



THE SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED

CONTRACT SANRAL NRA X.002-204-2023/1

**FOR THE ROUTINE ROAD MAINTENANCE OF
NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER
MASHISHING TO MBOMBELA MUNICIPAL
BORDER.**

PROJECT DOCUMENT

BASE DATE: JULY 2023

TENDER DOCUMENT

**VOLUME 3
BOOK 1 OF 3**

**CHIEF EXECUTIVE OFFICER
SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED
48 TAMBOTIE AVENUE
VAL DE GRACE
PRETORIA, 0184**

NAME OF TENDERER:

Set sequential number



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**FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL
ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER
OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

THIS DOCUMENT COMPILED BY:

The Regional Manager (Northern Region)
The South African National Roads Agency SOC Ltd

38 Ida Street
Menlo Park
Pretoria, Gauteng
0081

LIST OF CONTRACT DOCUMENTS

VOLUME 1: Conditions of Contract for Construction for Building and Engineering Works Designed by the Employer (1999), published by the Fédération Internationale des Ingénieurs-Conseils (FIDIC)

VOLUME 2: Standard Specifications for Routine Road Maintenance, April 2019, issued by SANRAL

VOLUME 3: Project Document, containing the tender notice, Conditions of Tender, Tender Data, Returnable Schedules, general and particular conditions of contract, project specifications, Pricing Schedule, Form of offer and Project Information is issued by the Employer (see note 3 below). The Employer's Form of Acceptance and any correspondence from the selected tenderer, performance security-demand guarantee, and all addenda issued during the period of tender will also form part of this volume once a successful tenderer has been appointed.

The conditions of tender are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Construction Procurement as per Government Notice No. 423 published in Government Gazette No. 42622 of 8 August 2019 and as amended from time to time. (see www.cidb.org.za).

<https://www.cidb.org.za/download/100/procurement-documents-templates-and-guidelines/6157/standard-for-uniformity-august-2019.pdf>

VOLUME 4: Contract Drawings

VOLUME 8: Tender Clarification Information Booklet

Notes to Tenderer:

1. **Volume 1 - Conditions of Contract for Construction for Building and Engineering Works Designed by the Employer (1999), published by the Fédération Internationale des Ingénieurs-Conseils (FIDIC) -is obtainable from CESA**
P. O. Box 68482, Bryanston, 2021.
Tel: (011) 463 2022 Fax: (011) 463 7383 Email: general@cesa.co.za
2. **Volume 2 can be made available in .pdf by the Employer.**
3. **Volume 3 is issued at tender stage in electronic format from a web-based link and contains the following files:**
 - **The full Project Document in PDF format (excluding the standard conditions of tender)**
 - **The returnable forms in word format**
 - **The pricing data in excel format**

The Standard Conditions of Tender may be downloaded from the CIDB website on the following link:

<https://www.cidb.org.za/wp-content/uploads/2021/07/Standard-for-Uniformity-August-2019.pdf>

At contract stage Volume 3 will be a bound signed paper copy containing the following documents:

- **Returnable schedules relevant to the project**
 - **Agreements and Contract Data**
 - **Pricing Data**
 - **Scope of Work**
 - **Site Project Information**
4. **SUBMISSION OF TENDER – Of the contract documents, only the following elements of Volume 3 needs to be submitted:**
 - a) **VOLUME 3 – ELECTRONIC SUBMISSION**
The following information has to be submitted on a electronically on flash drive and printed and bound hard copy:
 - **The 1st file in pdf format which contains;**
 - **Scanned copy of Form of Offer (pdf)**
 - **Scanned copies of all returnable schedules and attachments (pdf)**
 - **Scanned copy of Pricing Schedule (pdf)**
 - **The 2nd file in Excel format which contains:**
 - **Completed pricing schedule**

Information provided by a tenderer over and above the above elements of volume 3 shall be treated as information only and will only be bound into the document if the tenderer notes on Form A4: Schedule of Variations or deviations that the information has a bearing on the tender price.

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PART T1: TENDERING PROCEDURES

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SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

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

SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED

CONTRACT SANRAL X.002-204-2023/1**FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****T1.1 TENDER NOTICE AND INVITATION TO TENDER (SBD1)**

The South African National Roads Agency SOC Limited (SANRAL) invites tenders for the Routine Road Maintenance of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border. This project is in the province of **Mpumalanga** and within Thaba Chweu Municipality in the eHlanzeni District Municipality. The approximate duration is **60 months as Contract data Sub-Clause C1.1.3.3**. CIDB Regulation 25 (1B) will be applicable to this contract.

Only tenderers who are registered on the National Treasury Central Supplier Database as stated in the Tender Data C.2.1.1, are eligible to tender.

It is estimated that tenderers should have a CIDB contractor grading designation of 7CE or higher, however, tenderers attention is drawn to clause C.2.1 of the Tender Data when submitting their tender.

Tenders from tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, will not be accepted.

It is a requirement of this project that the successful tenderer subcontract a minimum of 50 percent (50 %) or higher as tendered of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data.

TENDER DOCUMENTS

Tender documents are available at no cost in electronic format downloadable from the SANRAL website by following the link: <https://www.nra.co.za/service-provider-zone/tenders/open-tenders/>. Tenderers must have access to Microsoft Office © 2013 and Acrobat Adobe © 9.0, or similar compatible software.

Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to 7th of July 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive.

TENDERERS' MEETING**No clarification meeting**

A tenderer's clarification briefing presentation is available to be downloaded from the same SANRAL website link: <https://www.nra.co.za/service-provider-zone/tenders/open-tenders/>.

CLOSING TIME, COMPLETION AND DELIVERY OF TENDERS

The closing time for receipt of tenders is 11:00 on 7th of August 2023.

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Telegraphic, telephonic, telex, email, 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 the following:

All Enquiries	
E-mail	ProcurementNR2@sanral.co.za

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T1.2 TENDER DATA

T.1.2 TENDER DATA

The conditions of tender are the standard conditions of tender as contained in Annexure C of the CIDB STANDARD FOR UNIFORMITY IN ENGINEERING AND CONSTRUCTION WORKS CONTRACTS as per Government Notice No. 423 published in Government Gazette No. 42622 of 08 AUGUST 2019 and as amended from time to time. (see www.cidb.org.za).

The standard conditions of tender make several references to the tender data for details that apply specifically to this tender. The tender data shall have precedence in the interpretation of any ambiguity or inconsistency between the tender data and the standard conditions of tender.

Each item of data given below is cross-referenced to the clause marked "C" in the above mentioned Standard Conditions of Tender.

Definitions

Add to the following to the definitions

Wherever reference is made in the documentation to bill of quantities it shall also mean pricing schedule.

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

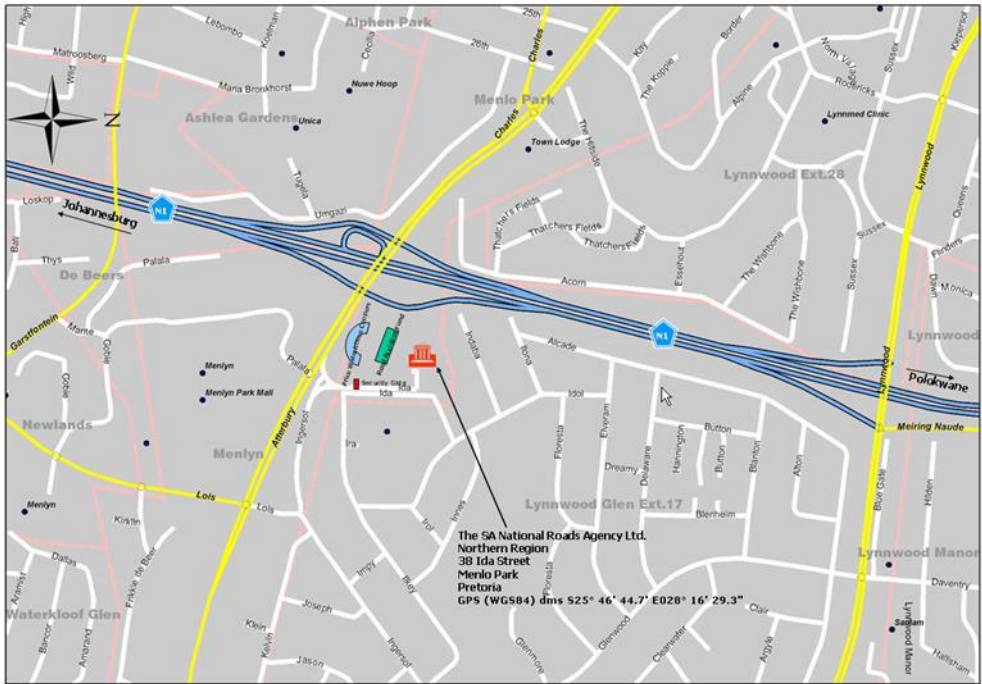
Clause Number	Data
C.1	GENERAL
C.1.1	<p>Actions</p> <p>The Employer is The South African National Road Agency SOC Limited (SANRAL). The Employer's domicilium citandi et executandi (permanent physical business address) is:</p> <p>48 Tambotie Avenue Val de Grace Pretoria, 0184</p> <p>The Employer's address for communication relating to this project is: 38 Ida Street Menlo Park Pretoria, Gauteng 0081</p>
C.1.2	<p>Tender Document</p> <p>The tender documents issued by the Employer comprise:</p> <p>Part T1: Tendering Procedures T1.1 Tender notice and invitation to tender (White) T1.2 Tender data</p> <p>Part T2: Returnable Schedules T2.1 List of returnable documents T2.2 Returnable schedules</p> <p>Part C1: Agreements and contract data C1.1 Form of offer and acceptance (Yellow) C1.2 Contract data (Yellow)</p> <p>Part C2: Pricing data C2.1 Pricing instructions (assumptions) (Yellow) C2.2 Pricing Schedules / Bills of Quantities (Yellow)</p> <p>Part C3: Scope of work</p>

Clause Number	Data								
	C3 Scope of work (Blue) Part C4: Site Project Information C4 Project Information.....(Green) Part D Part D: Stakeholder and community liaison, and targeted Labour and Targeted Enterprises utilisation and development.....(Green) Annexures (White)								
C.1.4	Communication and employer’s agent The language for communications is English. The Employer’s agent is: 38 Ida Street Menlo Park Pretoria, Gauteng 0081 Email: ProcurementNR2@sanral.co.za								
C.1.5	Cancellation and Re-Invitation of Tenders								
C.1.5.3	Clause C.1.5.3 is not applicable.								
C.1.6.2	Competitive negotiation procedure Clause C.1.6.2 is not applicable.								
C.1.6.3	Proposal procedure using the two stage-system Clause C.1.6.3 is not applicable.								
C.2	Tenderer’s Obligations								
C.2.1	Eligibility Only those tenderers who satisfy the following criteria are eligible to submit tenders: a) CIDB registration Registered with the CIDB, at close of tender, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, for a 7CE class of construction work. Tenderers registered as potentially emerging enterprises but with a CIDB contractor grading designation lower than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, are not eligible to have their tenders evaluated. For the sake of clarity and subject to satisfactory proof of a tenderer’s ability to perform the work specified at the tendered value, the Employer lists in the table below the margins it considers reasonable. However, in the event that the sum tendered exceeds the margins shown then such tender shall be deemed non-responsive.								
	<table><tr><th>Category of tender</th><th>Upper limits per CIDB Regulation 17</th><th>Employer’s allowable margins</th></tr><tr><td>CE 1</td><td>R0.5m</td><td rowspan="2">The Employer will use its discretion in terms of CIDB</td></tr><tr><td>CE 2</td><td>R1.0m</td></tr></table>	Category of tender	Upper limits per CIDB Regulation 17	Employer’s allowable margins	CE 1	R0.5m	The Employer will use its discretion in terms of CIDB	CE 2	R1.0m
Category of tender	Upper limits per CIDB Regulation 17	Employer’s allowable margins							
CE 1	R0.5m	The Employer will use its discretion in terms of CIDB							
CE 2	R1.0m								

Clause Number	Data		
	CE 3	R3m	Practice Note 3 on allowable margins to be accepted
	CE 4	R6m	
	CE 5	R10m	
	CE 6	R20m	
	CE 7	R60m	
	CE 8	R200m	
	<p>This contract is classified in terms of CIDB Regulation 25(1B), and the value of the contract may, for the purpose of CIDB Regulation 25(1), be taken at its annual value. (Annual Value = Contract Value / 5 Years)</p> <p>Joint Ventures are eligible to submit tenders provided that:</p> <ul style="list-style-type: none">- every member of the joint venture is registered with the CIDB;- the lead partner has a contractor grading designation not lower than one level below the required grading designation in the class of construction works under consideration and possesses the required recognition status; and- the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a CE class of construction work or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations. <p>The tender will be declared non-responsive if:</p> <ul style="list-style-type: none">- The Tenderer is not registered on CIDB within the required contractor grading and category prior to evaluation of submission (, or- the Tenderer is suspended, or- the Tenderer has not declared interest of application to upgrade the grading <p>b) Registration on National Treasury Central Supplier Database</p> <p>If not registered as verified online at tender closing; the tender will be declared non-responsive.</p>		
C.2.2	Cost of tendering <p>Tender documents are available from SANRAL website at no cost.</p>		
C.2.6	Acknowledge addenda <p>Failure to apply instructions contained in addenda may render a tenderer's offer non-responsive in terms of condition of tender C.3.8.</p>		
C.2.7	Clarification meeting <p>No clarification meeting</p> <p>The arrangements for a clarification briefing presentation is available on the following link: https://www.nra.co.za/service-provider-zone/tenders/open-tenders/ .</p> <p>The onus rests with the tenderer to ensure that the representative reading the clarification briefing presentation is appropriately qualified to understand all directives and clarifications given in the clarification briefing presentation.</p> <p>The signatures on the duly completed and signed Form A1 shall be considered proof that the tenderer read/viewed the whole clarification briefing presentation and clearly understood all directives and clarification given in the clarification briefing presentation.</p>		

Clause Number	Data
C.2.8	Seek clarification Request clarifications at least 12 (twelve) working days before the closing date.
C.2.9	Insurance No insurance is provided by the Employer.
C.2.10	Pricing the tender offer
C.2.10.3	The rates and prices shall be adjusted as specified in the conditions of contract clause 13.8 Adjustments for Changes in Costs
C.2.10.4	Tenderers are required to state the rates, amounts and currencies in Rand.
C.2.12	Alternative tender offers will not be considered.
C.2.13	Submitting a tender offer
C.2.13.2	<p>The returnable documents shall be electronically completed in their entirety, submitted on the issued software format or fully compatible format, unless otherwise specified.</p> <p>Submission in the tender box</p> <ul style="list-style-type: none"> • Submit the tender offer electronically on a flash drive and printed hard copy of Form of Offer and summary of pricing schedule. • (In the relevant MS Word 2013 and MS Excel 2013 format as issued, and not in .pdf format, except where so specified.)
C.2.13.3	<p>Only the following needs to be submitted:</p> <p>Volume 3 – Scanned on a flash drive</p> <p>The following information has to be submitted on flash drive:</p> <p>The 1st file in pdf format which contains:</p> <ul style="list-style-type: none"> • Scanned copy of Form of Offer (pdf) and printed hardcopy of Form of Offer • Scanned copies of all returnable schedules and attachments (pdf) <p>A 2nd file in Excel format</p> <ul style="list-style-type: none"> - Completed pricing schedule (scanned copy in .pdf and copy in Excel) and printed hardcopy of Summary of Pricing Schedule <p>Alternative offers will not be considered.</p> <p>In the event of any discrepancy between the contents of the electronically priced schedule and the electronically provided pricing schedule in pdf format, the contents of the provided pdf format shall be taken as the valid contents. For the information provided by the tenderer as part of his submission, e.g. rates, the signed print-out shall be taken as the valid submission.</p>
C.2.13.5	Submitting a tender offer Submission in the tender box <p>Only the following needs to be submitted:</p> <p>a) Main Tender Offer</p> <p>The following information to be submitted electronically on flash drive and marked Main</p>

Clause Number	Data					
	<p>Tender Offer followed by the “Tenderer name”, in the following order:</p> <ul style="list-style-type: none">- Form of Offer (signed and scanned as .pdf) and printed hardcopy of Form of Offer- All returnable schedules and attachments and certificates specific to the tender (signed and scanned as .pdf)- Completed pricing schedule (scanned copy in .pdf and copy in Excel) and printed hardcopy of Summary of Pricing Schedule.” <p>b) Alternative offers will not be considered.</p> <p>In the event of any discrepancy between the contents of the electronically priced schedule in Excel, and the electronically provided pricing schedule in .pdf format, the contents of the electronically pricing schedule in .pdf format shall be taken as the valid contents. For the information provided by the tenderer as part of his submission, e.g. rates, the electronically signed schedule in .pdf shall be taken as the valid submission.</p> <p>Submit the tender offer electronically on a flash drive in a sealed envelope marked with the tenderer’s company name, the project number and description.</p> <p>The Employer’s address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <table><tr><td>TENDER CLOSING TIME: 07 AUGUST 2023: 11:00am</td></tr><tr><td>CONTRACT SANRAL X.002-204-2023/1 for the Routine Road Maintenance Of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border.</td></tr><tr><td>EMPLOYER South African National Roads Agency SOC Limited Physical address: 38 Ida Street Menlo Park Pretoria, Gauteng 0081 Tel: 012 426 6200 Fax: 012 348 1680</td></tr><tr><td>TENDERER Name:</td></tr><tr><td></td></tr></table>	TENDER CLOSING TIME: 07 AUGUST 2023: 11:00am	CONTRACT SANRAL X.002-204-2023/1 for the Routine Road Maintenance Of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border.	EMPLOYER South African National Roads Agency SOC Limited Physical address: 38 Ida Street Menlo Park Pretoria, Gauteng 0081 Tel: 012 426 6200 Fax: 012 348 1680	TENDERER Name:	
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EMPLOYER South African National Roads Agency SOC Limited Physical address: 38 Ida Street Menlo Park Pretoria, Gauteng 0081 Tel: 012 426 6200 Fax: 012 348 1680						
TENDERER Name:						

Clause Number	Data
	 <p>Tenders must be submitted during office hours (09:00 to 16:00) Monday to Friday at the Employer's address.</p> <p>It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register in the name of the tendering entity. In cases where the tender document is couriered to the regional office clear instructions to the person delivering the document must be given that the register must still be completed in the name of the tendering entity.</p>
C.2.13.7	Place and seal the printed and bound hard copy and flash drive in an envelope clearly marked "TENDER" and bearing the Employer's name, the contract number and description, the tenderer's authorised representative's name, the tenderer's postal address and contact telephone numbers.
C.2.14	<p>Information and data to be completed in all respects</p> <p>Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may waive any nonconformities in the tender.</p> <p>Provided that the omission is not a material omission, the Employer reserves the right to condone the omission and may request the tenderer to submit the necessary information or documentation, within a reasonable period of time, to rectify nonmaterial nonconformities in the tender related to documentation requirements.</p>
C.2.15	<p>Closing time</p> <p>C.2.15.1 Submission in tender box</p> <p>The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of tender box: Reception area</p> <p>Physical address: South African National Roads Agency SOC Limited 38 Ida Street</p>

Clause Number	Data
	<p>Menlo Park Pretoria, Gauteng 0081</p> <p>Identification details: Mark the envelope with the tenderer's company name, the project number and description:</p> <p>Tenders must be submitted during hours (09:00 to 16:00) Monday to Friday at the Employer's address.</p> <p>It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register and deposited in the tender box.</p>
C.2.16	Tender offer validity
C.2.16.1	The tender offer validity period is 180 days.
C.2.16.2	Should the tenderer not accept the validity extension or if the tenderer does not withdraw a condition attached to a conditional acceptance, this shall result in a non-responsive tender or the tender is considered to have made an election to exclude itself from the tender process.
C.2.16.3	<p>Where a tenderer, at any time after the opening of his tender offer but prior to entering into a contract based on his tender offer:</p> <ul style="list-style-type: none"> a) withdraws his tender; b) gives notice of his inability to execute the contract in terms of his tender; or c) fails to comply with a request made in terms of C.2.17, C.2.18 or C.3.9, <p>such tenderer shall be barred from tendering on any of the Employer's tenders for a period to be determined by the Employer, but not less than six (6) months, from a date determined by the Employer. This sanction also applies to tenders under evaluation and not yet awarded. This sanction does not apply to tenders under evaluation where a request for extension of the validity period was not accepted by the tenderer. The Employer may fully or partly exempt a tenderer from the provisions of this condition if he is of the opinion that the circumstances justify the exemption.</p>
C.2.18	Provide other material
C.2.18.1	Any additional information requested under this clause must be provided within 5 (five) working days of date of request.
C.3	The Employer's undertakings
C.3.1	Respond to requests from the tenderer
C.3.1.1	<p>The Employer shall respond to clarifications received up to 12 (twelve) working days before tender closing date.</p> <p>The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 working days before tender closing date.</p>
C.3.2	<p>Issue Addenda</p> <p>The employer shall issue addenda until 5 working days before tender closing date.</p>
C.3.4	Opening of tender submissions
C.3.4.1	<p>The time for opening of the tender offer via live streaming are:</p> <p>Time: 11h00 on Monday, 7th of August 2023</p> <p>Location: <i>A link will be sent to tenderers that submit Form A1.1</i></p>
C.3.5	One-envelope system

Clause Number	Data
	Clause C.3.5 is not applicable.
C.3.7	<p>Grounds for rejection and disqualification</p> <p>Prior to disqualification, the Employer shall inform the tenderer and give the tenderer an opportunity to make representations within 14 days as to why the tender submitted should not be disqualified and as to why the tenderer should not be restricted by the National Treasury from conducting any business with any organ of state for a period not exceeding 10 years.</p> <p>In the event of disqualification, the Employer may, at its sole discretion, claim damages from the tenderer and impose a specified period during which tender offers will not be accepted from the offending tenderer and, the Employer shall inform the National Treasury and the CIDB in writing.</p>
C.3.8	<p>Test for responsiveness</p>
C.3.8.2	<p>A Substantially responsive tender is a tender in which all of the material information and documentation submitted at close of tender contains non-material and non-conformities to the bid specifications but are not related to price. The correction of any such documentation or information, or the condonement for the non-inclusion of any such document or information may not be prejudicial towards the offer and claimed preference of any responsive tender or be construed to be giving an unfair advantage to any tender.</p> <p>A responsive tender is also one that conforms to all the terms, conditions, and scope of work of the tender documents, without material omissions. The test for a material omission is the same as the test for a material deviation or qualification.</p>
C.3.9	<p>Arithmetical errors, omissions, discrepancies and imbalanced unit rates</p>
C.3.9.1	<p>Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.</p>
C.3.9.2	<p>Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3.11 for:</p> <ol style="list-style-type: none"> the gross misplacement of the decimal point in any unit rate; omissions made in completing the pricing schedule or bills of quantities; or arithmetic errors in: <ol style="list-style-type: none"> line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or the summation of the prices. imbalanced unit rates.
C.3.9.3	<p>Notify shortlisted tenderers of all errors, omissions or imbalanced rates that are identified in their tender offers.</p>
C.3.9.4	<p>Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:</p> <ol style="list-style-type: none"> If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern, and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected. Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices. Where the unit rates are imbalanced the tenderer shall adjust such rates by increasing or decreasing them and selected others while retaining the total of the prices derived

Clause Number	Data																												
	<p>after any other corrections made under (a) and (b) above.</p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions, or imbalanced rates, and subject the tenderer to the sanction under C.2.16.2.</p>																												
C.3.11	<p>Evaluation of tender offers</p> <p>i. 80/20 preference point system for acquisition of goods and services for Rand value equal to or above R30 000 and up to R50 million The following formula will be used to calculate three points out of 80 for price:</p> $Ps = 80(1 - (Pt - Pm) / Pm)$ <p>Where:</p> <p>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.</p> <p>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 three points out of 90 for price:</p> $Ps = 90(1 - (Pt - Pm) / Pm)$ <p>Where:</p> <p>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.</p> <p>In the event that the calculated value is negative, the allocated score shall be 0 (zero).</p> <p>Points are based on a tenderer's scorecard measured in terms of the Broad-Based Black Economic Empowerment Act (B-BBEE, Act 53 of 2003 as amended in Act 46 of 2013) and Preferential Procurement Policy Framework Act (PPPFA, Act 5 of 2000)</p> <p>Scoring preference (Specific Goals): Points for specific goals will be awarded according to the table below:</p> <table><tr><th rowspan="2">Specific goals</th><th rowspan="2">Criteria</th><th colspan="2">10 points</th><th colspan="2">20 points</th></tr><tr><th>Point allocation</th><th>Max points</th><th>Point allocation</th><th>Max points</th></tr><tr><td rowspan="5">B-BBEE level scorecard of the tendering entity.</td><td>B-BBEE Level 1</td><td>1,00</td><td rowspan="5">1</td><td>2.00</td><td rowspan="5">2</td></tr><tr><td>B-BBEE Level 2</td><td>0,90</td><td>1.80</td></tr><tr><td>B-BBEE Level 3</td><td>0,60</td><td>1.20</td></tr><tr><td>B-BBEE Level 4</td><td>0,50</td><td>1.0</td></tr><tr><td>B-BBEE Level 5</td><td>0,40</td><td>0.80</td></tr></table>	Specific goals	Criteria	10 points		20 points		Point allocation	Max points	Point allocation	Max points	B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	1,00	1	2.00	2	B-BBEE Level 2	0,90	1.80	B-BBEE Level 3	0,60	1.20	B-BBEE Level 4	0,50	1.0	B-BBEE Level 5	0,40	0.80
Specific goals	Criteria			10 points		20 points																							
		Point allocation	Max points	Point allocation	Max points																								
B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	1,00	1	2.00	2																								
	B-BBEE Level 2	0,90		1.80																									
	B-BBEE Level 3	0,60		1.20																									
	B-BBEE Level 4	0,50		1.0																									
	B-BBEE Level 5	0,40		0.80																									
C.3.11.8																													

Clause Number	Data					
		B-BBEE Level 6	0,30		0.60	
		B-BBEE Level 7	0,20		0.40	
		B-BBEE Level 8	0,10		0.20	
		Non-compliant contributor	0		0	
	*Percentage black ownership of the tendering entity.	< 51 % black ownership	0	5	0	10
		≥ 51 to < 70 % black ownership.	1		2	
		≥ 70 to < 100 % black ownership.	2		4	
		100 % black ownership	5		10	
	Percentage Subcontracting to Targeted Enterprises	Min 50 % subcontracting	0	4	0	8
		> 50 to < 55 % subcontracting	1		2	
		≥ 55 to < 60 % subcontracting	2		4	
		≥ 60 % subcontracting	4		8	
<p>Points for specific goals will be awarded according to the table below:</p> <p>1. The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:</p> <ul style="list-style-type: none">- the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; or- in the event that the Measured Entity operates in more than one sector or a sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of annual revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes; and <p>i. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and</p> <p>ii. The certificate shall:</p> <ul style="list-style-type: none">- be valid at the tender closing date; and- have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or- be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the						

	<p>amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and</p> <ul style="list-style-type: none"> - have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C.2.15); and <p>iii. A valid BBEE Certificates shall contain:</p> <ul style="list-style-type: none"> - Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address. - Value-Added Tax number, where applicable. - The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes. - B-BBEE status with corresponding procurement recognition level. - The relevant Codes used to issue the B-BBEE verification certificate. - Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate. - Financial period which was used to issue the B-BBEE Verification Certificate. <p>iv. A valid Sworn Affidavit shall contain:</p> <ul style="list-style-type: none"> - Name/s of deponent as they appear in the identity document and the identity number. - Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit. - Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address. - Percentage black ownership, black female ownership and whether they fall within a designated group. - Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts. - Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue. The valid format of the Financial Year-End is Day/Month/Year - B-BBEE status level. An enterprise can only have one status level. - Date deponent signed and date of Commissioner of Oath must be the same. - Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest, and <p>v. Compliance with any other information requested to be attached to Returnable Schedule Form C1; and</p> <p>vi. In the event of a Joint Venture (JV), a project-specific consolidated (SANRAL project number indicated) valid B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted.</p> <p>2. Black ownership</p> <p>i) The bidder must complete Form A16: Black ownership declaration. (A16 Appendix E)</p> <p>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 A17: Sub-contracting declaration. (A17 Appendix F)</p>
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Clause Number	Data
	<p>Criteria for breaking deadlock</p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.</p>
C.3.13	<p>Acceptance of tender offer</p> <p>The conditions stated in clauses C.3.13(a) to (f) of the Conditions of Tender as well as the following additional clauses C.3.13(g) to (k) shall be applied as objective criteria in terms of section 2(1)(f) of the Preferential Procurement Policy Framework Act, 2000 (Act No 5 of 2000) and as compelling and justifiable reasons in terms of Conditions of Tender clause C.3.11:</p> <ul style="list-style-type: none"> g) the tenderer or any of its directors is not listed on National Treasury's Register of Tender Defaulters or Restricted Suppliers, or the Employer's database, in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No 12 of 2004) as a tenderer or person prohibited from doing business with the public sector; h) the tenderer has not abused the Employer's supply chain management system; and i) the tenderer has not failed to perform on any previous contract and has not been given a written notice to this effect. j) the tenderer is tax compliant. The recommended tenderer who becomes non-compliant, prior to award, shall be notified and must become compliant within 7 working days of the date of being notified. A recommended tenderer who remains non-compliant after the 7 working days of being notified, shall be declared non-responsive. k) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer. The licensed compensation insurer shall be approved by Department of Labour in terms of Section 80 of the Compensation for Injury and Disease Act, 1993 (Act No. 130 of 1993).
C.3.16	<p>Registration of the award</p> <p>SANRAL will notify unsuccessful tenderers when the tender process has been concluded. Any unsuccessful tenderer may request a debriefing in writing as specified in Clause C.3.19.</p>
C.3.17	<p>Provide copies of the contracts</p> <p>The number of paper copies of the signed contract to be provided by the Employer is 1.</p>
C.3.19	<p>Provide written reasons for actions taken</p> <p>All requests from tenderers shall be in writing.</p>
ADDITIONAL CONDITIONS OF TENDER CLAUSES:	
SC3.19	<p>Jurisdiction</p> <p>Unless stated otherwise in the tender data, each tenderer and the Employer undertake to accept the jurisdiction of the law courts of the Republic of South Africa.</p>

PART T2: RETURNABLE SCHEDULES

SOUTH AFRICAN NATIONAL ROADS AGENCY SOC LIMITED

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

The tenderer must complete the returnable schedules:

Notes to tenderer:

- 1. Returnable documents have been based on the SANS for Construction Procurement and incorporate National Treasury requirements contained in their Standard Bidding Document (SBD) within them.**
Returnable documents are separated into the following categories:
 - (i) Forms, certificates and schedules for completion by the tenderer for use in the quantitative and qualitative evaluation of the tender (Forms A to C).**
 - (ii) A list of all returnable documents for completion by the tenderer (Form D1).**
- 2. Failure to submit fully completed relevant returnable documents may render such a tender offer non-responsive.**
- 3. Tenderers shall note that their signatures appended to each returnable form represents a declaration that they vouch for the accuracy and correctness of the information provided, including the information provided by candidates proposed for the specified key positions.**
- 4. Notwithstanding any check or audit conducted by or on behalf of the Employer, the information provided in the returnable documents is accepted in good faith and as justification for entering into a contract with a tenderer. If subsequently any information is found to be incorrect such discovery shall be taken as wilful misrepresentation by that tenderer to induce the contract. In such event the Employer has the discretionary right under FIDIC Particular Condition 15.2 (g) to terminate the contract.**

PART T2.1 LIST OF RETURNABLE DOCUMENTS**Note to tenderer:**

The list of returnable documents is shown in the following table, with the status of those documents incorporated into the contract indicated.

FORM	LIST OF RETURNABLE DOCUMENTS	STATUS
FORM A1:	CERTIFICATE OF TENDERER'S BRIEFING	
FORM A1.1	CERTIFICATE OF INTENTION TO SUBMIT A TENDER	
FORM A2.1:	CERTIFICATE OF AUTHORITY FOR SIGNATORY	
FORM A2.2:	DECLARATION OF TENDERER'S CURRENT STATUS OF ANY DEBT OUTSTANDING TO SANRAL	
FORM A2.3:	CERTIFICATE OF SINGLE TENDER SUBMISSION	
FORM A2.4:	CERTIFICATE OF FRONTING PRACTICES	
FORM A2.5:	DECLARATION FORM - MANAGEMENT OF DOMESTIC PROMINENT INFLUENTIAL PERSONS, FOREIGN PROMINENT PUBLIC OFFICIALS AND FOREIGN INFLUENTIAL NATIONALS	
FORM A2.6:	CERTIFICATE OF PERMISSION TO CONDUCT DUE DILIGENCE INVESTIGATION	
FORM A3.1 (SBD4):	BIDDER'S DISCLOSURE	CONTRACT
FORM A3.2 (SBD9):	CERTIFICATE OF INDEPENDENT TENDER	N/A
FORM A3.3 (SBD8):	DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	
FORM A3.4:	REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE	CONTRACT
FORM A3.5 (SBD6.2):	DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS	CONTRACT
FORM A3.6:	LOCAL CONTENT DECLARATION: SUMMARY SCHEDULE (ANNEXURE C)	CONTRACT
FORM A4:	SCHEDULE OF DEVIATIONS OR QUALIFICATIONS BY TENDERER	
FORM A5:	SCHEDULE OF ADDENDA TO TENDER DOCUMENTS	
FORM A6 (SBD2):	CERTIFICATE OF TAX COMPLIANCE STATUS	CONTRACT
FORM A7:	CERTIFICATE OF INSURANCE COVER	CONTRACT
FORM A8:	TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS	
FORM A9:	DECLARATION OF TENDERER'S LITIGATION HISTORY	
FORM A9.3:	COMPLIANCE WITH LABOUR LEGISLATION DECLARATION	
FORM A10:	SCHEDULE OF CURRENT TENDERS	
FORM A11:	CERTIFICATE OF COMPLIANCE WITH COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993	CONTRACT
FORM A12:	REGISTRATION WITH CIDB	CONTRACT
FORM A13 (SBD6.1):	PREFERENCING SCHEDULE - TENDERER'S B-BBEE VERIFICATION	CONTRACT
FORM A14:	INVITATION TO BID (SBD1)	CONTRACT
FORM A15:	DECLARATION OF TENDERER'S FINANCIAL SUBMISSION	CONTRACT
FORM A16:	BLACK OWNERSHIP DECLARATION	
FORM A17:	SUB-CONTRACTING DECLARATION	
FORM B1:	SCHEDULE OF WORK EXPERIENCE	

FORM B2:	SCHEDULE OF CONTRACTOR'S EQUIPMENT	
FORM B3:	SCHEDULE OF SPECIALIST SUBCONTRACTORS	
FORM C1:	CONTRACTOR'S ESTABLISHMENT ON SITE AND GENERAL OBLIGATIONS	
FORM C2:	SCHEDULE OF SPECIAL MATERIALS	CONTRACT
FORM C3:	ORGANISATIONAL STRUCTURE	CONTRACT
FORM C4:	KEY PERSONNEL EXPERIENCE - CONTRACTS MANAGER	CONTRACT
FORM C5:	KEY PERSONNEL EXPERIENCE - CONTRACTOR'S REPRESENTATIVE	CONTRACT
FORM C6:	KEY PERSONNEL EXPERIENCE - CONSTRUCTION HEALTH AND SAFETY OFFICER (CHSO) WITHIN COMPANY	CONTRACT
FORM C7:	KEY PERSONNEL EXPERIENCE - TARGETED GROUP DEVELOPMENT COORDINATOR	CONTRACT
FORM C8:	KEY PERSONNEL EXPERIENCE – REGISTERED PERSON WITHIN COMPANY	CONTRACT
FORM D1:	SCHEDULE OF TENDER COMPLIANCE	
FORM D5.1	TENDERER'S EXPERIENCE BASED ON COMPLETED PROJECTS	CONTRACT
FORM D5.2	TENDERER'S EXPERIENCE BASED ON PROJECTS IN PROGRESS	CONTRACT
C1.1.1 (SBD7):	FORM OF OFFER	CONTRACT
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C2.2 (SBD3):	PRICING SCHEDULE	CONTRACT

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FORM A1: CERTIFICATE OF TENDERER’S BRIEFING

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

This is to certify that I,

representative of (tenderer)

of (address)

.....

telephone number

Read the tender presentation presented by the Employer online.

TENDERER'S REPRESENTATIVE (Signature):

SIGNED BY TENDERER:

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

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

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 within seven (7) days from the date the tender is advertised. 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. Late notification of intention to tender by a prospective tenderer will not necessarily result in the tender closing date being extended.
- 3. 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.
- 4. The Employer shall send all correspondence, including Addenda, only to the Tenderer's email address as provided herein.

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 (Signature):

DATE:

CONTRACT SANRAL X.002-204-2023/1

Notes to tenderer:

- By resolution of the board of directors/partners passed at a meeting held on.....

CONTRACT SANRAL X.002-204-2023/1 FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER and any contract which may arise there from on behalf of (*enter name of tenderer in block capitals*)

SIGNED ON BEHALF OF THE COMPANY:

IN THE CAPACITY OF:

DATE:

SIGNATURE OF SIGNATORY:

WITNESS:

SIGNATURE

SIGNATURE

NAME (PRINT)

NAME (PRINT)

FORM A2.2: DECLARATION OF TENDERER'S CURRENT STATUS OF ANY DEBT OUTSTANDING TO SANRAL

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

Notes to tenderer:

- 1. The signatory for the tenderer shall complete and sign this form declaring the current status of (any) debt outstanding to SANRAL.**
- 2. If the tenderer is a joint venture, a declaration is required from each member of the Joint Venture.**

I, the undersigned, declare that:

- (i) the tenderer or any of its Directors/Members do not have any debt outstanding to SANRAL, other than what is listed below:
Please provide the details:
.....
.....
.....
.....
.....
- (ii) the tenderer and/or any of its Directors/Members freely, voluntarily and without undue duress unconditionally authorises the SANRAL to set off any debt agreed to which is due and payable by the tenderer or any of its Directors/Members in terms of this declaration, against any moneys due to the tenderer or any of its Directors/Members; and
- (iii) to the best of my knowledge the above information is true and accurate.

SIGNATURE:

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

- The deponent having:
- (i) acknowledged that he/she knows and understands the contents hereof;
 - (ii) confirmed that he/she has no objection to the taking of the prescribed oath;
 - (iii) that he/she considered the prescribed oath as bidding upon his/her conscience; and
 - (iv) the Regulations contained in the Government Gazette Notice R1258 of July 1972 and R1648 of August 1977 having been complied with.

COMMISSIONER OF OATHS

FORM A2.3: CERTIFICATE OF SINGLE TENDER SUBMISSION

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer:

- 1. This certificate serves as a declaration by the tenderer that a single tender was submitted.**
- 2. In the case of a Joint Venture (JV) or a Targeted Enterprise, a separate certificate is to be completed and submitted by each JV member or Targeted Enterprise.**

DECLARATION

I, the undersigned,
in submitting the accompanying tender on behalf of the tenderer do hereby make the following
statements that I certify to be true and complete in every respect:

- 1. I have read and understand the notes to, and the contents of, this certificate.
- 2. I understand that the accompanying tender and any other tender shall be disqualified in the event that I, including a Joint Venture partner or a Targeted Enterprise, participate in more than 1 (one) tender.

SIGNATURE:

DATE:

NAME:

POSITION:

FORM A2.4: CERTIFICATE OF FRONTING PRACTICES**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Fronting Practices**

Window-dressing: This includes cases in which black people are appointed or introduced to an enterprise on the basis of tokenism and may be:

- Discouraged or inhibited from substantially participating in the core activities of an enterprise; and
- Discouraged or inhibited from substantially participating in the stated areas and/or levels of their participation;

Benefit Diversion: This includes initiatives implemented where the economic benefits received as a result of the B-BBEE Status of an enterprise do not flow to black people in the ratio as specified in the relevant legal documentation.

Opportunistic Intermediaries: This includes enterprises that have concluded agreements with other enterprises with a view to leveraging the opportunistic intermediary's favourable B-BBEE status in circumstances where the agreement involves:

- Significant limitations or restrictions upon the identity of the opportunistic intermediary's suppliers, service providers, clients or customers;
- The maintenance of their business operations in a context reasonably considered improbable having regard to resources; and
- Terms and conditions that are not negotiated at arms-length on a fair and reasonable basis.

Responsibility to Report Fronting

In order to effectively deal with the scourge of Fronting, verification agencies, and/or procurement officers and relevant decision makers are encouraged to obtain a signed declaration from the clients or entities that they verify or provide business opportunities to, which states that the client or entity understands and accepts that the verification agency, procurement officer or relevant decision maker may report Fronting practices to **the DTI**. Intentional misrepresentation by measured entities may constitute fraudulent practices, public officials and verification agencies are to report such cases to **the DTI**. SANRAL or its appointed agent has every right to embark on an investigation of fronting with regards to any potential service provider. In this regard, SANRAL is entitled to request any further information, interview and any documentation from the respective potential service provider prior to any award. (This statement is for internal use)

Fronting Indicators

<ul style="list-style-type: none"> • The black people identified by an enterprise as its shareholders, executives or management are unaware or uncertain of their role within an enterprise;
<ul style="list-style-type: none"> • The black people identified by an enterprise as its shareholders, executives or management have roles of responsibility that differ significantly from those of their non-black peers;
<ul style="list-style-type: none"> • The black people who serve in executive or management positions in an enterprise are paid significantly lower than the market norm, unless all executives or management of an enterprise are paid at a similar level;
<ul style="list-style-type: none"> • There is no significant indication of active participation by black people identified as top management at strategic decision making level;
<ul style="list-style-type: none"> • An enterprise only conducts peripheral functions and does not perform the core functions reasonably expected of other, similar, enterprises;
<ul style="list-style-type: none"> • An enterprise relies on a third-party to conduct most core functions normally conducted by enterprises similar to it;
<ul style="list-style-type: none"> • An enterprise cannot operate independently without a third-party, because of contractual obligations or the lack of technical or operational competence;
<ul style="list-style-type: none"> • The enterprise displays evidence of circumvention or attempted circumvention;

<ul style="list-style-type: none">• An enterprise buys goods or services at a significantly different rate than the market from a related person or shareholder;
<ul style="list-style-type: none">• An enterprise obtains loans, not linked to the good faith share purchases or enterprise development initiatives, from a related person at an excessive rate; and
<ul style="list-style-type: none">• An enterprise shares all premises and infrastructure with a related person, or with a shareholder with no B-BBEE status or a third-party operating in the same industry where the cost of such premises and infrastructure is disproportionate to market-related costs.

DECLARATION

I, the undersigned,
in submitting the accompanying tender on behalf of the tenderer do hereby make the following statements that I certify to be true and complete in every respect:

- 1. I have read and understand the contents of this certificate.
- 2. I accept that the Employer may report fronting practices to the Department of Trade and Industry and the BEE commissioner.
- 3. I accept that intentional misrepresentation by measured entities may constitute fraudulent practices that shall be reported to the Department of Trade and Industry and the BEE commissioner.

SIGNATURE:

DATE:

NAME:

POSITION:

FORM A2.5: DECLARATION FORM - MANAGEMENT OF DOMESTIC PROMINENT INFLUENTIAL PERSONS, FOREIGN PROMINENT PUBLIC OFFICIALS AND FOREIGN INFLUENTIAL NATIONALS

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

Notes to Tenderer:

1. In line with a policy on Domestic Prominent Influential Persons (DPIP's), Foreign Prominent Public Officials (FPPO's) and Foreign Influential Nationals (FIN's), the purpose of this declaration form is to ensure maintenance and monitoring of the business relationships with prominent, influential stakeholders who have domestic and/or foreign influence as far as the procurement under the management of the Employer is concerned. This is done to mitigate the Employer's perceived association, reputational, operational or legal risk, as it strives to foster and maintain fair and transparent business relations. (This policy is available on the Employer's website: www.sanral.co.za)
2. It is compulsory that all prospective and existing tenderers conducting the business with the Employer, who potentially meet the definition of DPIP's, FPPO's or FIN's, complete this form by supplying credible information as required and submit together with their tender document.
3. Tenderers are required at the tender stage to declare any DPIP's, FPPO's or FIN's involved in their tenders, as part of their submission.
4. Further, that tenderers shall at the tender stage furnish the Employer of all information relating to namely, shareholders names, identity numbers and share certificates of the individual and/or transaction concerned using the form below, for verification purposes, including where applicable, confirmation as it relates to:
 - i. Knowledge of any offence within the meaning of Chapter 2, Section 12 and 13 of Prevention and Combating of Corrupt Practices Act No 4 of 2006; and/or
 - ii. Knowledge of any offence within the meaning of Chapter 3 of Prevention of Organised Crime Act No 121 of 1998 as it relates to any of the shareholders, directors, owners and/or individual link to the tenderer.
5. Tenderers undertake that should it be discovered that the information provided in the table below is fraudulently or negligently misrepresented, then Chapter 9, Section 214 and 216 of Companies Act No 17 of 2008 shall apply to shareholders, directors, owners and/or individual link to the tenderer.
6. Should the tenderer fail to declare or supply the Employer with credible information in the prescribed form, the tender may be rendered invalid.
7. Should the Employer, in the process of conducting verification and investigation of information supplied by the tenderer find out that the information poses a reputational risk, the tender shall be rendered invalid.
8. The following definitions shall apply:
 - i. "Board" means the Board of Directors or the Accounting Authority of the Employer.
 - ii. "Business relationship" means the connection formed between the Employer and external stakeholders for commercial purposes.
 - iii. "DD" means Due Diligence.
 - iv. "Domestic Prominent Influential Person" means an individual who holds an influential position, including in an acting position for a period exceeding 6 (six) months, or has held at any time in the preceding 12 (twelve) months, in the Republic, as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017.
 - v. "DPIP" means a Domestic Prominent Influential Person.
 - vi. "Family members and known close associates" means immediate family members and known close associates of a person in a foreign or domestic prominent position, as the case may be, as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017.
 - vii. "Foreign Influential National" means an individual who is not a South African citizen or does not have a permanent residence permit issued in terms of the Immigration Act No 13 of 2002, who possesses personal power that induces another person to give consideration or to act on any basis other than the merits of the matter.
 - viii. "Foreign Prominent Public Official" means (as defined in the Financial Intelligence Centre Amendment Act No 1 of 2017) an individual who holds or has held at any time in the preceding 12 (twelve) months, in any foreign country a prominent public function.

- ix. "FPPO" means a Foreign Prominent Public Official.
 - x. "Improper influence" means personal power that induces another person to give consideration or to act on any basis other than the merits of the matter.
 - xi. "The Employer" means the South African National Roads Agency SOC Limited (SANRAL) with registration number 1998/009584/30.
 - xii. "Senior Management" means the Executive Committee or its individual members.
9. A separate declaration is required from each DPIP, FPPO and FIN. In the event that the tenderer is a Joint Venture (JV), a separate declaration from each DPIP, FPPO and Fin from each of the Joint Venture (JV) members, is required.

Domestic Prominent Influential Persons, Foreign Prominent Public Officials or Foreign Influential Nationals (DPIP's, FPPO's or FIN's) Reporting Form

IDENTIFICATION PARTICULARS				
Primary Particulars	First Name	Surname	Middle Name	ID/Passport Number
Country Details	Country of Origin	Citizenship	Current Country of Residence	
CURRENT STATUS AND BACKGROUND				
Current Occupation	Occupational Title		Status	
			Active	Non-active
Is the potential/business partner (mark with an "X" whichever is applicable):				
a DPIP	a FPPO	a FIN	Family member or Close Associate of a DPIP/FPPO/FIN?	
KNOWN BUSINESS INTERESTS				
No	Name of Entity	Role in Entity	Status	
1			Active	Non-active
2				
3				
4				
5				
6				
7				
8				
9				
10				

Domestic Prominent Influential Persons, Foreign Prominent Public Officials or Foreign Influential Nationals (DPIP’s, FPPO’s or FIN’s) Reporting Form

MEDIA REPORTS / OTHER SOURCES OF INFORMATION
(Please reference all known negative or damaging media reports associated with the DPIP/FPPO/FIN)

Reporting Person/s:

Full names:		
Designation:		
Department:		
Head of Department:		
Head of Department’s signature:	Date:	
Reporting Person’s signature:	Date:	

DECLARATION / UNDERTAKING BY THE TENDERER

I, the undersigned,
declare that:

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

2. I accept that, any action may be taken against me should this declaration prove to be false.

Signature:

Name:

Position:

Date:

Name of Tenderer:

FORM A2.6: CERTIFICATE OF PERMISSION TO CONDUCT DUE DILIGENCE INVESTIGATION

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FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer

- 1. The tenderer shall complete the declaration below.**
- 2. In the event of a Joint Venture (JV), each member of the JV shall comply with the above requirements.**

I, (name),
the undersigned in my capacity as (position),
on behalf of (name of company),
herewith grant consent that SANRAL or any of their appointed Service Providers may conduct a due
diligence investigation on (name of company)
to evaluate our ability to perform the contract as stipulated in the Standard Conditions of Tender, Clause
C.3.13(b).

In addition, any information in this regard requested by SANRAL or any of their appointed Service
Providers, shall be submitted within the timelines of the request.

SIGNATURE:

DATE:

FORM A3.1: BIDDER’S DISCLOSURE (SBD4)

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LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer:

- i. **Definitions:**
 - a. **“State” means:**
 - any National or Provincial Department, National or Provincial Public Entity or Constitutional Institution within the meaning of the Public Finance Management Act, 1999 (Act No 1 of 1999);
 - any Municipality of Municipal Entity;
 - Provincial Legislature;
 - National Assembly or the National Council of Provinces; or
 - Parliament.
 - b. **“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.**
- ii. **In the case of a joint venture (JV), a separate declaration form is to be completed and submitted by each JV member.**
- iii. If the Form is omitted or blank; or if the tenderer found to have failed to declare conflict or declare false information, The tender will be declared non-responsive and should it be discovered after the award of a contract, contract maybe terminated and tenderer will be ultimately blacklisted.

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

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.

any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

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

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

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

3. DECLARATION

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

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.

- 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.
- 3.5. 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.
- 3.6. 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.
- 3.7. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

FORM A3.2: CERTIFICATE OF INDEPENDENT TENDER (Incorporating SBD9)

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LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

REPEALED

FORM A3.3: DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES (Incorporating SBD8)

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

Notes to tenderer:

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

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

CERTIFICATION

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

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

Signature:

Name:

Position:

Date:

Name of tenderer:

FORM A3.4: REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

The tenderer shall provide a printed copy of the Active Supplier Listing on the National Treasury Central Supplier Database. (www.treasury.gov.za). In the case of a joint venture (JV), the tenderer shall provide printed copies of the Active Supplier Listing on the National Treasury Central Supplier Database for each member of the JV. Tenderers who are not registered on the Central Supplier Database at the closing date for tender submissions will be declared non-responsive and will not be considered. In the case of a Joint Venture, a printed copy of the Active Supplier Listing must be provided for each member of the Joint Venture.

Name of Contractor:

CSD Master Registration Number (Supplier Number):

Supplier Commodity:

Delivery Location:

SIGNED BY TENDERER:

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

CONTRACT SANRAL X.002-204-2023/1

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Note to tenderer:

1. If the Form is omitted or blank; or
2. If the Form is complete or incomplete, but the minimum threshold/s % local content is below the stipulated threshold.
 - Only designated items/products that will be built into the permanent Works must be listed in Form A3.6.
 - Any designated items/products that will be incorporated in the Works that is not designed up-front should not be specified in Form A3.5 at tender stage; and can only be quantified after design.
 - Any designated items/products that will form part of temporary works (e.g site office, temporary road signs) should not be included in Form A3.5.
3. The tender will be declared non-responsive.

This Standard Bidding Document (SBD) must form part of all bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) makes provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such tenders with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286:2011 as follows:

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

Where:

x is the imported content in Rand

y is the bid price in Rand excluding value added tax (VAT)

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

The SABS approved technical specification number SATS 1286:2011 is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp at no cost.

- 1.6 A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule – Form A3.6) are not submitted as part of the bid documentation.

2. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods			Stipulated minimum threshold
Steel value-added construction material products			
Fabricated Structural Steel			100%
Joining/Connecting Components			100%
Frames			100%
Roof and Cladding			100%
Fasteners			100%
Wire Products			100%
Ducting and Structural Pipework			100%
Gutters, downpipes & launders			100%
Primary steel construction material products			
Plates (>4.5mm thick and supplied in flat pieces)			100%
Sheets (<4.5mm thick and supplied in coils)			100%
Galvanised and Colour Coated coils			100%
WireRod and Drawn Wire			100%
Sections (Channels, Angles, I-Beams and H-Beams)			100%
Reinforcing bars			100%
Electrical cable material products			
Low Voltage			90%
Low Cost Reticulation			90%
Medium & High Voltage			90%
ACR			90%
Telecom cable material products			
Optical Fibre Cables			90%
Copper Telecom Cables			90%
Plastic Pipes			
Polyvinyl chloride (PVC) pipes			100%
High density polyethylene (HDPE) pipes			100%
Polypropylene (PP) pipes			100%
Glass reinforced plastic (GRP) pipes			100%
Textiles, Clothing, Leather and Footwear			
Textiles			100%
Bagged and bulk cement			
Cement Type	Description	Application	Stipulated Minimum Threshold
Cem I	Pure portland cement with a 95-100% clinker.	All civil and building construction as appropriate	100 %
Cem II	Portland cement containing varying additions of secondary materials, i.e. fly ash, pozzolana, slag, silica fume, or limestone	All civil and building construction as appropriate	100 %
Cem III	blast furnace cement, 50% OPC, 50% blast furnace slag	All civil and building construction as appropriate	100 %
Cem IV	pozzolanic cement, OPC and fly ash	All civil and building construction as appropriate	100 %

Cem V	composite cement: slag and ash cement. Blended cements with more than one blending material	All civil and building construction as appropriate	100 %
Masonry cement	Mixture of Portland cement and plasticizing materials such as limestone to improve setting time	use in mortar, brick, block, and stone masonry construction	100 %

3. Does any portion of the services, works or goods offered have any imported content?

YES		NO	
------------	--	-----------	--

Tick applicable box

- 3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency on 17/07/2020.

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

Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

Currency	Rates of exchange
US Dollar	
Pound Sterling	
Euro	
Yen	
Other	

NB: Bidders must submit proof of the SARB rate(s) of exchange used.

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

LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

ISSUED BY: South African National Roads Agency SOC Limited

N.B.:

1. The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
2. Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on http://www.thedti.gov.za/industrial_development/ip.jsp. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned (full names),

do hereby declare, in my capacity as

of (name of bidder entity)

the following:

- (a) the facts contained herein are within my own personal knowledge;
- (b) I have satisfied myself that the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) the local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declarations D and E which has been consolidated in Declaration C:

Bid price, excluding VAT (y)	R
Imported content (x), as calculated in terms of SATS 1286:2011	R
Stipulated minimum threshold for local content (paragraph 2 above)	
Local content %, as calculated in terms of SATS 1286:2011	

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentage for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 3.1 above and the information contained in Declarations D and E.

- d)

I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- e)

I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority/Institution imposing any or all of the remedies as provided for in Regulation 13 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Procurement Policy Framework Act (PPPFA), 2000 (Act No 5 of 2000).

SIGNATURE:

DATE:

WITNESS No. 1:

WITNESS No. 2:

FORM A3.6: LOCAL CONTENT DECLARATION: SUMMARY SCHEDULE (ANNEXURE C)

CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

C1	Tender No.:	SANRAL X.002-204-2023/1								Note: VAT to be excluded from all calculations
C2	Tender Description:	Routine Road Maintenance Of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border.								
C3	Designated Product(s):									
C4	Tender Authority:									
C5	Tendering Entity Name:									
C6	Tender Exchange Rate:	Pula	P	EU	€	GBP	£	OTHER (specify)		

		Calculation of Local Content						Tender Summary			
Tender Item No's	List of Items	Tender Price Each (Excl. VAT)	Exempted Imported Value	Tender Value Net of Exempted Imported Content	Imported Value	Local Value	Local Content % (Per Item)	Tender Qty	Total Tender Value	Total Exempted Imported Content	Total Imported Content
(C8)	(C9)	(C10)	(C11)	(C12)	(C13)	(C14)	(C15)	(C16)	(C17)	(C18)	(C19)

(C20) Total Tender Value R

(C21) Total Exempt Imported Content R

(C22) Total Tender value net of exempt imported content R

(C23) Total Imported Content R

(C24) Total Local Content R

(C25) Average Local Content % of tender %

Signature of tenderer from Annexure B:
(SANS 1286.2017)

Date:

CONTRACT SANRAL X.002-204-2023/1**FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****ANNEXURE D: IMPORTED CONTENT DECLARATION - SUPPORTING SCHEDULE TO ANNEXURE C**

(D1)	Tender No.:	SANRAL X.002-204-2023/1										Note: VAT to be excluded from all calculations
(D2)	Tender Description:	Routine Road Maintenance Of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border.										
(D3)	Designated Product(s):											
(D4)	Tender Authority:											
(D5)	Tendering Entity Name:											
(D6)	Tender Exchange Rate:	Pula	P			EU	€			GBP	£	

A. Exempted imported content				Calculation of imported content						Summary	
Tender item No's	Description of imported content	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl. VAT	Tender Qty	Exempted imported value
(D7)	(D8)	(D9)	(D10)	(D11)	(D12)	(D13)	(D14)	(D15)	(D16)	(D17)	(D18)
(D19) Total exempt imported value										R0	
This total must correspond with Annex C - C 21											

B. Imported directly by the Tenderer				Calculation of imported content						Summary	
Tender item No's	Description of imported content	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Exchange Rate	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl. VAT	Tender Qty	Exempted imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)

(D45) Total imported value by 3rd party R 0

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

C. Imported by a 3rd party and supplied to the Tenderer				Calculation of imported content						Summary	
Description of imported content	Unit of measure	Local supplier	Overseas Supplier	Foreign currency value as per Commercial Invoice	Tender Rate of Exchange	Local value of imports	Freight costs to port of entry	All locally incurred landing costs & duties	Total landed cost excl. VAT	Quantity imported	Total imported value
(D33)	(D34)	(D35)	(D36)	(D37)	(D38)	(D39)	(D40)	(D41)	(D42)	(D43)	(D44)
(D45) Total imported value by 3rd party											R 0

D. Other foreign currency payments			Calculation of foreign currency payments		Summary of payments
Type of payment	Local supplier making the payment	Overseas beneficiary	Foreign currency value paid	Tender Rate of Exchange	Local value of payments
(D46)	(D47)	(D48)	(D49)	(D50)	(D51)
(D52) Total of foreign currency payments declared by tenderer and/or 3rd party					R 0

Signature of tenderer from Annexure B:
(SATS 1286.2011) _____

(D53) Total of imported content & foreign currency payments -
(D32), (D45) & (D52) above R 0

Date: _____

This total must correspond with Annex C - C 23

CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

ANNEXURE E: IMPORTED CONTENT DECLARATION - SUPPORTING SCHEDULE TO
ANNEXURE C

(E1)	Tender No.:	SANRAL X.002-204-2023/1	Note: VAT to be excluded from all calculations
(E2)	Tender Description:	Routine Road Maintenance Of National Route R37 From Limpopo/Mpumalanga Border Over Mashishing To Mbombela Municipal Border.	
(E3)	Designated Product(s):		
(E4)	Tender Authority:		
(E5)	Tendering Entity Name:		

Local Products (Goods, Services and Works)	Description of items purchased	Local suppliers	Value
	(E6)	(E7)	(E8)
(E9) Total local products (Goods, Services and Works)			R 0
(E10)	Manpower costs	(Tenderer's manpower cost)	R 0
(E11)	Factory overheads	(Rental, depreciation & amortisation, utility costs, consumables etc.)	R 0
(E12)	Administration overheads and mark-up	(Marketing, insurance, financing, interest etc.)	R 0
(E13) Total local content			R 0
This total must correspond with Annex C - C24			

Signature of tenderer from Annexure B:
(SATS 1286:2011)

Date:

FORM A4: SCHEDULE OF DEVIATIONS OR QUALIFICATIONS BY TENDERER

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

PAGE	DESCRIPTION

Note to tenderer:
Deviations or Qualifications could result in the tender being declared non-responsive.

SIGNED BY TENDERER:

FORM A5: SCHEDULE OF ADDENDA TO TENDER DOCUMENTS

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the tender documents, have been taken into account in this tender offer:		
	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

SIGNED BY TENDERER:

FORM A6: CERTIFICATES OF TAX COMPLIANCE STATUS (Incorporating SBD2)

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

The tenderer shall complete the declaration below:

I, (name)
the undersigned in my capacity as (position)
on behalf of (name of company)
herewith grant consent that SARS may disclose to the South African National Roads Agency SOC
Limited (SANRAL) our tax compliance status. For this purpose our unique security personal identification
number (PIN) is

In the event of a joint venture each member shall comply with the above requirement.

SIGNATURE:

DATE:

SIGNED BY TENDERER:

FORM A7: CERTIFICATE OF INSURANCE COVER

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Note to Tenderer:

- 1. In the event of the tenderer being a joint venture / consortium, the details of the individual members must also be provided.**

The tenderer shall provide the following details of this insurance cover:

- i) Name of Tenderer:
- ii) Period of Validity:
- iii) Value of Insurance:
 - Insurance for Works and Contractor's Equipment
Company:
Value:
 - Insurance for Contractor's Personnel
Company:
Value:
 - General public liability
Company:
Value:
 - SASRIA
Company:
Value:

SIGNED BY TENDERER:

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

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer:

1. The tenderer shall attach to this form a letter (dated less than 3 months prior to the tender closing date) from a Registered Financial Service Provider (registered with the FSB) confirming his account and confirms the Tenderer's available capital and that the Tenderer has the financial means net of current commitments (independent of any contractual advance payment) available to meet the construction cash flow requirements estimated for the subject contract or a written confirmation from any registered financial institution or the tenderer's independent registered accountant should be requested to submit confirmation of the available working capital to meet the construction workflow requirements estimated for the subject contract. The confirmation by an independent registered accountant must indicate that the review, to be conducted in terms of ISRS4400, was done in terms of the Section 30 and Regulation 29 of the Companies Act No. 71 of 2008.
2. Failure to provide the required letter with the tender submission may render the tenderer's offer non-responsive in terms of clause C.3.13 (b) of the Tender Data.
3. In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.
4. In the event that SANRAL at its sole discretion is not satisfied with the financial capability of the tenderer as a result of whatsoever nature and reason, SANRAL reserves the right to invoke the provisions under tender data C.3.13. In addition, SANRAL reserve the right to perform a full risk assessment as per tender data C.3.13. Furthermore, if the aforementioned occur, any and all report/s will be used to evaluate the Tenderer's ability to perform the contract as stated in sub-clause C.3.13.(b) of the CIDB Standard Conditions of Tender.
5. The letter shall contain the information as indicated below.
6. The successful Tenderer may be requested to demonstrate its financial capability to execute the contract prior to award at SANRAL's discretion.
7. If the tenderer does not have financial resources, the tender will be declared non-responsive.

DATE
Bank Name
FSB Number
Bank Address
(Letter to be on a bank letter head)

RE:ACCOUNT CONDUCT AND CASHFLOW CONFIRMATION

To Whom It May Concern:

We hereby confirm that (*Tenderer Name*) has been banking with Bank for a period of years and the account has been conducted in a satisfactory manner. (*Tenderer Name*) has the financial means, net of current commitments available to meet the construction cash flow requirements to the value of R... (*insert Tender amount*) for contract SANRAL (*insert contract number*).

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

Yours Sincerely,

Name _____ Signature _____



FORM A9: DECLARATION OF TENDERER’S LITIGATION HISTORY

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Note to Tenderer:

1. The tenderer shall list below details of any litigation with which the tenderer (including its directors, shareholders or other senior members in previous companies) has been involved with any organ of state or state department within the last ten years. The details must include the year, the litigating parties, the subject matter of the dispute, the value of any award or estimated award if the litigation is current and in whose favour the award, if any, was made.

Client	Other litigating party	Dispute	Award value	Date resolved

SIGNED BY TENDERER:

FORM A9.3: COMPLIANCE WITH LABOUR LEGISLATION DECLARATION

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Note to tenderer:

- 1. Tenderers must be registered with the Bargaining Council for the Civil Engineering Industry (BCCEI) or the relevant Bargaining Council.
- 2. Tenderers must append to this schedule (Form A9.3: Compliance with Labour Legislation) a letter of compliance / letter of good standing in terms of the relevant Government Gazette that indicates compliance/validity at the time of tender or obtain such upon being requested to do so in writing and within the period contained in such a request, failing which their tenders will be declared non-responsive.
- 3. Only those tenders submitted by tenderers who are in good standing with the BCCEI or any relevant applicable legislated bargaining council at the time of the tender award will be declared responsive.
- 4. Each party to a Consortium/Joint Venture shall append separate certificates for each party in the above regard.
- 5. The tenderer, by signing this schedule, declares that it will comply with all labour legislation, as may be applicable.

SIGNED BY TENDERER:

FORM A10: SCHEDULE OF CURRENT COMMITMENTS**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Notes to tenderer:**

1. The tenderer shall list below all contracts currently under construction or awarded and about to commence and tenders for which offers have been submitted but awards not yet made.
2. In the event of a joint venture enterprise, details of all the members of the joint venture shall similarly be attached to this form.
3. The lists must be restricted to not more than 20 contracts and 20 tenders. If a tenderer's actual commitments or potential commitments are greater than 20 each, those listed should be in descending order of expected final contract value or sum tendered.

Table 1: CONTRACTS AWARDED				
Employer	Project	Expected total value of contract (incl. VAT)	Duration (Months)	Expected completion date

Table 2: TENDERS NOT YET AWARDED				
Employer	Project	Sum Tendered (incl. VAT)	Tendered Duration (Months)	Expected commencement

SIGNED BY TENDERER:

FORM A11: CERTIFICATE OF COMPLIANCE WITH COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer:

- 1. Discovery that the tenderer has failed to make proper disclosure may result in SANRAL terminating a contract that flows from this tender on the ground that it has been rendered invalid by the tenderer’s misrepresentation.**
- 2. The tenderer shall attach to this Form evidence that he is registered and in good standing with the compensation fund or with a licensed compensation insurer who is approved by the Department of Labour in terms of section 80 of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No 130 of 1993) (COID).**
- 3. The tenderer is required to disclose, by also attaching documentary evidence to this form, all inspections, investigations and their outcomes conducted by the Department of Labour into the conduct of the tenderer at any time during the 36 months preceding the date of this tender.**

SIGNED BY TENDERER:

FORM A12: REGISTRATION WITH CIDB

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

The tenderer shall provide a printed copy of the Active Contractor's Listing off the CIDB website www.cidb.org.za. Tenderers whose CIDB registration expires within 21 days after close of tender shall attach proof of their application for re-registration (refer to tender data clause C.2.1.1). In the case of a Joint Venture, a printed copy of the Active Contractor's Listing must be provided for each member of the Joint Venture.

Complete the following details of his registration with the Construction Industry Development Board.

Name of Contractor:

Contractor Grading Designation:

CIDB Contractor Registration Number:

Registration expiry date:

SIGNED BY TENDERER:

**FORM A13.1: PREFERENCING SCHEDULE - TENDERER'S B-BBEE VERIFICATION
(Incorporating SBD6.1)**

CONTRACT SANRAL X.002-204-2023/1

**FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to Tenderer:

1. The tenderer shall attach to this form a valid B-BBEE verification certificate issued in accordance with:
 - the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry.
 - in the event that the Measured Entity operates in more than one sector or sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of Annual Revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes.
2. The certificate shall:
 - have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or
 - be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and
 - be valid at the original advertised tender closing date; and
 - have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C2..15).
3. In the event of a joint venture (JV), a valid project specific consolidated (must contain SANRAL contract number) B-BBEE Verification Certificate in the name of the JV shall be attached.
4. The attached verification certificate and the associated assessment report shall comply with the requirements of Tender Data clause C.3.11.8 and shall identify:
 - (a) The name and domicilium citandi et executandi of the tenderer.
 - (b) The registration and VAT number of the tenderer.
 - (c) The dates of granting of the B-BBEE score and the period of validity.
 - (d) The expiry date of the verification certificate.
 - (e) A unique identification number.
 - (f) The standard and/or normative document, including the issue and/or revision used to evaluate the tenderer.
 - (g) The name and/or mark/logo of the B-BBEE verification agency or registered auditor.
 - (h) The category (Generic, QSE, Exempt) in which the tenderer has been measured.
 - (i) The B-BBEE status level.
 - (j) The South African National Accreditation System (SANAS) logo on the verification certificate once verification agencies have been accredited.
 - (k) The B-BBEE procurement recognition level.
 - (l) The score achieved per B-BBEE element.
 - (m) The % black shareholding.
 - (n) The % black women shareholding.
 - (o) The % black persons with disabilities shareholding
 - (p) The % black youth shareholding
 - (q) The % black people living in rural or underdeveloped areas or townships shareholding
 - (r) The % black military veterans shareholding
 - (s) The value added status of the tenderer.

5. The Employer will not be responsible to acquire data that it needs for its own reporting systems and which may not form part of a verification agency's standard certificate format. The tenderer, at its own cost, must acquire any missing specified data listed in 3 above from its selected verification agency or registered auditor and have it recorded on the certificate. Alternatively, such missing data must be supplied separately, but certified as correct by the same verification agency or registered auditor and also attached to this form.
6. The tender will be declared non-responsive
- a) If the B-BBEE Certificate is not submitted or submitted B-BBEE certificate is not valid; or
 - b) If the B-BBEE Certificate is not submitted, and the tenderer has claimed a status point level (not applicable for 2 envelope system); or
 - c) If the tenderer failed to submit a valid B-BBEE Certificate but claimed status level points; or
 - d) If the tenderer submits a B-BBEE Certificate that is expired – but did not claim preference points; or
 - e) If the tenderer submits a B-BBEE Certificate that does not comply with requirements (e.g. not SANAS); or
 - f) If the tenderer submits the Scorecard assessment report only; or
 - g) If, in a case of a Joint Venture, the tenderer submits unincorporated consolidated Joint Venture B-BBEE Certificate which is not project specific; or
 - h) If, in a case of a Joint Venture, the tenderer submits an unincorporated consolidated Joint Venture B-BBEE Certificate does not have a contract description and / or a tender number; or
 - i) If a tenderer only submits one B-BBEE Certificate, where multiple tenders were issued by SANRAL; or
 - j) If the B-BBEE Certificate or Sworn Affidavit is not submitted or not valid;
 - k) Sworn Affidavit; if
 - i. EME (not start-up) submits a Sworn Affidavit with total revenue above R1.8 million (Consultants) or R3 million (Contractors) instead of a B-BBEE Certificate; or
 - ii. QSE submits Sworn Affidavit (Consultants and Contractors) instead of a B-BBEE Certificate
 - l) If the B-BBEE Certificate is not valid, A valid BBEE Certificates shall contain:
 - Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.
 - Value-Added Tax number, where applicable.
 - The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes.
 - B-BBEE status with corresponding procurement recognition level.
 - The relevant Codes used to issue the B-BBEE verification certificate.
 - Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate.
 - Financial period which was used to issue the B-BBEE Verification Certificate
 - m) If the Sworn Affidavit is not valid, a Sworn Affidavit must contain the following:
 - i. Name/s of deponent as they appear in the identity document and the identity number.
 - ii. Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
 - iii. Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
 - iv. Percentage black ownership, black female ownership and whether they fall within a designated group.
 - v. Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
 - vi. Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue.
 - vii. B-BBEE status level. An enterprise can only have one status level.

- viii. **Date deponent signed and date of Commissioner of Oath must be the same.**
- ix. **Commissioner of Oath cannot be an employee or officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest.**

SIGNED BY TENDERER:

FORM A13.2: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

Notes to tenderer:

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.
2. **NB:BEFORE COMPLETING THIS FORM, THE TENDERER MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2017.**

1. GENERAL CONDITIONS

- 1.1 The following preference point systems are applicable to all bids:
 - 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

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

- 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	90
B-BBEE STATUS LEVEL OF CONTRIBUTOR	10
Total points for Price and B-BBEE must not exceed	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

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

80/20 or 90/10

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

Where:

- P_s = Points scored for price of bid under consideration
- P_t = Price of bid under consideration
- P_{\min} = Price of lowest acceptable bid

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1 In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender.
- 4.2 In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—
 - (a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or
 - (b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system, then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

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

The specific goals allocated points in terms of this tender	Criteria	Number of points allocated (90/10 system)	Number of points claimed (90/10 system) (To be completed by the tenderer)
B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	1,00	
	B-BBEE Level 2	0,90	
	B-BBEE Level 3	0,60	
	B-BBEE Level 4	0,50	
	B-BBEE Level 5	0,40	
	B-BBEE Level 6	0,30	
	B-BBEE Level 7	0,20	
	B-BBEE Level 8	0,10	
	Non-compliant contributor	0	
Percentage black ownership of the tendering entity.	< 51 % black ownership	0	
	≥ 51 to < 70 % black ownership.	1	
	≥ 70 to < 100 % black ownership.	2	
	100 % black ownership	5	
Percentage Subcontracting to Targeted Enterprises	Min 40 % sub-contracting	0	
	> 40 to < 45 % subcontracting	1	
	≥ 45 to < 50 % sub-contracting	2	
	≥ 50 % sub-contracting	4	

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:

.....

.....

.....

FORM A14: FORM SBD1 – INVITATION TO BID

CONTRACT SANRAL X.002-204-2023/1**FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****PART A****INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	X.002-204-2023/1	CLOSING DATE:	07 AUGUST 2023	CLOSING TIME:	11:00
DESCRIPTION	FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
38 IDA STREET					
MENLO PARK					
PRETORIA, GAUTENG					
0081					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Procurement Office		CONTACT PERSON	Procurement Office	
TELEPHONE NUMBER	N/A		TELEPHONE NUMBER	N/A	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	NO CHANGE REQUIRED	

E-MAIL ADDRESS	ProcurementNR2@sanral.co.za		E-MAIL ADDRESS	ProcurementNR2@sanral.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED? <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]		
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					

IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	<input type="checkbox"/> YES <input type="checkbox"/> NO
IF THE ANSWER IS “NO” TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.	

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED; EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

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

DATE:

FORM A15: DECLARATION OF TENDERER’S FINANCIAL SUBMISSION

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Notes to tenderer:

- 1. The signatory for the tenderer shall complete and sign this form declaring his/her understanding of the document taking note of the points extracted below as contained in the tender document.**
- 2. If the tenderer is a joint venture, a separate declaration is required from each member of the Joint Venture.**

I, the undersigned, declare that:

- 1. I have submitted a balanced tender and have not tendered any negative rates. We accept the risk of doing any work at our own tendered rates. I will rebalance my unit rates on request from the Employer where any unduly low rates are pointed out. I realise that by balancing my unit rates my tender amount will remain unchanged.
- 2. I am aware of Clause D1009 and confirm that it was considered in finalizing the submitted BOQ.
- 3. I am aware that the approval and structuring of work packages including the scope and extent of the work packages ultimately lies with the Project Management Team (PMT).
- 4. We understand and accept Clause D1003 relating to the calculation of penalties/bonuses with respect to CPG Targets and accept any penalty arising from it.
- 5. I am aware that sections M200, M300, M400, M600, M7100, M7200 will be performed by the Main Contractor for 36 months and will not be sublet.
- 6. Series M1000 can be performed by the Main Contractor for any duration of the contract or sublet in terms of Part D. This allowance should be monitored in order to still achieve the required CPG targets of the contract.
- 7. All other sections will be performed for the initial 6 months or until subcontractors have been appointed in term of Part D of this document whichever comes first. These remaining sections will be performed by Targeted Enterprises for the remainder of the Contract unless otherwise instructed by the Engineer in cases of emergency.
- 8. No subcontracting shall be allowed unless it follows the Part D subletting process.

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

SIGNATURE:

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

The deponent having:

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

COMMISSIONER OF OATHS

FORM A16: BLACK OWNERSHIP DECLARATION

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL
BORDER.**

Note to tenderer:

- Verification of ownership will be based on share certificate. SANRAL reserves the right to engage with the shareholders. In the event of any difference between the percentage ownership claimed below and the percentage ownership as per the share certificate, the share certificate shall apply.
- Attach share certificate/s

No.	Name and Surname	Percentage
	<i>Additional table may be submitted if the space provided is insufficient</i>	
Total % black ownership		

- I CERTIFY THAT THE INFORMATION FURNISHED 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

FORM A17: SUB-CONTRACTING DECLARATION

CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL
BORDER.

TOTAL SUB-CONTRACTING TO TARGETED ENTERPRISES PERCENTAGE (%)	_____ %
---	---------

- I CERTIFY THAT THE INFORMATION FURNISHED 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

FORM B1: SCHEDULE OF WORK EXPERIENCE AND PAST PERFORMANCE**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Notes to tenderer:**

1. The Tenderer shall enter in the spaces provided below a complete list of three (3) recent civil engineering contracts awarded to him. Attached to this list shall be the accompanying duly signed CIDB Contractors Performance Evaluation (Government Gazette No. 36760, 23 August 2013) for each project specified confirming the performance score claimed or official reference letters from previous employer(s).
2. For completed contracts -The Tenderer shall submit duly signed CIDB Contractor Performance Reports or an official reference letters from previous employer(s) based on previous similar projects scoring a total of Zero (0), Adequate or above on each project in order to qualify for this project. The performance score per report shall be the total of all categories added together to achieve a score out of a maximum of twelve (12) points.
3. For projects in progress- latest performance letters are required confirming tenderers Performance Rating by the project Employer or duly signed Interim Contractors Performance Reports as prescribed by the CIDB shall be submitted. The interim performance Rating shall be in line with CIDB method. No listed project shall have an overall Performance Rating less than zero (0)
4. If the tenderer's experience does not meet the stipulated minimum requirement, or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data

EMPLOYER (NAME, TEL NO & FAX NO)	CONSULTING ENGINEER (NAME, TEL NO & FAX NO)	NATURE OF WORK	VALUE OF WORK	YEAR COMPLETED	CIDB PERFORMANCE RATING (-6 to 12) (Not required where an official reference letters from previous employer(s) is attached)
TOTAL					

Government Gazette No. 36760, 23 August 2013 is included as a separate document

SIGNED BY TENDERER:

FORM B2: SCHEDULE OF CONTRACTOR’S EQUIPMENT

CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

The tenderer shall state below what equipment will be immediately available for this contract, what equipment will become available by virtue of outstanding orders, and what further equipment will be acquired or hired for the work should he be awarded the contract.

- a) EQUIPMENT IMMEDIATELY AVAILABLE (I)
- b) EQUIPMENT ON ORDER (O)
(State details of arrangements made, with delivery dates)
- c) EQUIPMENT THAT WILL BE ACQUIRED OR HIRED (H)
(State details of delivery arrangements)

Note to tenderer: State with relevant symbol in the availability column.

PLANT AND EQUIPMENT TYPE	NUMBER TO BE USED ON THIS PROJECT	DATE OF MANUFACTURE	AVAILABILITY (State either I, O or H)
Grader			
Front end loader			
TLB			
3 Ton flatbed truck			
LDV with trailer			
Tractor			
6 m³ Tipper			
Compressor			

SIGNED BY TENDERER:

FORM B3: SCHEDULE OF SUBCONTRACTORS

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

With regard to sub-clause 4.4 of the FIDIC Conditions of Contract for Construction, 1999 as amended, the tenderer shall not be allowed to subcontract any work that is not in accordance with Part D of this document and which will not form part of the Contract Participation Goal (CPG).

By signing this form I acknowledge that all intended subcontracting will take place after award in the Contract phase accordance with Part D.

SIGNED BY TENDERER:

FORM C1: CONTRACTOR’S ESTABLISHMENT ON SITE AND GENERAL OBLIGATIONS

**CONTRACT SANRAL X.002-204-2023/1
FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM
LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.**

Note to tenderer:
If the tenderer should require additional compensation for his obligations under section M0300 (over and above the total tendered for items M030.01, M030.02, and M030.03) by including such additional compensation in the tendered rates and/or lump sum of items in the bill of quantities, these items and the value of such additional compensation shall also be set out in a letter attached to this form.

Should the extended and combined total tendered for:

The Contractor’s general obligations:

- M030.01 : Fixed obligations
- M030.02 : Value Related obligations
- M030.03 : Time-related obligations

exceed a maximum of 15 % of the Accepted Contract Amount, the Tenderer shall clearly set out his reasons for tendering in this manner in a letter attached to this page.

The Employer will duly consider these reasons but reserves the right to consider the tendered rates to be imbalanced and to deal with them in terms of Tender Data clause C.3.9 contained in this volume.

Total tendered for Items M030.01, M030.02 and M030.03 expressed as a percentage of the tender sum (excluding VAT)%

SIGNED BY TENDERER:

FORM C2: SCHEDULE OF SPECIAL MATERIALS**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Notes to tenderer:**

1. Refer to part C1.2.1 Conditions of Contract where subclause 13.8 of the FIDIC General Conditions of Contract has been amended.
2. Only net bitumen content of asphalt and bituminous products shall be subject to rise and fall and no account shall be taken of transport, emulsifiers, diluents or modifiers that may be supplied ex refinery or added later.
3. For the purpose of clarity when using this form, a supplier is any company (including refineries) that supplies to a tenderer a bituminous product that it manufactures using bitumen as the sole or blended ingredient in the product. A tenderer shall, in compliance with note 4 below, attach to this form a letter of supply from each supplier it intends using in the performance of the contract.
4. Tenderers shall append to this page the following information on a letterhead from their selected supplier:
 - the supplier's company registration and address details; and
 - the product range available including refinery from which the base bitumen is drawn; and
 - the net base bitumen type and content for each product; and
 - the supply price (excluding VAT and any discounts but including all other obligatory taxes and levies) to the tenderer for the net bitumen base content of each product; and
 - the date from which the supply prices apply.
5. Rise and fall adjustments shall only be made upon receipt by the engineer of the appropriate letters of supply in compliance to note 4 above, but with the changed supply prices and date of application, as well as reasons for the changes.
6. A change of supplier may be permitted, but only upon application to the engineer with the appropriate letters of supply in compliance to Note 4 above and approval thereof.
7. Non-disclosure of reduction in supply prices shall be deemed a contractor's deliberate action to defraud the Employer and grounds for the Employer, at its sole discretion, to terminate the contract.

Each material dealt with as a special material in terms of FIDIC clause 13.8 as amended is stated in the list below. The rates and prices for the special materials shall be furnished by the tenderer as an attachment to this Form B2, which rates and prices shall not include VAT but shall include all other obligatory taxes and levies.

SPECIAL MATERIAL	UNIT*	RATE OR PRICE FOR THE BASE MONTH
Bitumen 35/50 Bitumen 50/70 Bitumen 70/100 MC10 MC30 MC3000	Ton Ton Ton Ton Ton Ton	As stated on supplier's letter attached to this form.

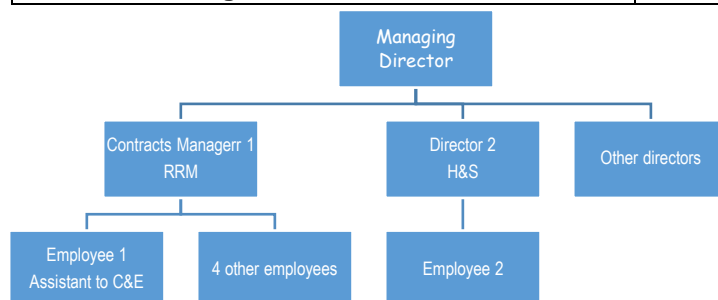
*Indicate whether the material will be delivered in bulk or in containers.

SIGNED BY TENDERER:

FORM C3: ORGANISATIONAL STRUCTURE**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Notes to tenderer:**

1. The intention of this form is to demonstrate the tenderer's project structure, as well as the lines of responsibility between members of the project team and between the project team and the overall company structure. Attach own organogram to this form; do not populate the example diagram below.
2. Tenderers which are large companies may simplify the organogram by 'rolling up' portfolios e.g. combining directors/associates into one box of the organogram. However, the individual positions of the key persons within the structure must still be shown. The same person could fill multiple positions.
3. Joint Venture tenders require each element of the venture to submit separate organograms that show the individual structure of each member company and the lines of responsibility of the proposed personnel involved in the project. In addition, there must also be a combined organogram that indicates how the joint venture itself will function and the proposed share of the work will become a contractual obligation between the members of the joint venture.
4. State the city or town where the company's head office is located. The locality of regional or satellite offices, regardless of degree of autonomy or size is not required. Only submit the number of offices other than the head office. Do not count offices outside RSA.
5. Registered professional engineers, technicians or technologists means those who are involved in civil engineering/road construction. Registered professionals of other disciplines (e.g. mechanical) are considered as employees only.
6. In the lower table list those who will be involved in priority order of most to least responsibility for the service. Provide details of the key staff and submit Forms C4 to C8. The minimum requirements for each key person are listed under clause C3.1.17.2.
7. The same person may perform multiple roles within a Company, however the Contractor's Representative and the Targeted Group Development Coordinator are dedicated positions and they cannot occupy the position of another key person.

Head Office:	<i>State City/Town. See note 4.</i>
Other Offices:	<i>Only list number, See note 4</i>
Registered Professionals: ECSA or in terms of ECSA approved International Agreements (PrEng, PrTechEng, PrCertEng, PrTechniEng)	<i>See note 5</i>
Registered Professionals: SACPCMP (PrCM)	<i>See note 5</i>
Total Employees:	
% share in JV agreement:	<i>State 100% if no JV</i>



Name of employee	Position in team	Estimated monthly hours	Relevant specialist areas of knowledge demonstrating suitability for position
	Managing Director		
	Registered person within Company (Compulsory only for projects advertised as 7CE and higher)		
	Contracts Manager		
	Contractor's Representative (Construction Manager)		
	Construction health and safety officer (CHSO) within company		
	Targeted Group Development Coordinator		

FORM C4: KEY PERSONNEL EXPERIENCE - CONTRACTS MANAGER**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

The tenderer shall provide details of previous experience required for this project. The tenderer is referred to the tender data clause C3.1.17.2 and shall insert in the spaces provided below details of the key personnel required to be in the employment of the tenderer, in order for the tenderer to be eligible to submit a tender for this project. Proof of registration, if applicable, should be appended to this form.

- a) If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

NAME	POSITION IN TEAM	ID No	HIGHEST ENGINEERING QUALIFICATION	NO OF YEARS EXPERIENCE IN CIVIL ENGINEERING/ROAD CONSTRUCTION
	Contracts Manager			

Technical/Managerial Experience

(List only the most recent 5 projects of the key staff that the tenderer considers relevant to the specified scope of works)

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE	POSITION HELD	CONTACT PERSON AND FIRM	CONTACT No.

Comments:

FORM C5: KEY PERSONNEL EXPERIENCE - CONTRACTOR'S REPRESENTATIVE**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

The tenderer is referred to clause C3.1.17.2 and shall insert in the spaces provided below details of the key personnel required to be in the employment of the tenderer in order to be considered for award of this contract. Proof of registration where applicable should be appended to this form.

- a) If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

NAME	POSITION IN TEAM	ID No	HIGHEST ENGINEERING QUALIFICATION	NO OF YEARS EXPERIENCE IN CIVIL ENGINEERING/ROAD CONSTRUCTION
	Contractor's Representative (Construction Manager)			

Technical/Managerial Experience

(List only the most recent 5 projects of the key staff that the tenderer considers relevant to the specified scope of works)

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE	POSITION HELD	CONTACT PERSON AND FIRM	CONTACT No.

Comments:

FORM C6: KEY PERSONNEL EXPERIENCE – CONSTRUCTION HEALTH AND SAFETY OFFICER (CHSO) WITHIN COMPANY

CONTRACT SANRAL X.002-204-2023/1

FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.

Note to tenderer:

The tenderer is referred to clause C3.1.17.2 and shall insert in the spaces provided below details of the key personnel required to be in the employment of the tenderer in order to be considered for award of this contract. Proof of registration where applicable should be appended to this form.

- a) If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

NAME	POSITION IN TEAM	ID No	HIGHEST ENGINEERING QUALIFICATION	SACPCMP REG No	SACPCMP CATEGORY	NO OF YEARS EXPERIENCE IN CIVIL ENGINEERING/ROAD CONSTRUCTION
	Construction health and safety officer (CHSO) within company					

Technical/Managerial Experience

(List only the most recent 5 projects of the key staff that the tenderer considers relevant to the specified scope of works)

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE	POSITION HELD	CONTACT PERSON AND FIRM	CONTACT No.

Comments:

FORM C7: KEY PERSONNEL EXPERIENCE – TARGETED GROUP DEVELOPMENT COORDINATOR**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

The tenderer is referred to clause C3.1.17.2 and shall insert in the spaces provided below details of the key personnel required to be in the employment of the tenderer in order to be considered for award of this contract. Proof of registration where applicable must be appended to this form.

- a) If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

NAME	POSITION IN TEAM	ID No	HIGHEST ENGINEERING QUALIFICATION	ECOSA/SACPCMP REG No	REGISTRATION CATEGORY	NO OF YEARS EXPERIENCE IN CIVIL ENGINEERING/ROAD CONSTRUCTION
	Targeted Group Development Coordinator					

Technical/Managerial Experience

(List only the most recent 5 projects of the key staff that the tenderer considers relevant to the specified scope of works)

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE	POSITION HELD	CONTACT PERSON AND FIRM	CONTACT No.

Comments:

FORM C8: KEY PERSONNEL EXPERIENCE – REGISTERED PERSON WITHIN THE COMPANY**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

The tenderer is referred to clause C3.1.17.2 and shall insert in the spaces provided below details of the key personnel required to be in the employment of the tenderer in order to be considered for award of this contract. Proof of registration where applicable must be appended to this form.

- a) If the tenderer's experience does not meet the stipulated minimum requirement or does not respond within stated period when requested to do so; the tender will be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

NAME	POSITION IN TEAM	ECSA REG. No	ECSA CATEGORY	SACPCM P REG No	SACPCM P CATEGORY	HIGHEST ENGINEERING QUALIFICATION	NO OF YEARS EXPERIENCE IN CIVIL ENGINEERING/ROAD CONSTRUCTION

Technical/Managerial Experience

(List only the most recent 5 projects of the key staff that the tenderer considers relevant to the specified scope of works)

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE	POSITION HELD	CONTACT PERSON AND FIRM	CONTACT No.

Comments:

FORM D1: SCHEDULE OF TENDER COMPLIANCE**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:****This form has been created as an aid to ensure a tenderer's compliance with the completion of the returnable forms and schedules and subsequent placement in the correct envelope.**

FORM NO / SBD NO	FORM DESCRIPTION	TICK WHEN COMPLETED
FORM A1:	CERTIFICATE OF TENDERER'S BRIEFING	
FORM A1.1	CERTIFICATE OF INTENTION TO SUBMIT A TENDER	
FORM A2.1:	CERTIFICATE OF AUTHORITY FOR SIGNATORY	
FORM A2.2:	DECLARATION OF TENDERER'S CURRENT STATUS OF ANY DEBT OUTSTANDING TO SANRAL	
FORM A2.3:	CERTIFICATE OF SINGLE TENDER SUBMISSION	
FORM A2.4:	CERTIFICATE OF FRONTING PRACTICES	
FORM A2.5:	DECLARATION FORM - MANAGEMENT OF DOMESTIC PROMINENT INFLUENTIAL PERSONS, FOREIGN PROMINENT PUBLIC OFFICIALS AND FOREIGN INFLUENTIAL	
FORM A3.1 (SBD4):	BIDDER'S DECLARATION	
FORM A3.2 (SBD9):	CERTIFICATE OF INDEPENDENT TENDER	N/A
FORM A3.3 (SBD8):	DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES	
FORM A3.4:	REGISTRATION ON NATIONAL TREASURY CENTRAL SUPPLIER DATABASE	
FORM A3.5 (SBD6.2):	DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS	
FORM A3.6:	LOCAL CONTENT DECLARATION: SUMMARY SCHEDULE (ANNEXURE C)	
FORM A4:	SCHEDULE OF DEVIATIONS OR QUALIFICATIONS BY TENDERER	
FORM A5:	SCHEDULE OF ADDENDA TO TENDER DOCUMENTS	
FORM A6 (SBD2):	CERTIFICATE OF TAX COMPLIANCE STATUS	
FORM A7:	CERTIFICATE OF INSURANCE COVER	
FORM A8:	TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS	
FORM A9:	DECLARATION OF TENDERER'S LITIGATION HISTORY	
FORM A9.3:	COMPLIANCE WITH LABOUR LEGISLATION DECLARATION	
FORM A10:	SCHEDULE OF CURRENT TENDERS	
FORM A11:	CERTIFICATE OF COMPLIANCE WITH COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT, 1993	
FORM A12:	REGISTRATION WITH CIDB	
FORM A13.1 (SBD6.1):	PREFERENCING SCHEDULE - TENDERER'S B-BBEE VERIFICATION	
FORM A13.2:	PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017 (INCORPORATING SBD6.1)	
FORM A14:	INVITATION TO BID (SBD1)	

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FORM A15:	DECLARATION OF TENDERER'S FINANCIAL SUBMISSION	
FORM A16:	BLACK OWNERSHIP DECLARATION	
FORM A17:	SUB-CONTRACTING DECLARATION	
FORM B3:	SCHEDULE OF SPECIALIST SUBCONTRACTORS	
FORM C1:	CONTRACTOR'S ESTABLISHMENT ON SITE AND GENERAL OBLIGATIONS	
FORM C2:	SCHEDULE OF SPECIAL MATERIALS	
FORM C3:	ORGANISATIONAL STRUCTURE	
FORM C4:	KEY PERSONNEL EXPERIENCE - CONTRACTS MANAGER	
FORM C5:	KEY PERSONNEL EXPERIENCE - CONTRACTOR'S REPRESENTATIVE	
FORM C6:	KEY PERSONNEL EXPERIENCE - CONSTRUCTION HEALTH AND SAFETY OFFICER (CHSO)	
FORM C7:	KEY PERSONNEL EXPERIENCE - TARGETED GROUP DEVELOPMENT COORDINATOR	
FORM C8:	KEY PERSONNEL EXPERIENCE - REGISTERED PERSON WITHIN THE COMPANY	
FORM D1:	SCHEDULE OF TENDER COMPLIANCE	
FORM D5.1:	TENDERER'S EXPERIENCE BASED ON COMPLETED PROJECTS	
FORM D5.2:	TENDERER'S EXPERIENCE BASED ON PROJECTS IN PROGRESS	
C1.1.1 (SBD7):	FORM OF OFFER	
C1.2.3:	CONTRACT DATA – INFORMATION PROVIDED BY THE TENDERER	
C2.2 (SBD3):	PRICING SCHEDULE	

SIGNED BY TENDERER:

FORM D5.1: TENDERER'S EXPERIENCE BASED ON COMPLETED PROJECTS**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

1. The tenderer shall provide details of previous experience required for this project in the spaces provided below and attach for each listed project, a performance evaluation certificates in the form of CIDB Contractor Performance Reports or an official reference letter from previous employer(s).
2. The Tenderer must have satisfactorily completed 3 project(s) with a minimum value R 13.5 million
3. The Tenderer shall have completed each of the listed projects as either a prime contractor or joint venture member or management contractor or sub-contractor. The listed project's scope of work shall substantially match that of the subject project's scope of work.
4. Each listed project shall have a Performance Rating not less than zero (0) Adequate, as rated in terms of the CIDB Performance Rating system or official reference letters from previous employer(s).
5. For listed projects where the Tenderer participated as a joint venture member or sub-contractor, the Tenderer shall state value (V) limited to his/her share of certified work.
6. If the Tenderer is a joint venture, the value of projects completed by the individual joint venture members can be combined and shall be treated as one project to determine whether the requirement of the minimum value of a single contract has been met. In the case of combined projects, each contract performed by each member shall exceed fifty percent (50%) of the minimum value of a single contract as required for single entity. In determining whether the joint venture meets the requirement of total number of projects, the number of projects completed by all JV members each of value equal or more than the minimum value required shall be aggregated. For the afore-mentioned purpose, projects which are combined to meet the minimum value shall be treated as one contract.
7. If one or more of the listed projects does not meet minimum requirements as stipulated above, the tender shall be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

List only projects completed which comply the above Notes to Tenderer

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	VALUE OF WORK (I.E. THE SERVICE PROVIDED) INCLUSIVE OF VAT (RAND)	CONTACT PERSON AND FIRM	CONTACT NUMBER	CIDB EQUIVALENT PERFORMANCE RATING (NOT REQUIRED WHERE AN OFFICIAL REFERENCE LETTERS FROM PREVIOUS EMPLOYER(S) IS ATTACHED)

Comments:

I confirm that the information provided herein is true, that the projects reported, and the corresponding responsibilities are truly the experiences of the firm or consortium of firms tendering for this project.

SIGNED BY TENDERER:

FORM D5.2: TENDERER'S EXPERIENCE BASED ON PROJECTS IN PROGRESS**CONTRACT SANRAL X.002-204-2023/1****FOR THE ROUTINE ROAD MAINTENANCE OF NATIONAL ROUTE R37 FROM LIMPOPO/MPUMALANGA BORDER OVER MASHISHING TO MBOMBELA MUNICIPAL BORDER.****Note to tenderer:**

1. Submission of this form is optional. This form must be submitted if the tenderer does not comply with the requirements of Form D5.1, and elects to list projects that are in progress to comply with afore- mentioned requirements.
2. The Tenderer shall list projects in progress as stipulated under Table 1 below which commenced after 1st January 2008.
3. The Tenderer shall list 3 project(s) in progress with a minimum value R 13.5 million. Each listed project shall have a certified value of work that exceeds 80% of its awarded value.
4. The Tenderer shall be employed on each listed project as either a prime contractor or joint venture member or management contractor or sub-contractor. The listed project's scope of work shall substantially match that of the subject project's scope of work.
5. Each listed project shall have a Performance Rating not less than zero (0) Adequate, as rated in terms of the CIDB Performance Rating system or official reference letters from previous employer(s). The Performance Rating and certified value of work at closing date must be confirmed by the Project Employer or Project Engineer in writing.
6. For listed projects where the Tenderer participated as a joint venture member or sub-contractor, the Tenderer shall state value (V) limited to his/her share of certified work.
7. If the Tenderer is a joint venture, the value of projects completed by the individual joint venture members can be combined and shall be treated as one contract to determine whether the requirement of the minimum value of a single contract has been met. In the case of combined projects, each contract performed by each member shall exceed fifty percent (50%) of the minimum value of a single contract as required for single entity. In determining whether the joint venture meets the requirement of total number of projects, the number of projects completed by all JV members each of value equal or more than the minimum value required shall be aggregated. For the afore-mentioned purpose, projects which are combined to meet the minimum value shall be treated as one contract.
8. If one or more of the listed projects does not meet minimum requirements as stipulated above, the tender shall be declared non-responsive in terms of clause C.3.13 (b) of the Tender Data.

List only projects completed which comply the above Notes to Tenderer

CLIENT	DESCRIPTION OF PROJECT	PROJECT START DATE	PROJECT END DATE	AWARD VALUE OF WORK (I.E. THE SERVICE PROVIDED) INCLUSIVE OF VAT (RAND)	VALUE OF WORKS CERTIFIED BY THE ENGINEER	CONTACT PERSON AND FIRM	CONTACT NUMBER	CIDB PERFORMANCE RATING

Comments:

I confirm that the information provided herein is true, that the projects reported, and the corresponding responsibilities are truly the experiences of the firm or consortium of firms tendering for this project.

SIGNED BY TENDERER: