be applicable.</i></p> <p><i>Delete the following:</i></p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the corrections proposed and/or fails to justify or balance the imbalanced rates to the satisfaction of the employer.</p> <p><i>Replace with the following:</i></p> <p><i>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.</i></p>

Book 1

C3.11

Delete and replace with:
Tenderers may submit an alternative candidate for those positions identified as being possible areas of conflict by completing separate Returnable Schedules Form B1 and B2 for the alternate. The Employer reserves the right to select according to its best interest and not the tenderers.
Delete and replace with:
Evaluating price and preference

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

The following formula will be used to calculate the points out of 80 for price:
$$Ps = 80(1 - (Pt - Pm) / Pm)$$

Where:
Ps is the points scored for price of tender under consideration.
Pt is the price of the tender under consideration; and
Pm is the price of the lowest acceptable tender.

ii.

90/10 preference point system for acquisition of goods and services for Rand value above R50 million

The following formula will be used to calculate the points out of 90 for price:
$$Ps = 90(1 - (Pt - Pm) / Pm)$$

Where:
Ps is the points scored for price of tender under consideration.
Pt is the price of the tender under consideration; and
Pm is the price of the lowest acceptable tender.

In the event that the calculated value is negative, the allocated score shall be 0 (zero).

Scoring preference (Specific Goals):

Points for specific goals will be awarded according to the table below:

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	
	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>A valid B-BBEE verification certificate or A valid Sworn Affidavit must be submitted.</p> <p>Delete the following:</p> <p>2. Black ownership</p> <p>i) The bidder must complete Form C1.3: Black ownership declaration. ii) *Verification of ownership will be based on share certificate. SANRAL reserves the right to engage with the shareholders.</p> <p>3. Sub-contracting</p> <p>i) Tenderers must complete Form C1.4: Sub-contracting declaration.</p>						
Book 1	C3.13	<p>Remove the following k)</p> <p>k) the proposed Key Persons are not fully committed to the maximum number of projects in which they can participate, see Clause C3.1.11(f) in the Scope of Works.</p> <p>Add the following k)</p> <p>k) Price negotiations.</p> <p>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.</p> <p>2. The Organs of state may –</p> <p>i. Negotiate a market related price with the tenderer scoring the highest points or cancel the tender;</p> <p>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;</p> <p>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;</p> <p>3. If a market related price is not agreed as envisaged in paragraph 2(iii), the organ of state must cancel the tender.</p>						
PART T2.1: RETURNABLE SCHEDULES								
Book 1	Form A1	<p>Amend form description as follows:</p> <p>CERTIFICATE OF TENDERER'S BRIEFING</p>						
Book 1	Form A14 Form A15	<p>Delete the following new forms to the List of Returnable Schedules:</p> <table border="1"> <tr> <td>A14</td><td>PDF</td><td>BLACK OWNERSHIP DECLARATION</td></tr> <tr> <td>A15</td><td>PDF</td><td>SUB-CONTRACTING DECLARATION</td></tr> </table>	A14	PDF	BLACK OWNERSHIP DECLARATION	A15	PDF	SUB-CONTRACTING DECLARATION
A14	PDF	BLACK OWNERSHIP DECLARATION						
A15	PDF	SUB-CONTRACTING DECLARATION						

Book 1	Form D1	Add the following after CERTIFICATE “AND PREFERENCE POINTS CLAIM FORM”
PART T2.2: RETURNABLE SCHEDULES		
Book 1	Form A14 Form A15	Delete the following forms to the Table of Content: FORM A14: BLACK OWNERSHIP DECLARATION FORM A15: SUB-CONTRACTING DECLARATION
Book 1	Form A1	Amend form title as follows: FORM A1: CERTIFICATE OF TENDERER’S BRIEFING
Book 1	Form A1.1	Replace with Appendix A
Book 1	Form A3.4	Delete paragraph and replace with the following: The tenderer shall provide a pdf. copy of the supplier registration form from the National Treasury Central Supplier Database (www.treasury.gov.za). Tenderers who are not registered on the Central Supplier Database at tender closure will be declared non-responsive (refer to Tender Data, Clause C.2.1.1). In the case of a Joint Venture or a Targeted Enterprise, a pdf. copy of the supplier registration form must be provided for each member of the Joint Venture or Targeted Enterprise.
Book 1	Form A13	Replace Form A13 with Attached Appendix B The title of the forms is not changed.
Book 1	Form A14	Delete the form
Book 1	Form A15	Delete the form
Book 1	Form B2.1	Replace Form B2.1 with attached Appendix D

Book 1	Form B7	<p>FORM B7: TARGETED ENTERPRISE / SUB-CONTRACTOR DETAILS AND DECLARATION</p> <p>Delete and replace with the following:</p> <p>Notes to Tenderer:</p> <ol style="list-style-type: none"> 1. Minimum sub-contracting requirement for all Entities is 30% - refer to Clause 11.7 of the Conditions of Contract . 2. All tendering entities: <ul style="list-style-type: none"> • Must complete Form B7 provided in MS Excel format and include supporting documents. • Must complete Form B7 for each and every Targeted Enterprise/sub-contractor to be utilised. • Must provide a signed duplicate Form B7 in pdf format (signed by both the Tenderer and the Targeted Enterprise/sub-contractor for each proposed Targeted Enterprise where applicable). 3. When selecting a Targeted Enterprise/sub-contractor, ensure that the following requirements are adhered to: <ul style="list-style-type: none"> • Targeted Enterprise/sub-contractor are limited to participate in a maximum of 6 (six) concurrent projects with the Service Provider and the Employer. • Compliance with the definition of a Targeted Enterprise as stated in the Conditions of Contract in Clause 1: Definitions. • Compliance with Treasury Regulation – refer to Clause 11.2 of the Contract Data. • It is encouraged that Targeted Enterprises from the Province in which the project is located participate in a minimum of 1/3 (one third) of the specified percentage of Contract Price <p>(Excluding provisional and prime cost sums and the respective mark-up but including provision for site supervision staff and the respective mark-up) – refer to Clause 5.1.7 of the Contract Data.</p> 4. Supporting documents required: <ul style="list-style-type: none"> • For Targeted Enterprises from the Province in which the project is located: proof of address older than 3 (three) months and proof of B-BBEE status. • For other Targeted Enterprises: proof of B-BBEE status. 5. The financial information (full pricing schedule) must not be is included in the Technical Envelope. A tenderer who includes the financial information in the Technical Envelope will be declared non-responsive. 6. No part of the Pricing Schedule information must be is included in the Technical Envelope – scope of sub-contract values. A tenderer who includes the pricing schedule information in the Technical Envelope will be declared non-responsive.
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BOOK 2		
Book 2	Form C1.1.2 FORM OF ACCEPTANCE	<p>Add the following:</p> <p>12.The tenderer must register an account on SAP Ariba before than hand-over meeting. The link and information to register the Ariba account is provided below: https://www.nra.co.za/sap-ariba/. Contact ProcurementER4@sanral.co.za for queries regarding SAP Ariba registration.</p>
Book 2	Part C1.2.1: Conditions of Contract Clause 8.4.1	<p>Add the following after sub-paragraph (8.4.1)</p> <p>g. In the event that its director/s of the Service Provider 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.</p>
Book 2	Part C1.2.1: Conditions of Contract Clause 11	<p>Add the following new sub-clause:</p> <p>11.7 It is a condition of this contract that the Service Provider sub-contracts a minimum of 30% to Targeted Enterprise/s.</p> <p>- Minimum sub-contract requirement for all entities is 30%.</p>
Book 2	C1.2.2 CONTRACT DATA: INFORMATION PROVIDED BY THE EMPLOYER	<p>C1.2.2 CONTRACT DATA INFORMATION PROVIDED BY THE EMPLOYER</p> <p>Replace the “30%” Clause 3.11.1(d) with “100%.”</p> <p>Delete the following:</p> <p>5.1.7 Local Targeted Enterprises from the KwaZulu Natal Province must participate in a minimum of 1/3 (one third) of the tendered percentage of the Contract Price (excluding provisional and prime cost sums and the respective mark-up, but including provision for site supervision staff and the respective mark-up.</p> <p>Replace with the following:</p> <p>5.1.7 It is encouraged that Local Targeted Enterprises from the KwaZulu Natal Province participate in a minimum of 1/3 (one third) of the tendered percentage of the Contract Price (excluding provisional</p>
Book 2	FORM C1.1.3 APPENDIX TO FORM OF ACCEPTANCE	<p>Replace the “1/3 (one third) of the tendered percentage” with “ 1/3 (one third) of the specified percentage” in Clause 5.1.7</p>
Book 2	Form D1	<p>Add the following CERTIFICATE AND PREFERENCE POINTS CLAIM FORM</p>

BOOK 3		
Book 3	C3.1.3	<p>Add the following under clause C3.1.3 Description of the project</p> <ul style="list-style-type: none"> • Additional duties, Special Services and Specialist Advice. <p>It shall be noted during the life cycle of this contract, there is a planned project for the Mariannhill Toll Plaza capacity upgrade project. This will be a CAPEX project with its independent service providers (both Consulting Engineers and Contractors). It is expected that there will be a great deal of interaction and co-ordination required between the appointed service providers for the plaza capacity upgrade and CTROM service providers.</p> <p>The coordination is required to ensure that there is minimum disruption in the operations of the plaza during the construction period.</p> <p>The CTROM consulting engineers will be expected to carry out the following additional services:</p> <ul style="list-style-type: none"> • Provide specialist advice and support to the capacity upgrade project implementation plan to minimise plaza operations disruptions during construction. • Attend technical meetings and project progress meetings of the capacity upgrade project. • Constant communication with service providers responsible for the capacity upgrade project. • Overall coordination in conjunction with capacity upgrade project service providers during all stages of the project as in when required. • Issue formal site instructions to the CTROM Operator and Nominated Sub-contractor on behalf of the capacity upgrade project service providers.

Book 3	C3.1.3	<p>Add the following under clause C3.1.9 Key Personnel:</p> <p>e) Personnel Category Definitions</p> <p>The category of personnel necessary to undertake the work shall be approved by the Employer in accordance with the following definitions:</p> <ol style="list-style-type: none"> 1. Category A shall mean a top practitioner whose expertise is nationally or internationally recognised and who provides advice at a level of specialisation where such advice is recognised as that of an expert. 2. Category B shall mean a partner, a sole proprietor, a director, or a member who, jointly or severally with his other partners, co-directors, or co-members, bears the risks of business, takes full responsibility for the liabilities of such practice, performs work of a conceptual nature in engineering design and development, provides strategy guidance in planning and executing a project and/or carries responsibility for quality management pertaining to a project. (e.g. The Engineer for the project) 3. Category C shall mean all salaried senior professional and technical staff performing work of an engineering nature and who carry the direct technical responsibility for one or more specific activities related to the project. A person referred to in Categories A or B may also fall in this category if such person performs work of an engineering nature at this level. (e.g. the resident engineer for the project) 4. Category D shall mean all other salaried technical staff performing work of an engineering nature under the direction and control of any person contemplated in categories A, B or C.
Book 3	C3.1.11(d)	<p>Delete and Replace clause C3.1.9 (d) with the following:</p> <p>d) Minimum requirements</p> <p>The minimum qualifications and requirements for the Service Provider's personnel shall be as indicated in the table above.</p> <ol style="list-style-type: none"> 1 Relevant experience is the actual number of years, measured from the date of acquiring the base qualification (either B.Eng / BSc Eng or B.Tech for Pr.Eng or Pr.Tech Eng respectively and diploma for Pr. Techni Eng), or measured from the date of acquiring the minimum required professional registration ,working in the civil engineering/construction field. 2 Registered with the Engineering Council of South Africa (ECSA) or any other international body recognised by the Employer, i.e. Washington Accord, Dublin Accord and Sydney Accord. 3 South African Council for Project and Construction Management Professions (SACPCMP). 4 The Assistant Electronics Systems Engineer and Assistant Contracts Engineer shall be employees of the Targeted Enterprise.

SANRAL N.002-267-2024/2RF: CONSULTING ENGINEERING SERVICES FOR THE OPERATIONS AND MAINTENANCE OF TOLL PLAZAS ON THE N2 NORTH COAST TOLL ROUTE

SECTION B: RESPONSES TO QUERIES RAISED

1	Q	<p>Clause C3.1.9 Key Personnel d) Minimum Requirements note 5, refers: <i>“5. Should the service provider be an EME or QSE with BBBEE level 1 or 2, then the Assistant Electronics Systems Engineer and Assistant Contracts Engineer may be employees of the same service provider as there will be no subcontracting requirements as defined in the tender document.”</i></p> <p>Please clarify the note 5 regarding the following:</p> <ul style="list-style-type: none"> i. Does this apply only to new entrants or also to current service providers? ii. Will the minimum 30% subcontracting required be waived if the tenderer is a EME or QSE with BBBEE level 1 or 2 status? iii. If the above is allowed, how will SANRAL deal with the 20 points allocated for Subcontracting to Targeted Enterprises contained in the Quality/Functionality scoring of the Technical submission?
	A	<p>This tender is estimated to be a Category 3 contract, hence a minimum 30% Sub-contracting is mandatory as Condition of Contract.</p>
2	Q	<p>Under Clause C3.1.5 Stakeholder, Community Liaison and Social Facilitation, f) Project Liaison Committee (PLC) and Project Management Team (PMT) it states: “A Project Liaison Committee (PLC) has either been established prior to commencement of the contract or shall be established as soon as possible by the Service Provider.” Please clarify if a PLC has already been established, and if so, the tenderer is then not required to price for this under pay item 37.06 Project Liaison Committee (PLC) (a) Establishment of PLC?</p>
		<p>Can you please confirm whether a PLC has yet been established? E.g. as part of the RRM contract?</p>
	A	<p>The tenderer is expected to provide a price for the establishment of the PLC.</p> <p>There is an existing RRM PLC, however in terms of the PLC guidelines, each contract must have its own PLC, with co-opted members from the existing RRM PLC.</p> <p>Depending on the site-specific risk identification by the PMT, once the new service provider has been appointed, there may a need for a new PLC establishment.</p>
3	Q	<p>Apart from the establishment of a PLC, cost items 37.06 also allows for the Liaison/meetings with the PLC during Design and Construction Phase, PLC stipend, and Training of PLC members. It is therefore our understanding that we will not have to appoint any members of the PLC (and therefore not have to carry any of their costs/ salaries as part of this project). Can you please confirm?</p>
	A	<p>As mentioned above under Item 2. The appointed tenderer may be required to establish a project specific PLC depending on the site-specific risks at time these tenders are awarded. Hence, tenderers are expected to consider enough budget to cater for PLC and Section D requirements.</p> <p>Also, even though there is an existing RRM PLC, when PLC services and meetings are required for this project, it is expected that the contract will carry project specific costs, such as meeting sitting stipends and venues etc.</p>
4	Q	<p>Under clause C3.13 Acceptance of tender offer, item k), reference is made to Clause 3.1.11(f) in the Scope of Work as well as Clause C.2.1 Eligibility (a), however this referenced clause is not in the tender. Please clarify the requirements for this clause, and the correct clause references.</p>

		Also, in respect of commitments of Key Persons, please confirm the maximum number of projects in which Key Persons can participate and that this includes all current contracts in which Key Persons participate.
		Regarding clause C.3.13 k), please clarify what are the allowed maximum number of projects in which Key Persons can participate?
	A	<p>The CTROM tenders have no limitations to the number of projects in which Key Persons can participate.</p> <p>All participation limitation clauses shall be removed.</p> <p>Amendment to the Tender Document</p>
5	Q	<p>Under clause 5.1.7 of C1.2.2 Contract Data - Information Provided by the Employer, it is indicated that "Local Targeted Enterprises from the KwaZulu Natal Province must participate in a minimum of 1/3 (one third) of the tendered percentage of the Contract Price (excluding provisional and prime cost sums and the respective mark-up, but including provision for site supervision staff and the respective mark-up.</p> <p>Targeted Enterprises from the Province in which the project is located shall participate in a minimum of 2/3 (two-thirds) of the specified requirement.</p> <p>Please clarify the percentages for Targeted Enterprise involvement indicated in this clause, which seems to contradict the minimum 30% Targeted Enterprise subcontracting requirement in the Returnable Schedules section, under Sub-Contracting to Targeted Enterprise of the SANRAL – EXPLANATION OF CONSULTANT TENDER EVALUATION SCORING FOR CTROM PROJECTS.</p> <p>Form B7, item 5 c) also seems to have contradictory/incorrect percentages for Targeted Enterprise involvement, please clarify.</p>
		<p>Part C1.2.2, clause 5.1.7 states that "Local Targeted Enterprises from the KwaZulu Natal Province must participate in a minimum of 1/3 (one third) of the tendered percentage of the Contract Price (excluding provisional and prime cost sums and the respective mark-up, but including provision for site supervision staff and the respective mark-up."</p> <p>However, it further also states that "Targeted Enterprises from the Province in which the project is located [which is KwaZulu Natal] shall participate in a minimum of 2/3 (two-thirds) of the specified requirement." Can you confirm if local TEs from KwaZulu Natal must participate in 1/3, or 2/3 of the specified requirements for TEs?</p>
	A	<p>The tenderer is expected to sub-contract 30% of the contract Price (excluding provisional and prime cost sums and the respective mark-up (if any)).</p> <p>Form B7 : Under Item No. 5, states conditions of which the tenderer should adhere to when selecting the Targeted Enterprise.</p> <p>Where item No. 5 (c) states that Targeted Enterprises from the KwaZulu Natal Province in which the project is located must participate in a minimum of (one third) of the tendered percentage for sub-letting.</p> <p>This correction has been made on the tender document published.</p>
6	Q	<p>Please confirm whether the threshold for Quality is 70 or 75 points. It is indicated as 75 points clause C.3.11 Evaluation of tender offers, whilst in the tender clarification presentation it is indicated as 70 points.</p>
	A	<p>The Quality Threshold is 75 points as stipulated in the Tender Document.</p>

7	Q	In the Returnable Schedules section, the SANRAL – EXPLANATION OF CONSULTANT TENDER EVALUATION SCORING FOR CTROM PROJECTS, in subsection Sub-Contracting to Targeted Enterprise, as well as Form C1.2.3 - reference is made to payment items 3.7.4(a) and (b). These payment items references seem to be in error. Please clarify which are the correct references that apply in these clauses and in the Pricing Schedule.
	A	References to clause 3.7.4 shall be removed. This correction has been made on the tender document published.
8	Q	36.01 Employer's Representative and head office, (iii) De-establishment phase – there is a pre-populated Rate of 1.00. It is presumed that this is an error and the Rate can be changed. Please confirm
	A	Rate of 1.00 removed. This correction has been made on the Pricing Schedule published.
9	Q	36.07 Management and supervision of the provision of all fixed assets, (a) Upgrade and replacement of existing and new fixed assets – the Rate cell is locked, and the tenderer cannot input a Rate
	A	Cell Unlocked. This correction has been made on the Pricing Schedule published.
10	Q	36.08 Transport for specialist personnel and additional duties, (b) Handling cost in respect of item 36.08 (a) – the Rate cell is locked and the tenderer cannot input a Rate.
	A	Cell Unlocked This correction has been made on the Pricing Schedule published.
11	Q	37.03 Disbursements, (b) Handling cost in respect of item 37.03 (a) - the Rate cell is locked and the tenderer cannot input a Rate.
	A	Cell Unlocked. This correction has been made on the Pricing Schedule published.
12	Q	37.05 Payment and Monthly reporting costs – the Quantity for this pay item is not indicated.
	A	Quantity Included. This correction has been made on the Pricing Schedule published.
13	Q	37.06 Project Liaison Committee (PLC), (d) Handling cost i.r.o. item 36.06 (b) and (c) – incorrectly referenced pay item
	A	Amendments to Tender Document. This correction has been made on the Pricing Schedule published.
14	Q	37.06 Project Liaison Committee (PLC), (e) Training of PLC members – the formula to determine the total in the Amount (R) column is missing
	A	Formula inserted. This correction has been made on the Pricing Schedule published.
15	Q	37.06 Project Liaison Committee (PLC), (f) Handling cost i.r.o. item 36.06 (e) – incorrectly referenced pay item.
	A	Cell Unlocked. This correction has been made on the Pricing Schedule published.
16	Q	37.06 Project Liaison Committee (PLC), (f) Handling cost i.r.o. item 36.06 (e) – Quantity incorrectly indicated as 0.
	A	Amendments to Tender Document.

		<p>This correction has been made on the Pricing Schedule published.</p>
17	Q	38.01 Additional service providers, (b) Handling cost in respect of item 38.01 (a) - the Rate cell is locked and the tenderer cannot input a Rate
	A	<p>Cell Unlocked.</p> <p>This correction has been made on the Pricing Schedule published.</p>
18	Q	<p>Given that these are primarily technology centric projects with a larger ICT and electronic engineering components and not primarily</p> <p>Construction work related - there a number of companies doing work in these fields that have the required skillset, qualifications and experience but may not necessarily be in the Built Environment or Consulting Engineering firms.</p> <p>Can SANRAL please broaden the definition of Targeted Enterprises such that these companies be allowed to participate, especially when they otherwise meet all the requirements of Targeted Enterprises. This would allow additional new TE entrants to also participate in this tender.</p>
	A	<p>SANRALs intention is to sub-contract work to a Consulting Engineering Firm who qualifies as a Targeted Enterprise in terms of the Definition provided.</p> <p>The Consulting Engineering Firm (Targeted Enterprise) who qualifies as a Built Environment Professional (BEP) is not limited to construction related work only.</p> <p>Consulting Engineering Firm</p> <p>A natural person or legal entity which provides independent technology-based intellectual services in the built, human and natural environment to clients for a fee, and does not engage in or is not a subsidiary or holding company that engages in manufacturing or construction and is not in substance owned by the State or a similar public body or is not in substance the design department of a development, manufacturing or construction enterprise.</p>
19	Q	<p>Please confirm if projects currently in progress but not completed can contribute towards past performance evaluation?</p> <p>This will assist new entrant TE's that have current projects in progress, and the relevant qualifications and experience, but whose projects are still ongoing/extended to also be utilised in the performance evaluation.</p>
	A	<p>Form B6 : PAST PERFORMANCE ON REFERENCE PROJECTS</p> <p>The past performance forms part of the quality criteria for this Tender. This cannot be changed.</p> <p>It is stated that the tenderer must provide at least three (3) completed projects". However, Tenderers in terms of Form B6 are required to submit a Sworn Affidavit stating number of completed projects.</p>
20	Q	<p>Please confirm that details of the Targeted Enterprise and personnel details for the Assistant Contracts Engineer and Assistant Electronic Engineer, as well as for other support personnel need not be included in the tender at this stage, but must be made known after tender award?</p> <p>The following clauses in the tender have reference in connection with the above.</p> <ul style="list-style-type: none"> • C3.11 Key Persons for other support personnel. • Clause 7.1.3 that allows for 15 days from award for the Personnel Schedule and timetable for placement of personnel. • Form C1.1.2 Form of Acceptance - Item 8 for OHS Specialist
	A	<p>Targeted Enterprises details are required at tender stage for evaluation purposes.</p> <p>Only Key Persons are required at tender stage for evaluation purposes.</p>

		Additional Required Resources can be provided within 15 days after contract award as stated under clause 7.1.3.
21	Q	From Returnable Schedules A10 and A11 - it is understood that this includes all projects currently in progress, as well as projects being tendered on. Please confirm.
	A	Yes, it is confirmed.
22	Q	FORM A9.3: COMPLIANCE WITH LABOUR LEGISLATION DECLARATION does not seem relevant to this tender. Please confirm.
		<p>Clarification Question 7:</p> <p>Form A9.3 requires that tenderers must be registered with the Bargaining Council for the Civil Engineering Industry (BCCEI) or the relevant Bargaining Council.</p> <p>The BCCEI is aimed at labourer-type employers and the scope of the work of our employees do not fall in the scope of the BCCEI. We further noticed that this requirement was removed from the recent CTROM Operations and Maintenance tenders.</p> <p>Can you please confirm that this requirement will not apply to consultants responding to this tender?</p>
	A	<p>Amendments to the Tender Document</p> <p>This correction has been made on the tender document published.</p>
23	Q	Part T1.3, clause C3.11, includes "Trainee Technicians" under "Additional required resources". Can you please confirm that these will be provided by SANRAL?
	A	Yes, it is confirmed that Trainee Technicians will be provided by SANRAL.
24	Q	The tender refers a number of times to Design, including a "Detailed assessment and design report". Our understanding is that Design refers to the work related to the compilation of a Contract document, and the supervision related to the Design-Build aspects (which is the development and implementation of a new toll system) of the Works contract, and also the Detailed Assessment and Design. Is this correct? Therefore, no detail designs required
	A	There is no "Design report that is required" This correction has been made on the document published.
25	Q	<p>Part T1.3 (Tender data), clause C.2.1 states that, "Only those tenderers who satisfy the following criteria are eligible to submit tenders: (a) Meet the minimum requirements for the key persons as stated in the Scope of Works in Clause C.3.1.11: Personnel requirements; excluding C3.1.11(f), which is dealt with under Tender Data C.3.13(k)."</p> <ul style="list-style-type: none"> • Clause C3.1.11 refers to "Safety". It therefore appears that this reference is wrong. • Should this reference rather be "C3.1.9 Key Personnel"? • Also, there is no C3.1.11(f) in the document (this clause should refer to the maximum number of projects in which key persons can participate). Can you please provide the correct reference for this specification?
26		<p>Under clause C3.13 Acceptance of tender offer, item k), reference is made to Clause 3.1.11(f) in the Scope of Work as well as Clause C.2.1 Eligibility (a), however this referenced clause is not in the tender. Please clarify the requirements for this clause, and the correct clause references.</p> <p>Also, in respect of commitments of Key Persons, please confirm the maximum number of projects in which Key Persons can participate and that this includes all current contracts in which Key Persons participate.</p>

	A	Refer to Part A of Addendum 01.																																																				
		Amendments to the Tender Document																																																				
27	Q	<p>C.3.11Evaluation of tender offers- Key Person- Project Leader (Toll), Contract Engineer (Toll) (Employer’s Representative)</p> <p>FORM B1.1: KEY PERSON'S TECHNICAL/MANAGERIAL RECORD</p> <p>SANRAL – EXPLANATION OF CONSULTANT TENDER EVALUATION SCORING FOR CTROM PROJECTS, 1) Project Type Relevance - Key Persons: Project Leader (Toll) and Contracts Engineer (Toll)</p> <p>An FMS Regional Coordinator (RC) role is not contained in the table below.</p> <table><tr><th>ABBREVIATION</th><th>DEFINITION</th></tr><tr><td>PL</td><td>Project Leader</td></tr><tr><td>APL</td><td>Assistant Project Leader</td></tr><tr><td>DS</td><td>Design Specialist</td></tr><tr><td>DA</td><td>Design Assistant</td></tr><tr><td>CE</td><td>Contracts Engineer</td></tr><tr><td>ACE</td><td>Assistant Contracts Engineer</td></tr><tr><td>RE</td><td>Resident Engineer</td></tr><tr><td>ARE</td><td>Assistant Resident Engineer</td></tr><tr><td>RM</td><td>RRM Route Manager</td></tr><tr><td>ARM</td><td>Assistant Route Manager</td></tr><tr><td>SMT</td><td>Senior Materials Technician</td></tr><tr><td>CM</td><td>Contracts Manager</td></tr><tr><td>SA</td><td>Site Agent</td></tr><tr><td>MT</td><td>Materials Technician</td></tr><tr><td>ETS</td><td>Electronics Systems Engineer</td></tr><tr><td>PL(T)</td><td>Project Leader (Toll)</td></tr><tr><td>DS(T)</td><td>Design Specialist (Toll)</td></tr><tr><td>CE(T)</td><td>Contracts Engineer (Toll)</td></tr><tr><td>CM(T)</td><td>Contracts Manager (Toll)</td></tr><tr><td>ETS(T)</td><td>Electronics Systems Engineer (Toll)</td></tr><tr><td>ES</td><td>Electrical Systems Engineer</td></tr><tr><td>SE</td><td>Software Engineer</td></tr><tr><td>MS</td><td>Mechanical Systems Engineer</td></tr><tr><td>AETS</td><td>Electronics Systems Engineer</td></tr><tr><td>PE(E)</td><td>Project Engineer (Client)</td></tr></table> <p>Please clarify if the RC role is also equivalent to the CE role in the above table and would score the maximum 5 points for the Position Held requirement for the CE(T) Key Person role?</p>	ABBREVIATION	DEFINITION	PL	Project Leader	APL	Assistant Project Leader	DS	Design Specialist	DA	Design Assistant	CE	Contracts Engineer	ACE	Assistant Contracts Engineer	RE	Resident Engineer	ARE	Assistant Resident Engineer	RM	RRM Route Manager	ARM	Assistant Route Manager	SMT	Senior Materials Technician	CM	Contracts Manager	SA	Site Agent	MT	Materials Technician	ETS	Electronics Systems Engineer	PL(T)	Project Leader (Toll)	DS(T)	Design Specialist (Toll)	CE(T)	Contracts Engineer (Toll)	CM(T)	Contracts Manager (Toll)	ETS(T)	Electronics Systems Engineer (Toll)	ES	Electrical Systems Engineer	SE	Software Engineer	MS	Mechanical Systems Engineer	AETS	Electronics Systems Engineer	PE(E)	Project Engineer (Client)
ABBREVIATION	DEFINITION																																																					
PL	Project Leader																																																					
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DA	Design Assistant																																																					
CE	Contracts Engineer																																																					
ACE	Assistant Contracts Engineer																																																					
RE	Resident Engineer																																																					
ARE	Assistant Resident Engineer																																																					
RM	RRM Route Manager																																																					
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SMT	Senior Materials Technician																																																					
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AETS	Electronics Systems Engineer																																																					
PE(E)	Project Engineer (Client)																																																					
	A	This tender does not have a Regional Coordinator, only Contracts Engineer as a Key Person.																																																				
28	Q	<p>Q1 Assistant Electronic Systems Engineer Qualification</p> <p>C3.1.9 Key Personnel – Assistant Electronic Systems Engineer, Clause pertaining to Assistant Electronic Systems Engineer education requirements i.e. Bsc Eng or BTech Eng</p> <p>Please advise if a Bachelor of Science qualification in Computer Science / Software Engineering will also be acceptable for the Assistant Electronic Systems Engineer?</p>																																																				
	A	Please note that the Tender Document specifies B-Sc Computer Science as one the acceptable qualification.																																																				

The South African National Roads Agency SOC Limited
P.O. Box 415
Pretoria
0001

**CONTRACT NUMBER: SANRAL N.003-010-2020/2RF - CONSULTING ENGINEERING SERVICES
FOR THE OPERATIONS AND MAINTENANCE OF THE MARIANNHILL TOLL PLAZA ON
NATIONAL ROUTE N3**

ACKNOWLEDGEMENT OF ADDENDUM NO. 01

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 ProcurementER4@nra.co.za and the original must be attached to the Returnable Schedules.

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

Appendix A

CONTRACT SANRALN.003-010-2020/2RF

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 09 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 e-Tender 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 B

**PART A
INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	SANRAL N.003-010-2020/2RF	CLOSING DATE:	15 January 2024	CLOSING TIME:	11:00
DESCRIPTION	CONSULTING ENGINEERING SERVICES FOR THE OPERATIONS AND MAINTENANCE OF THE MARIANHILL TOLL PLAZA ON NATIONAL ROUTE N3				
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	ProcurementER4@sanral.co.za		E-MAIL ADDRESS	ProcurementER4@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
1.1.1.1 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]		1.1.1.2 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.					

Appendix C

FORM B2.1: KEY PERSON'S QUALIFICATION AND REGISTRATION RECORD

Note to tenderer:

- 1. Must complete Form B2.1 provided in Microsoft Excel format.**
- 2. Attach letter confirming permanent employment or signed letter of consent from contracted person.**
- 3. Attach proof of qualification.**
- 4. Attach professional registration record.**
- 5. The tender will be declared non-responsive if:**
 - a) The proof of qualification is not submitted if the measured actual years of experience is measured from the base qualification as defined in clause C3.1.11(d); or**
 - b) Professional registration record is not submitted at tender closure and cannot be verified; or**
 - c) The proposed key person does not have appropriate qualification; or**
 - d) The proposed key person is not registered.**

**Refer to EXCEL file
provided**

Appendix D

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2022 (SBD 6.1)**

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

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

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

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	
SPECIFIC GOALS	
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:

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

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.

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

The specific goals allocated points in terms of this tender	Criteria	Number of points allocated (90/10 system)	Number of points allocated (80/20 system)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	10.00	20.00		
	B-BBEE Level 2	9.00	18.00		
	B-BBEE Level 3	6.00	14.00		
	B-BBEE Level 4	5.00	12.00		
	B-BBEE Level 5	4.00	8.00		
	B-BBEE Level 6	3.00	6.00		
	B-BBEE Level 7	2.00	4.00		
	B-BBEE Level 8	1.00	2.00		
	Non-compliant contributor	0.00	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:

