



LED A

LIMPOPO ECONOMIC
DEVELOPMENT AGENCY

AN AGENCY OF THE LIMPOPO
PROVINCIAL GOVERNMENT
REPUBLIC OF SOUTH AFRICA

ROOTED IN THE FUTURE

TENDER

You are hereby invited to submit a price quotation for:

APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, CONSTRUCTION, REFURBISHMENT AND UPGRADE OF EXISTING BUILDING FACILITY AND INSTALLATION OF SWEET POTATO YOGHURT PROCESSING MACHINERY FOR KGAROSE KGAROS PTY LTD AT SESHEGO INDUSTRIAL PARK CIDB GRADING:7GB OR HIGHER

TENDER NUMBER:	LED A/KKP/2025/26-2D
ISSUANCE DATE:	28 JANUARY 2026
CLOSING DATE:	25 FEBRUARY 2026
CLOSING TIME:	11:00
BID DOCUMENT DELIVERY ADDRESS:	LIMPOPO ECONOMIC DEVELOPMENT AGENCY ENTERPRISE DEVELOPMENT HOUSE MAIN ROAD 1 LEBOWAKGOMO
TENDER VALIDITY PERIOD:	90 DAYS
CIDB GRADING	7GB OR HIGHER
BRIEFING SESSION	06 FEBRUARY 2026
TECHNICAL ENQUIRIES	MR DUMISANI SIBUYI SIBUYIDE@AGRIC.LIMPOPO.GOV.ZA
SCM RELATED ENQUERIES	SUZAN MABEBA SUZAN.MABEBA@LIEDA.CO.ZA

NAME OF TENDERER	
TOTAL TENDERED AMOUNT	
TOTAL TENDERED AMOUNT IN WORDS	
VAT NUMBER (if registered for VAT)	
SUPPLIER CSD REGISTRATION NUMBER	
BIDDER's CIDB GRADING & CLASS	
TEL NUMBER	
E-MAIL ADDRESS	

PREPARED FOR:

**LIMPOPO ECONOMIC DEVELOPMENT AGENCY
ENTERPRISE DEVELOPMENT HOUSE
MAIN ROAD
LEBOWAKGOMO
0737**

PREPARED BY

**ENGINEERING SERVICES HEAD OFFICE
LIMPOPO DEPT OF AGRICULTURE & RURAL DEV
69 BICCARD STREET
POLOKWANE
0700**

**BRIEFING MEETING : 06 FEBRUARY 2026 TIME: 11H00 AM
CLOSING DATE : 25 FEBRUARY 2026 TIME: 11:00 AM**

**APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, CONSTRUCTION,
REFURBISHMENT AND UPGRADE OF EXISTING BUILDING FACILITY AND INSTALLATION
OF SWEET POTATO YOGHURT PROCESSING MACHINERY FOR KGAROSE KGAROS PTY
LTD AT SESHEGO INDUSTRIAL PARK. CIDB GRADING:7GB OR HIGHER**

TENDERER'S DETAILS

NAME OF TENDERER

.....

.....

PHYSICAL ADDRESS

.....

.....

POSTAL ADDRESS

.....

.....

CONTACT PERSON (NAME).....

(SURNAME).....

(PHONE No).....

(CELL No).....

(FAX No).....

(E-MAIL).....

LIMPOPO ECONOMIC DEVELOPMENT AGENCY

APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, CONSTRUCTION, REFURBISHMENT AND UPGRADE OF EXISTING BUILDING FACILITY AND INSTALLATION OF SWEET POTATO YOGHURT PROCESSING MACHINERY FOR KGAROSE KGAROS PTY LTD AT SESHEGO INDUSTRIAL PARK. CIDB GRADING:7GB OR HIGHER

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C1.2	Contract Data
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PART T1: TENDERING PROCEDURES

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T1.1: TENDER NOTICE AND INVITATION TO TENDER



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TENDER NO LEDA/KKP/2025/26-2D

APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, CONSTRUCTION, REFURBISHMENT AND UPGRADE OF EXISTING BUILDING FACILITY AND INSTALLATION OF SWEET POTATO YOGHURT PROCESSING MACHINERY FOR KGAROSE KGAROS PTY LTD AT SESHEGO INDUSTRIAL PARK. CIDB GRADING:7GB OR HIGHER

T1.1 Tender Notice and Invitation to Tender

Tenders are hereby invited to tender for an Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. The Tender **should have a CIDB grading 7GB or higher**

Project Name	Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher	
Tender Number	LED A/KKP/2025/26-2D	
Tender documents availability	Will be obtainable from 28 JANUARY 2026, from the LED A Website, on the following link www.leda.co.za	
Address for submission of tenders	Limpopo Economic Development Agency Enterprise Development House Main Road Lebowakgomo 0737	
Closing date of the tender	25 FEBRUARY 2026	
Closing time of the tender	11H00	
Compulsory briefing meeting (Tenderers must sign the attendance register in the name of the tendering entity. Addenda (if any) will be issued only to those tendering entities appearing on the attendance register)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	Meeting venue	Seshego Industrial Park. Drive approximately 9.8km Via Nelson Mandela Drive. GPS coordinates 23°50'16.8"S and 29°51'5.5"E
	Date	06 February 2026
	Time:	11H00

Evaluation criteria	<ol style="list-style-type: none"> 1. Compliance with mandatory or compulsory requirements 2. Functionality 3. Preference Point System 4. Price
Mandatory or Compulsory Requirements <i>(failure to submit or comply with these requirements will lead to automatic disqualification)</i>	<p>Only those tenderers who are registered with the CIDB or are capable of being so prior to the closing date for the submissions, 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, respectively as per category limitations indicated, are eligible to have their tenders evaluated. Tenderers outside the stipulated CIDB grading in each category will be disqualified.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> 1. Every member of the joint venture is registered with the CIDB. 2. The lead partner has a contractor grading designation in the respective category's grading class of construction work, or not lower than one level below the required grading designation in the class of works construction works under consideration and possesses the required recognition status. 3. 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 as per respective category's class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations. 4. Attach a valid JV agreement. Non-submission will lead to disqualification. In the case of an award, the company need to register on CSD as a JV. The process is that the service providers must register the JV at SARS and then open a JV bank account. With those documents they can then register the JV on the CSD. The Agency will only make payment to a JV account. <p>The Non-submission of the following:</p> <ol style="list-style-type: none"> 1. Invitation to Bid – SBD 1 2. Pricing Schedule – SBD 3.2 3. Bidders Disclosure – SBD 4 4. Preference Point Claim Form – SBD 6.1 5. Form of intent by a bank or insurance company to provide a 10% performance guarantee and insurance of the works. 6. Completeness of the tender document. 7. Specification 8. Bank Rating 9. Bill of Quantities 10. CIDB grading certificate 11. Compulsory Enterprise Questionnaire <p>Will lead to disqualification.</p>

Employer: Limpopo Economic Development Agency Enterprise Development House, Main Road Lebowakgomo, 0737 <u>For Administrative Enquiries:</u> Ms. S Mabeba Tel: 066 484 1939 E-mail: suzan.mabeba@leda.co.za	Engineer: Limpopo Department of Agriculture and Rural Development <u>For Technical Enquiries:</u> Mr DE Sibuyi Tel: 015 294 3429 / 079 8954 313 E-mail: SibuyiDE@agric.limpopo.gov.za
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T1.2. TENDER DATA

The Conditions of Tender in the Standard Conditions of Tender as contained in Annex F of CIDB Standard Uniformity in Construction Procurement. (See www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of Tenderers in this Tender in the section T1.3 of the Tender Data.

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 it and the Standard Conditions of Tender. Each item of Tender Data given below is cross-referenced to the relevant clause in the standard Conditions of Tender.

F.1.1 The Employer for this Contract is: **Limpopo Economic Development Agency**

F.1.2 Tender Documents

The Tender Document consists of the following:

TENDER

T1: Tendering Procedures

- T1.1: Tender Notice and Invitation to Tender
- T1.2: Tender Data

T2: Returnable Documents

- T2.1: List of Returnable Documents
- T2.2: Returnable schedules

CONTRACT

Part 1: Agreements and Contract Data

- C1.1: Form of Offer and Acceptance
- C1.2: Contract Data
- C1.3: Form of Guarantee
- C1.4: Agreement with Adjudicator
- C1.5: Agreement in terms of Section 37(2) of the Occupational Health and Safety Act (No 85, 1993)

Part 2: Pricing Data

- C2.1: Pricing Instructions
- C2.2: Bill of Quantities

Part 3: Scope of Work

- C3.1: Standard Specifications
- C3.2: Project Specifications
- C3.3: Particular Specifications

Part 4: Site Information

- C4.1: Locality Plan
- C4.2: Construction Notice Board

DRAWINGS

No Drawings are bound in this document. Drawings will be provided per Task Order where applicable.

The Tender Document shall be obtained from the Employer or his authorized representative from the Agency Website, on the following link: www.lieda.co.za No payment is required to off-load the document from the Website.

C.1.4 The Employer's agent is:

Name : Sibuyi DE
 Name : Limpopo Department of Agriculture & Rural Development
 Address : Head Office
 Telephone : 015 294 3429 or 079 895 4313
 E-Mail Address : SibuyiDE@agric.limpopo.gov.za

C.1.5 The Employer's right to accept or reject any Tender Offer

The Employer may accept or reject any variation, deviation, Tender Offer, or alternative Offer, and may cancel the Tender process and reject all Tender Offers at any time before the formation of a Contract. The Employer shall not accept or incur any liability to a Tenderer for such cancellation and rejection but will give written reasons for such action upon written request to do so. The Employer will reserve the right to appoint a maximum of 40 responsive Service Providers with the highest scoring points to the Database, with maximum of 20 responsive Service Provider under Category 1 bidders and a maximum of 20 responsive under Category 2 bidders.

C.2.1 Eligibility

A Tenderer will not be eligible to submit a Tender if:

- (a) The Contractor submitting the Tender is under restrictions or has principals who are under restriction to participate in the Employer's procurement due to corrupt or fraudulent practices;
- (b) The Tenderer does not have the legal capacity to enter into the Contract;
- (c) The Contractor submitting the Tender is insolvent, in receivership, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of the foregoing;
- (d) The Tenderer does not comply with the legal requirements stated in the Employer's procurement policy;
- (e) The Tenderer cannot demonstrate that he possesses the necessary professional and technical qualifications and competent, financial resources, equipment and other physical facilities, managerial capability, personnel, experience and reputation to perform the Contract;
- (f) The Tenderer cannot provide proof that he is in good standing with respect to duties, taxes, levies and contributions required in terms of legislation applicable to the work in the Contract.
- (g) Only those Tenderers who have in their employ management and supervisory staff satisfying the requirements of the Scope of Work for Labour Intensive Competencies for supervisory and management staff are eligible to submit Tenders.
- (h) Only those Tenderers who are registered with the CIDB as defined in the Regulations 09 June 2004 and 22 July 2005), in terms of the CIDB Act No 38 of 2000 or are capable of being so prior to the evaluation of submissions, in a Contractor grading designation equal to or higher than a Contractor grading designation determined in accordance with the Sum Tendered for a **7GB or higher** class of construction work, are eligible to submit Tenders.
- (i) The Contractor submitting the Tender is not registered on the Employer's Supplier Database
- (j) A Joint Venture or a Company that Sub-contract the construction part or design part, only the Construction Partner must have a minimum CIDB registration of **7GB or higher**

Joint Ventures are eligible to submit Tenders provided that:

1. At least one (1) member of the Joint Venture is registered with the CIDB and the partner with the CIDB grading has a Contractor grading designation class of construction work of **7GB or higher**.
2. Should this bid be submitted by a joint venture, the joint venture agreement must accompany the bid document before the closing date and time of bid. The joint venture agreement must clearly specify the percentage of the contract to be undertaken by each company participating therein.
3. Each party to a Joint Venture/ Consortium must submit an original valid Tax Clearance Certificate together with the bid before the closing date and time of bid.
4. The joint venture or consortium must submit a formal agreement that outlines the roles and responsibilities of each member of the joint venture or consortium, nomination of an authorised person to represent the joint venture or consortium in all matters relating to this bid and the details of the bank account for payments to be effected.
5. The joint venture or consortium must comply with Central Suppliers Database (CSD) registration requirements as per National Treasury directive.

C.2.7 Site visit and clarification meeting

There will be a compulsory session as follows:

Location: Seshego Industrial Park. Drive approximately 9.8km Via Nelson Mandela Drive. GPS coordinates 23°50'16.8"S and 29°51'5.5"E

Date: 06 February 2026

Starting time: 11H00

Enquiries and confirmation of attendance at least one full working day in advance regarding the meeting may be directed to:

Name : Mabeba S
 Name : Limpopo Economic Development Agency
 Address : Enterprise Development House
 Main Road
 Lebowakgomo, 0737
 Telephone : 015 633 4700 / 066 484 1939
 E-Mail : suzan.mabeba@leda.co.za

Bidders must sign the attendance register using the name of the Bidding entity. Addenda may be issued and Bids will only be received from those Bidding entities appearing on the attendance list.

C.2.10 Pricing the Tender Offer

(a) Value Added Tax

- The Valued Added Tax (VAT) rate shall be 15% or as otherwise provided for by Legislation.
- The successful Tenderer shall be required to produce a VAT invoice that shall only be prepared once measurements and valuations for work done in Terms of Contract Offer have been agreed with the Employers agent and a Certificate of Payment issued.
- Payment of VAT to non-VAT vendors shall be processed from the month in which the Tenderer's liability with the South African Revenue Services is effective.

C.2.11 Alterations to document

A Tender Offer shall not be considered if alterations have been made to the Forms of Tender data or Contract data (unless such alterations have been duly authenticated by the Tenderer) or if any particulars required therein have not been completed in all respects.

C.2.12 Alternative Tender Offers

No alternative Offers will be considered.

C.2.13 Submitting a Tender Offer**C.2.13.3** Tender Offers shall be submitted as an original only.

Under no circumstances whatsoever may the Tender forms be retyped or redrafted.

Photocopies of the original Tender documentation may be used, but an original signature must appear on such photocopies.

C.2.13.5 The Employer's address for delivery of Bid Offers and identification details to be shown on such Bid Offer package are:

Location of Bid box:	Limpopo Economic Development Agency
Physical address:	Enterprise Development Agency Lebowakgomo, 0737

Identification details: **APPOINTMENT OF A SERVICE PROVIDER FOR THE DESIGN, CONSTRUCTION, REFURBISHMENT AND UPGRADE OF EXISTING BUILDING FACILITY AND INSTALLATION OF SWEET POTATO YOGHURT PROCESSING MACHINERY FOR KGAROSE KGAROS PTY LTD AT SESHEGO INDUSTRIAL PARK. CIDB GRADING:7GB OR HIGHER**

Tender No: **LEDA/KKP/2025/26-2D**

Closing Date: **25 February 2026 at 11:00**

C.2.15 Closing Time

The closing time for submission of Tender Offers is: **11h00 on 25 February 2026** as stated in the Tender Notice and Invitation to Tender.

Telephonic, telegraphic, telex, facsimile, electronic or e-mailed Tenders will not be accepted.

C.2.16 Tender Offer validity

The Tender Offer validity period is **90 days** from the closing time for submission of Tenders.

C.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the total of the prices or substance of the tender offer is sought, offered, or permitted. The total of the prices stated by the tenderer shall be binding upon the tenderer.

Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so, this may include negotiations for fair market related prices.

C.2.18 Provide other material

The Tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.

C.2.19 Access

Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.

C.2.20 SCOPE OF WORK OR CONTRACT

Design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park.

The Contractor shall be appointed for this Turnkey Project implementation, Design and Construction:

- 1.1. Prepare detailed designs and submit them to the relevant institutions to obtain the necessary approvals.
- 1.2. Renovate and modify the facility to meet food processing standards. This includes constructing internal partitions (for ablution facilities, kitchen, storerooms, and working areas), repairing the roof, installing floor drains and a sewer system, paving the driveway, constructing water treatment and storage systems, cold rooms, facility air conditioning system, installing backup power systems, erecting fencing, establishing a mini outlet shop, and installing sweet potato yoghurt processing machinery.
- 1.3. The yoghurt processing equipment/machinery will include and not limited to the following to achieve the daily production of approximately 11,500 units of 500g yoghurt:
 - Cooker/Blender Tank with Dimple Jacket
 - Insulated Batch Pasteurizer with Dimple Jacket
 - Single-Shell Flavouring Tank
 - Single-Shell Juice Mixing Tank
 - Metal Detector
 - Fully Automatic Rotary Filler
 - Steam Boiler

Note: The equipment must be successfully commissioned, which includes the sourcing of raw materials, consumables, cleaning, water, and electricity.

EXPECTED DELIVERABLES

- Compliance approvals with Municipality, Department of Health and Environmental Affairs.
- Approved detailed design documents.
- Refurbished and upgraded facility.
- Fully functional installed and commissioned sweet potato yoghurt Processing Equipment.
- Operation manuals.
- Training and Handover Documentation.
- Product Certification.

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher

TIME FRAME.

The qualified bidder is expected to design, supply, install, and commission agro-processing equipment for the production of drinkable sweet potato yogurt, renovate and modify the facility to meet food processing standards. This should be completed within a period of twelve (12) months from the date of appointment. 4 months for Design and approvals and 8 months for construction.

RESOURCES (MATERIALS / EQUIPMENT AND HUMAN)

The appointed service provider must have proven experience and expertise in the field of irrigation development and implementation. All construction works must be done by qualified artisans / tradesman where needed as follows:

Table 1 Personnel minimum requirements

Category	Qualification and Experience	Number of Years
Project Manager	Experience in managing Supply, delivery and installation of agro-processing equipment. Professional registered with ECSA or SACPCMP with minimum of National Diploma in Mechanical or Civil Engineering or National Diploma in Project/Construction Management	4
Quality Control & Health and Safety	Qualified Safety Officer certificate and with Experience in food manufacturing/ industry Quality Control and safety	1
Plant/Equipment Operators (Forklift)	Forklift operator certificate	1
Electrician Artisan	Electrical Artisan Trade Test certificate with experience in mechanical equipment	4
Electrical Technician	Professional ECSA registered with minimum of Diploma or BTech in Electrical Engineering	4
Mechanical Technician	Professional ECSA registered with minimum of Diploma or BTech in Mechanical Engineering	4
Building works Artisans (all three – bricklayers, painter, plumber)	Artisans with Trade Tests certificates and experience in building works	3

Plant & Equipment	Comments
Support vehicles for the construction of the works.	Applicable support vehicles for the construction of the works. <ul style="list-style-type: none"> Truck or Tractor and trailer, LDV's Owned or Hire (Letter of Intent with source ownership proof)
Construction Plant for Civil works	Applicable construction plant for civil works. <ul style="list-style-type: none"> Backhoe loader (TLB), Excavator or Trencher Owned or Hire (Letter of Intent with source ownership proof)

Bidders must attach copies of Ownership documents or copies of Hire contracts or Letter of intention to Hire from the Hire Company with their submission (Hire Company proof of ownership documents). **Copies must be certified not older than 6 months.**

The Service Provider's team shall have the necessary professional knowledge, skills, and experience to undertake the assignment as set out in the Evaluation Criteria. Other specialized services may be outsourced. Tenderers must, in their submissions, prove their experience in the construction of industrial building related and the management of these type of projects.

13. EVALUATION CRITERIA

13.1 PRE-COMPLIANCE EVALUATION

Criteria	Requirements
Pre-compliance criteria.	The Service Provider must submit all documents as outlined below.
Preferential points for specific goals.	Bidders will be allocated preferential points for specific goals as per table 13.2.2

The evaluation process entails the following:

Phase 1: Pre-Compliance evaluation

During this phase, bid responses are registered to ascertain the number of bid responses received before the closing date and time.

Bidder must attend compulsory site briefing as per scheduled date and time and ensure to sign the attendance register for their bids to be considered for administration, functionality and preference scoring and price. Failure to attend site briefing will result in bid disqualification.

13.1.2 REQUIRED DOCUMENTS

Misrepresentation of facts will render your bid non-responsive.

Documents that must be submitted	Non-submission will result in disqualification	Requirements
Compulsory Site Briefing	YES	Bidder must attend site briefing and register the bidder's names on the Attendance Register.
Invitation to Bid – SBD 1	YES	Must fully complete and sign the supplied pro forma document. In case of JV, both partners must submit/ be represented on the submission.
Pricing Schedule – SBD 3.2	YES	Must fully complete and sign the supplied pro forma document. In case of JV, both partners must submit/ be represented on the submission.
Bidders Disclosure – SBD 4	YES	Must fully complete and sign the supplied pro forma document. (Must declare if they have interests in other Companies. Refer to Paragraph 2.3). In case of JV bidders should complete separate SBD 4
Preference Point Claim Form – SBD 6.1	YES	Must fully complete and sign the supplied pro forma document. Non-claiming of points on this form will lead to zero (0) even if supporting documentation is attached
Joint Ventures (JV)	YES	Attach a valid JV agreement. Non-submission will lead to disqualification. In the case of an award, the company need to register on CSD as a JV. The process is that the service providers must register the JV at SARS then open a JV bank account. With those documents they can then register the JV on CSD. The Client will only make payment to a JV account. Bidders should complete 2 separate SBD 4 for each company
Form of intent by a bank or insurance company to provide 10% performance guarantee and insurance of the works	YES	Must be submitted with the tender by the closing date and time of the bid. In case of JV, both partners must submit/ be represented on the submission.

Workmen's Compensation Registration Certificate	NO	Must submit valid copy of COIDA certificate or proof of payment thereof. In case of JV, both partners must submit.
Completeness of the tender document.	YES	Bidders are required to complete the entire bid document without omission of pages in the provided sequence. Supporting documents must be attached with list of indexes/ Annexures and in order of the indicated index sequence. The tender document to be fully completed in Black ink (not typed) . Amendments and corrections must be signed for and indicated on Amendments under Returnables
Bank Rating	YES	Bank rating letter from a financial institution. Bidders must have a minimum rating of C . In case of JV, both partners must submit individual bank rating letters, each demonstrating a minimum rating of C .
Bill of Quantities (BOQ)	YES	All items of the BOQs for the chosen category must be fully completed (rates, amounts and sums), responsive and submitted with the bid by the closing date and time. No over-writing of figures.
CIDB grading certificate	NO	Bidder who have CIDB grading of 7GB or higher. In case of JV, Calculated CIDB grading must be submitted.
Compulsory Enterprise Questionnaire	YES	Must be fully completed, signed by the authorized person/s and submitted with the bid by the closing date and time. In case of JV's bidders should complete separate forms or be represented.

13.1.3 The Service Provider must ensure that they meet the following requirements before the bid can be awarded:

CRITERIA	REQUIREMENT
Tax compliance status	Tenderer must be tax compliant before the bid is awarded, i.e. <i>Where the recommended tenderer is not tax compliant, the tenderer will be notified of their non-compliant status and must be requested to submit written proof from SARS of their tax compliance status or proof that they have made an arrangement to meet their outstanding tax obligations within 7 working days. The tenderer should thereafter provide the accounting officer or accounting authority with proof of their tax compliance status which should be verified via the Central Supplier Database or e-Filing</i>
Business registration	The Company must be in business
Company registration with central supplier database (CSD)	Company must be registered on central supplier database (CSD). If not registered must proceed to complete the registration prior to submitting your proposal. Visit https://secure.csd.gov.za/ to obtain your vendor number.
In the service of the State status	The bid will not be considered if Shareholders or directors are employed by state/ government departments, municipalities, municipal entities, or public entities unless the approval from executive authority to do business with the state is submitted with the proposal
Tender defaulting and restriction status	Entity and directors must not be restricted

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher

13.2 FUNCTIONALITY

13.2.1 Functionality Evaluation Criteria = 100 points

The minimum score required for functionality is **60 points** to qualify to be registered into the Departmental Data base.

A tenderer who scores less than **60 points on functionality will be disqualified.**

Misrepresentation of facts will render your bid non-responsive.

CRITERIA	EVIDENCE	VALUE	WEIGHTING
Current contractual obligations. Bidder must provide list of previous and current projects with contactable references. The information must include name of project, nature, value, start and end date, contact details. Bidders must declare if they are not committed to anyone. Writing Not Applicable will forfeit points claiming.	No information	0	15
	Committed for 4-months after bid closing date	1	
	Committed for 3 months after closing of this bid	2	
	Committed for 2 months after this bid closing date	3	
	Committed for 1 months after this bid closing date	4	
	Completed all current obligations and no current obligations	5	
Program of Works (Execution Plan with cash flow projections)	No information or form not completed/ not attached	0	10
	Gantt chart without applicable activities	1	
	Gantt chart without applicable activities, time frame outside the contract period	2	
	Clear applicable activities, Gantt chart and within contract period	3	
	Clear applicable activities, Gantt chart and within contract period, with non - realistic cash flow	4	
	Clear applicable activities, Gantt charts and completion is within contract duration and realistic cash flow	5	
Key personnel available for this contract (Bidders must submit/attach cv's of personnel employed by the company and their certified qualifications, professional memberships and identity documents)	No information / CVs not attached	0	20
	Two of any of the following: <ul style="list-style-type: none"> Project Manager Electrician Artisan Electrical Technician Mechanical Technician Safety Officer Plant/Equipment Operator (Forklift) Building works artisans (CVs for all different categories must be provided—bricklayers, painter, plumber) 	1	
	Three of any of the following: <ul style="list-style-type: none"> Project Manager Electrician artisan Electrical Technician Mechanical Technician Safety Officer Plant/Equipment Operator (Forklift) Building works artisans (CVs for all different categories must be provided—bricklayers, painter, plumber,) 	2	

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

CRITERIA	EVIDENCE	VALUE	WEIGHTING
	Four of any of the following: <ul style="list-style-type: none"> Project Manager Electrician artisan Electrical Technician Mechanical Technician Safety Officer Plant/Equipment Operator (Forklift) Building works artisans (CVs for all different categories must be provided– bricklayers, painter, plumber) 	3	
	Five of any of the following: <ul style="list-style-type: none"> Project Manager Electrician artisan Electrical Technician Mechanical Technician Safety Officer Plant/Equipment Operator (Forklift) Building works artisans (CVs for all different categories must be provided– bricklayers, painter, plumber) 	4	
	All of the following: <ul style="list-style-type: none"> Project Manager Electrician artisan Electrical Technician Mechanical Technician Safety Officer Plant/Equipment Operator (Forklift) Building works artisans (CVs for all different categories must be provided– bricklayers, painter, plumber) 	5	
Relevant experience in building construction works. Experiential track record in execution of similar works (Bidders must submit references indicating type of work done and value. To claim points the following documents per project must be attached: <ul style="list-style-type: none"> Appointment letters or task orders Completion certificate Reference – stamped and signed (utilise provided proforma) 	No information	0	45
	<i>1 applicable experience</i>	1	
	<i>2 applicable experiences</i>	2	
	<i>3 applicable experience</i>	3	
	<i>4 applicable experience</i>	4	
	<i>5 and above applicable experience</i>	5	
Experience in contracts of similar value, (Proof such as orders, completion certificates and appointment letters must be included) = <u>This Tender offer amount</u> Highest completed project value	Up to 10% of this Bid Offer	0	10
	11% to 30% of this Bid Offer	1	
	31% to 60% of this Bid Offer	2	
	61% to 100% of this Bid Offer	3	
	101% to 150% of this Bid Offer	4	
	Above 150% of this Bid Offer	5	
Total			100

13.2.2 Gate 2: Price and Specific Goals Evaluation (80+20) = 100 points

Only Bidders that have met the 60 points thresholds in **Gate 1** will be evaluated in **Gate 2 for Price and Specific goals** as follows:

In terms of regulation 6 of the Preferential Procurement Regulations, 2022, responsive bids will be adjudicated on the 80/20 Preference point system in terms of which points are awarded to bidders based on:

- The bid price (maximum 80 points)
- Specific goals (maximum 20 points)

Stage 1- Price Evaluation (80 Points)

Criteria	Points
Price Evaluation $P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$	80

The following formula will be used to calculate the points for price:

Where

P_s = Points scored for comparative price of bid under consideration

P_t = Comparative price of bid under consideration

P_{min} = Comparative price of lowest acceptable bid

Stage 2 – Specific Goals Evaluation (20 points)

a. Specific goals Points allocation

A maximum of 20 points may be allocated to a bidder for attaining their Specific goals per the table below:

Specific goal	Number of points (80/20 system)	Means of verification
Black people ownership	5	Central Supplier Database
Women equity	3	Central Supplier Database
Youth equity	2	Central Supplier Database
Disability	2	Medical certificate or equivalent
Promotion of small businesses	3	Latest financial statement
Enterprises located within Limpopo	3	Proof of address in the name of the company
Military Veterans (MVA)	2	MVA Force Number
Total	20	

Specific points will be allocated to bidders based on the submission of documentation or evidence as per the table above, along with the duly completed Preference Points Claim Form: Standard Bidding Document (SBD 6.1).

Stage 3 (80 + 20 = 100 points)

- The Price and Specific goals points will be consolidated.
- When calculating prices:
 - Unconditional discounts must be taken into account for evaluation purposes; and
 - Conditional discounts must not be taken into account for evaluation purposes but should be implemented when payment is affected.

13.2.3 Criteria for breaking deadlocks in scoring

- 13.2.3.1 If two or more tenderers score an equal total number of points, the contract shall be awarded to the tenderer that scored the highest points for specific goals.
- 13.2.3.2 If two or more tenderers score equal total points in all respects, the award shall be decided by the drawing of lots.
- 13.2.3.3 If functionality is part of the evaluation process and two or more tenders score equal total points and equal points for specific goals, the contract shall be awarded to the tenderer who scored highest points for functionality.

14. SPECIAL CONDITIONS

- All costs incurred in the preparation and presentation of the proposal shall be wholly absorbed by the bidder. Supporting documentation submitted with the proposal will become the property of the Limpopo Provincial Government unless otherwise requested by the bidder at the time of submission.
- General Conditions of Contract 2010 2nd edition (GCC2010) shall be used to manage the contract. Service provider must acquire their own copy.
- All works under this contract are re-measurable.
- The documentation required before commencement with Works execution are:
 - Health and Safety Plan (Refer to GCC Clause 4.3)
 - Initial programme (Refer to GCC Clause 5.6)
 - Security (Refer to GCC Clause 6.2 – Performance Guarantee)
 - Insurance (Refer to GCC Clause 8.6)
- The penalty for failing to complete the works is **0.05%** of the Total Tender Sum per Calendar Day.
- The limit of retention money is 10% of the Tender offer, excluding VAT and limited to 5% of the Contract amount, excluding Contract Price Adjustment, Contingencies and VAT. A Retention Money Guarantee will not be permitted.
- **It is compulsory for a person to register for VAT if the value of taxable supplies made or to be made, is in excess of R1 million**
- The defects liability period is **12 months**.
- The latent defect period is **5 years**
- Bidders who intend to cede their rights to payment to an institution as prescribed in 9.1 should attach cession agreement with their bid proposal.
- Payment will only be made in accordance with the delivery of service that will be agreed upon by both parties and upon receipt of an original invoice.
- It is compulsory for a person to register for VAT if the value of taxable supplies made or to be made, is in excess of R1 million.
- The service provider is required to provide a quote for all items, failure to quote according to the specification will invalidate your bid.
- The Department will not make any upfront payment to a successful service provider.
- The department reserves the right to conduct a risk assessment for the recommended service provider to verify the provided information and authenticate the supporting documentation and may disqualify the service provider if the risk analysis feedback is negative.
- The Department reserve the rights not to allocate or award a Task Order to a none performing contractor.
- The Department reserve the right to price negotiation and balancing of unit prices to fair market prices.
- If it is found, after negotiation and balancing of rates, that a Bidder's prices are still not responsive, recommendation for disqualification will be made.

15. INSPECTION OF BIDDERS

A maximum of **3 bidders** will be inspected. The highest qualifying bidders will be inspected at their premises for verification.

The inspection will be done on the following:

- a) Physical structure or business where business activities takes place
- b) Main business activities
- c) Track record will be verified
- d) Relatedness of the main business activities to the tender under review
- e) Office furniture and space

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

- f) Office Equipment, IT facilities and computer software used to produce the required service
- g) Registration documents and accredited certificates
- h) Audited Financial annual statements to verify financial position
- i) Verification of Equipment, including 3rd party premises if required.

Acceptance of Submissions

Submission will only be accepted on condition that:

- a) the Submission is signed by a person authorised to sign on behalf of the Tenderer;
- b) a Tenderer who submitted as a Joint Venture has included an acceptable Joint Venture Agreement with his Submission.
- c) the Tenderer or a competent authorised representative of the Company who submitted the Submission has attended the compulsory clarification meeting.
- d) the Tenderer or any of its principals is not listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the Public Sector;
- e) the Tenderer has not abused the Employer's Supply Chain Management System or has failed to perform on any previous Contract and has been given a written notice to this effect;
- f) the Tenderer or any of its Principals, Directors or Managers is not employed in the service of the State or any Municipality. In the event that such Principals are involved, official approval from the Executing Authority regarding carrying out remunerative work outside of the Public Service must be included in the Submission.
- g) the Employer is satisfied that the Tenderer or any of his Principals have not influenced the Call for Expression of Interest Submission and acceptance by the following criteria:
 - a. having Offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining or execution of this Contract;
 - b. having acted in a fraudulent or corrupt manner in obtaining or executing this Contract;
 - c. having approached an Officer or employee of the Employer or the Employer's Agent with the objective of influencing the award of a Contract in the Tenderer's favour;
 - d. having entered into any agreement or arrangement, whether legally binding or not, with any other Person, Firm or Company to refrain from Tendering for this Contract or as to the amount of the Tender to be submitted by either party;
 - e. having disclosed to any other Person, Firm or Company other than the Employer, the exact or approximate amount of his proposed Tender;
 - f. the Employer may, in addition to using any other legal remedies, repudiate the Tender Offer and acceptance and declare the Contract invalid should it have been concluded already.

Copies of Contract

The number of paper copies of the signed Contract to be provided by the Employer is ONE.

16. JOINT VENTURES

- 16.1. Should this bid be submitted by a joint venture, the joint venture agreement must accompany the bid document before the closing date and time of bid. The joint venture agreement must clearly specify the percentage of the contract to be undertaken by each company participating therein.
- 16.2. Each party to a Joint Venture/ Consortium must submit an original valid Tax Clearance Certificate together with the bid before the closing date and time of bid.
- 16.3. The joint venture or consortium must submit a formal agreement that outlines the roles and responsibilities of each member of the joint venture or consortium, nomination of an authorised person to represent the joint venture or consortium in all matters relating to this bid and the details of the bank account for payments to be effected.
- 16.4. The joint venture or consortium must comply with Central Suppliers Database (CSD) registration requirements as per National Treasury directive.
- 16.5. Both companies to a J/V should complete separate forms or be represented for Compulsory Enterprise Questionnaire.
- 16.6. Both companies to a J/V should submit Bank Rating
- 16.7. Both companies to a J/V should submit should complete separate SBD 4 for each company
- 16.8. In case of JV, Calculated CIDB grading must be submitted

17. CESSION

- 17.1. Cession of payments will only be permissible to a registered financial institution in terms of the Financial Advisory and Intermediary Services Act 37 of 2002 or an approved credit provider in terms of the National Credit Act of 2005
- 17.2. Bidders who intend to cede their rights to payment to an institution as prescribed in 8.1 attach cession agreement with their bid proposal.

18. UNSATISFACTORY PERFORMANCE

Unsatisfactory performance occurs when performance is not in accordance with the contract conditions.

- 18.1. The departmental official shall warn the contractor in writing that action will be taken in accordance with the contract conditions unless the contractor complies with the contract conditions and delivers satisfactory supplies or services within a specified reasonable time (7 days minimum). If the contractor does not perform satisfactorily despite the warning, the official will:

- (a) Take action in terms of its delegated powers; and
- (b) Make a recommendation to the Accounting Officer for cancellation of the contract concerned.

- 18.2. When correspondence is addressed to the contractor, reference will be made to the contract number/item number/s and an explanation of the complaint.

19. VALIDITY PERIOD OF BID AND EXTENSION THEREOF

- 19.1. The validity (binding) period for the bid will be **90 days** from close of bid. However, circumstances may arise whereby the department may request bidders to extend the validity (binding) period. Should this occur, the department will request bidders to extend the validity (binding) period under the same terms and conditions as originally offered for by bidders. This request will be done before the expiry of the original validity (binding) period.
- 19.2. VAT vendors must calculate VAT at 15% VAT.

20. NEGOTIATIONS

Bidders should note that the Department might subject the successful bidders to negotiations for fair market related prices.

21. SITE INSPECTION

- 21.1. As part of the evaluation process of this bid, the Department will conduct site inspections of premises of maximum of 3 high scoring bidders who have submitted bids, and
- 21.2. The purpose of the site inspections is to confirm validity and accuracy of the information submitted in the bidder's bid document. Where the validity and accuracy of the information submitted in the bidder's bid document cannot be confirmed during the site visit, the bidder will be disqualified. (See Inspection of bidders)

22. COMPLETION OF BID DOCUMENT

The following are minimum requirements for completion of the bid document: -

- 22.1. Bidders are required to complete the entire bid document in terms of the requirements contained herein.
- 22.2. Where the space provided in the bid document is insufficient, separate schedules may be drawn up in accordance with the given formats. These schedules shall then be bound together with suitable contents page and submitted with the bid documents.
- 22.3. All bid documents, certificates, schedules (including additional schedules as mentioned above) and all forms required by this bid must be completed in black ink and signed by the authorized signatory.
- 22.4. Bid document should be returned in the provided sequence. Attachments must be inline with the index sequence of the bidder.
- 22.5. Bidders must ensure that there are no missing or duplicated pages. LDARD shall not accept liability regarding claims by bidders that pages are missing or duplicated.
- 22.6. Correction fluid is not allowed and any cancellation, alteration or amendment on the bid document must be signed for by the authorized signatory.
- 22.7. Completed bid document with supporting documents shall be packaged, bound, sealed, marked, and submitted strictly as stipulated in this bid document.

23. LANGUAGE GOVERNANCE

The contract shall be written in English. All correspondence and other documents pertaining to the contract that is exchanged by the parties shall also be written in English.

T1.3: Annex C: CIDB Standard Conditions of Tender 08 August 2019

(The conditions of tender are the Standard Conditions of Tender as contained in Annex C of Board Notice 423 of 2019 in Government Gazette No. 42622 of 08 August 2019, Construction Industry Development Board (CIDB) Standard for Uniformity in Construction Procurement. (See www.cidb.org.za))

C.1 General

C.1.1 Actions

C.1.1.1 The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in C.2 and C.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

C.1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.

2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

C.1.1.3 The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

C.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

C.1.3 Interpretation

C.1.3.1 The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

C.1.3.2 These conditions of tender, the tender data and tender schedules which are required for tender evaluation purposes, shall form part of any contract arising from the invitation to tender.

C.1.3.3 For the purposes of these conditions of tender, the following definitions apply:

a) **conflict of interest** means any situation in which:

- i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
- ii) an individual or tenderer is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
- iii) incompatibility or contradictory interests exist between an employee and the tenderer who employs that employee.

- b) **comparative offer** means the price after the factors of a non-firm price and all unconditional discounts it can be utilised to have been taken into consideration;
- c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;
- d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels;

C.1.4 Communication and employer's agent

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be readily read, copied and recorded. Communications shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

C.1.5 Cancellation and Re-Invitation of Tenders

C.1.5.1 An employer may, prior to the award of the tender, cancel a tender if-

- a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation;
- b) funds are no longer available to cover the total envisaged expenditure; or
- c) no acceptable tenders are received.
- d) there is a material irregularity in the tender process.

C.1.5.2 The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised

C.1.5.3 An employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.

C.1.6 Procurement procedures

C.1.6.1 General

Unless otherwise stated in the tender data, a contract will, subject to C.3.13, be concluded with the tenderer who in terms of C.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.

C.1.6.2 Competitive negotiation procedure

C.1.6.2.1 Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of C.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of C.8 relating to the material deviations or qualifications which affect the competitive position of tenderers shall not apply.

C.1.6.2.2 All responsive tenderers or at least a minimum of not less than three responsive tenderers that are highest ranked in terms of the evaluation criteria stated in the tender data shall be invited to enter into competitive negotiations based on the principle of equal treatment, keeping confidential the proposed solutions and associated information.

Notwithstanding the provisions of C.2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

C.1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to revise their tender offer based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

C.1.6.2.4 The contract shall be awarded in accordance with the provisions of C.3.11 and C.3.13 after tenderers have been requested to submit their best and final offer.

C.1.6.3 Proposal procedure using the two stage-system

C.1.6.3.1 Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the tender data, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

C.1.6.3.2 Option 2

C.1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement documents.

C.1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

C.2 Tenderer's obligations

C.2.1 Eligibility

C.2.1.1 Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.

C.2.1.2 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

C.2.2 Cost of tendering

C.2.2.1 Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

C.2.2.2 The cost of the tender documents charged by the employer shall be limited to the actual cost incurred by the employer for printing the documents. Employers must attempt to make available the tender documents on its website so as not to incur any costs pertaining to the printing of the tender documents.

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C.2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

C.2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

C.2.5 Reference documents

Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

C.2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.

C.2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

C.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five (5) working days before the closing time stated in the tender data.

C.2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

C.2.10 Pricing the tender offer

C.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable fourteen (14) days before the closing time stated in the tender data.

C.2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

C.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data.

C.2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

C.2.11 Alterations to documents

Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.

C.2.12 Alternative tender offers

C.2.12.1 Unless otherwise stated in the tender data, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

C.2.12.2 Accept that an alternative tender offer must be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

C.2.12.3 An alternative tender offer must only be considered if the main tender offer is the winning tender.

C.2.13 Submitting a tender offer

C.2.13.1 Submit one tender offer only, either as a single tendering entity or as a member in a joint venture to provide the whole of the works identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

C.2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing legibly in non-erasable ink.

C.2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

C.2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

C.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

C.2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

C.2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

C.2.13.8 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

C.2.13.9 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the tender data.

C.2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

C.2.15 Closing time

C.2.15.1 Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.

C.2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

C.2.16 Tender offer validity

C.2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data.

C.2.16.2 If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period with or without any conditions attached to such extension.

C.2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted. If the validity period stated in C.2.16 lapses before the employer evaluating tender, the contractor reserves the right to review the price based on Consumer Price Index (CPI).

C.2.16.4 Where a tender submission is to be substituted, a tenderer must submit a substitute tender in accordance with the requirements of C.2.13 with the packages clearly marked as "SUBSTITUTE".

C.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

Note: Sub-clause C.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

C.2.18 Provide other material

C.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment.

Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

C.2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

C.2.19 Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

C.2.20 Submit securities, bonds and policies

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

C.2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

C.2.22 Return of other tender documents

If so instructed by the employer, return all retained tender documents within twenty-eight (28) days after the expiry of the validity period stated in the tender data.

C.2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

C.3 The employer's undertakings

C.3.1 Respond to requests from the tenderer

C.3.1.1 Unless otherwise stated in the tender Data, respond to a request for clarification received up to five (5) working days before the tender closing time stated in the Tender Data and notify all tenderers who collected tender documents.

C.3.1.2 Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

- a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;
- b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or
- c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

C.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three (3) working days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who collected tender documents.

C.3.3 Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

C.3.4 Opening of tender submissions

C.3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

C.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened and, where applicable, the total of his prices, number of points claimed for its BBBEE status level and time for completion for the main tender offer only.

C.3.4.3 Make available the record outlined in C.3.4.2 to all interested persons upon request.

C.3.5 Two-envelope system

C.3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

C.3.5.2 Evaluate functionality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the functionality evaluation more than the minimum number of points for functionality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any points claimed on BBBEE status level. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for functionality.

C.3.6 Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

C.3.7 Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

C.3.8 Test for responsiveness

C.3.8.1 Determine, after opening and before detailed evaluation, whether each tender offer properly received:

- a) complies with the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) is responsive to the other requirements of the tender documents.

C.3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- b) significantly change the Employer's or the tenderer's risks and responsibilities under the

contract, or

- c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

C.3.9 Arithmetical errors, omissions and discrepancies

C.3.9.1 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.

C.3.9.2 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:

- a) the gross misplacement of the decimal point in any unit rate;
- b) omissions made in completing the pricing schedule or bills of quantities; or
- c) arithmetic errors in:
 - (i) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or
 - (ii) the summation of the prices.

C.3.9.3 Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered or accept the corrected total of prices.

C.3.9.4 Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:

- a) 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.
- b) 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.

C.3.10 Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

C.3.11 Evaluation of tender offers

The Standard Conditions of Tender standardize the procurement processes, methods and procedures from the time that tenders are invited to the time that a contract is awarded. They are generic in nature and are made project specific through choices that are made in developing the Tender Data associated with a specific project.

Conditions of tender are by definition the document that establishes a tenderer's obligations in submitting a tender and the employer's undertakings in soliciting and evaluating tender offers. Such conditions establish the rules from the time a tender is advertised to the time that a contract is awarded and require employers to conduct the process of offer and acceptance in terms of a set of standard procedures.

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The CIDB Standard Conditions of Tender are based on a procurement system that satisfies the following system requirements:	
Requirement	Qualitative interpretation of goal
Fair	The process of offer and acceptance is conducted impartially without bias, providing simultaneous and timely access to participating parties to the same information.
Equitable	Terms and conditions for performing the work do not unfairly prejudice the interests of the parties.
Transparent	The only grounds for not awarding a contract to a tenderer who satisfies all requirements are restrictions from doing business with the employer, lack of capability or capacity, legal impediments and conflicts of interest.
Competitive	The system provides for appropriate levels of competition to ensure cost effective and best value outcomes.
Cost effective	The processes, procedures and methods are standardized with sufficient flexibility to attain best value outcomes in respect of quality, timing and price, and least resources to effectively manage and control procurement processes.

The activities associated with evaluating tender offers are as follows:

- a) Open and record tender offers received
- b) Determine whether or not tender offers are complete
- c) Determine whether or not tender offers are responsive
- d) Evaluate tender offers
- e) Determine if there are any grounds for disqualification
- f) Determine acceptability of preferred tenderer
- g) Prepare a tender evaluation report
- h) Confirm the recommendation contained in the tender evaluation report

C.3.11.1 General

The employer must appoint an evaluation panel of not less than three persons conversant with the proposed scope of works to evaluate each responsive tender offer using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

C.3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer's information the policies and / or certificates of insurance which the conditions of contract identified in the contract data, require the employer to provide.

C.3.13 Acceptance of tender offer

Accept the tender offer; if in the opinion of the employer, it does not present any risk and only if the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement;
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract;
- c) has the legal capacity to enter into the contract;
- d) is not; insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act No. 2008, bankrupt or being wound up, has

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his/her affairs administered by a court or a judicial officer, has suspended his/her business activities or is subject to legal proceedings in respect of any of the foregoing;

- e) complies with the legal requirements, if any, stated in the tender data; and
- f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

C.3.14 Prepare contract documents

C.3.14.1 If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) addenda issued during the tender period,
- b) inclusion of some of the returnable documents and
- c) other revisions agreed between the employer and the successful tenderer.

C.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

C.3.15 Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

C.3.16 Registration of the award

An employer must, within twenty-one (21) working days from the date on which a contractor's offer to perform a construction works contract is accepted in writing by the employer, register and publish the award on the cidb Register of Projects.

C.3.17 Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

C.3.18 Provide written reasons for actions taken

Provide upon request written reasons to tenderers for any action that is taken in applying these conditions of tender but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of tenderers or might prejudice fair competition between tenderers.

PART T2: RETURNABLE SCHEDULES

TABLE OF CONTENTS	Page	Colour
T2.1: LIST OF RETURNABLE DOCUMENTS.....	T.22	Yellow
T2.2: RETURNABLE SCHEDULES TO BE COMPLETED BY TENDERER	T.23	Yellow

T2.1 List of Returnable Documents

The Tenderer must complete the following Returnable Documents:

1 Returnable Schedules required only for Tender Evaluation purposes

- A: Central Database (CSD) Summary Report
- B: Record of Addenda to Tender Documents
- C: Certificate of Authority for Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor (Certified copies of Identity Documents for all members of Joint Ventures / Close Corporation / Partnership / Company / Sole Proprietor)
- D: Registration Certificates of entities – Joint Ventures / Close Corporation/ Partnership/ Company/ Sole Proprietor
- E: Compulsory Enterprise Questionnaire
- F: Schedule of the Tenderer's Experience
- F.1: Tenderer's Current Obligation Works
- G: Schedule of Key Personnel
- H: Format of Curriculum Vitae
- I: Proposed Amendments, Qualifications and Alternatives
- J: Schedule of Subcontractors
- K: Schedule of Plant and Equipment available for this contract
- L: Copy of the Workmen's Compensation Registration Certificate (or proof of payment of contributions in terms of the Compensation for Occupational Injuries and Diseases Act No. 130 of 1993)
- M: Company profile, including track record
- N: Construction Industries Development Board (CIBD) Registration – Contractors with CIDB grading of **7GB or higher**.

2 Other Documents required only for Tender Evaluation purposes

- O: Tax Compliance Status
- P: Financial Standing – Attach Letter of Intent
- Q: SBD Forms Required to be completed
- R: Execution Programme / Program of Works

3 Returnable Schedules that will be incorporated into the Contract

- S: Detailed Method Statement
- T: Contractor's Health and Safety Declaration

4 Other Documents that will be incorporated into the Contract

- U: Contractor's Safety Plan
- V: Proforma Notification form in terms of the Occupational Health and Safety Act 1993, Construction Regulations, 2003
- W: Monthly Labour Report
- X: Bidder's Detailed Experience – Reference Sheet

5 The Offer portion

- Part C1 Agreement and Contract Data
- Part C2 Pricing Data
- Part C3 Scope of Work
- Part C4 Site Information

T2.2 Returnable Schedules to be completed by Tenderer.

A. CENTRAL SUPPLIER DATABASE (CSD) SUMMARY REPORT

Tenderer's CENTRAL SUPPLIER DATABASE (CSD) SUMMARY REPORT to be attached here

B. RECORD OF ADDENDA TO TENDER DOCUMENTS

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:		
1.		
1.		
2.		
3.		
4.		
5.		

Attach additional pages if more space is required.

Signed..... Date.....

Name..... Position.....

Tenderer.....

C. CERTIFICATE OF AUTHORITY OF AN ENTITY

Indicate the status of the Tenderer by ticking the appropriate box hereunder. The Tenderer must complete the Certificate set out below for the relevant category.

(I) Company	(II) Close Corporation	(III) Partnership	(IV) Joint Venture	(V) Sole Proprietor

(I) CERTIFICATE FOR COMPANY

I, chairperson of the Board of Directors of
, hereby confirm that by resolution of the Board (copy attached)
 taken on 20.....,

Mr/Ms, acting in the capacity of
, was authorised to sign all Documents in
 connection with this Tender and any Contract resulting from it on behalf of the Company.

Signature of Chairman:

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

(II) **CERTIFICATE FOR CLOSE CORPORATION**

We, the undersigned, being the key Members in the business trading as.....
..... hereby authorise Mr/Ms,
acting in the capacity of, to sign all Documents
in connection with the Tender for Contract No and any Contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

Note: *This Certificate is to be completed and signed by all of the key Members upon whom rests the Direction of the Affairs of the Close Corporation as a whole.*

(III) **CERTIFICATE FOR PARTNERSHIP**

We, the undersigned, being the key Partners in the business trading as,

.....hereby authorise Mr/Ms.....

acting in the capacity of , to sign all Documents in connection

with the Tender for Contract No and any Contract resulting from it on our behalf.

Signature of Signatory:

As Witnesses:

1.....

Name in Block Letters.....

2.....

Name in Block Letters.....

Date:

NAME	ADDRESS	SIGNATURE	DATE

Note: *This Certificate is to be completed and signed by all of the key Partners upon who rests the Direction of the Affairs of the Partnership as a whole.*

(IV) **CERTIFICATE FOR JOINT VENTURE**

We, the undersigned, are submitting this Tender Offer in Joint Venture and hereby authorize Mr/Ms , authorized signatory of the Company, acting in the capacity of Lead Partner, to sign all Documents in connection with the Tender Offer for Contract No and any Contract resulting from it on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the Partners to the Joint Venture.

Signature of Signatory:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead Partner		

Note: *This Certificate is to be completed and signed by all of the key Partners upon who rests the Direction of the Affairs of the Joint Venture as a whole.*

V) CERTIFICATE FOR SOLE PROPRIETOR

I....., hereby confirm that I am the Sole Owner of the

business trading as:.....

Signature of Sole Owner:

As Witnesses:

1..... Name in Block Letters.....

2..... Name in Block Letters.....

Date:

D. REGISTRATION CERTIFICATE OF AN ENTITY

[Important note to Tenderer: Registration Certificates for Companies, Close Corporations, Partnerships and ID Documents for Sole Proprietors must be inserted here. In the case of a Joint Venture, a copy of a duly signed Joint Venture Agreement must be included]

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E. COMPULSORY ENTERPRISE QUESTIONNAIRE

The following particulars must be furnished. In the case of a Joint Venture, **separate** Enterprise questionnaires in respect of each Partner must be completed and submitted.

Section 1: Name of Enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: Particulars of Sole Proprietors and Partners in Partnerships

Name*	Identity number*	Personal income tax number*

* Complete only if Sole Proprietor or Partnership and attach separate page if more than 3 Partners

Section 5: Particulars of Companies and Close Corporations

Company registration number

Close Corporation number

Tax reference number

Section 6: Record in the service of the State

Indicate by marking the relevant boxes with a cross, if any Sole Proprietor, Partner in a Partnership or Director, Manager, Principal Shareholder or Stakeholder in a Company or Close Corporation is currently or has been within the last 12 months in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a Member of any Municipal Council | <input type="checkbox"/> an employee of any Provincial Department, National or Provincial Public entity or Constitutional Institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a Member of any Provincial Legislature | |
| <input type="checkbox"/> a Member of the National Assembly or the National Council of Province | <input type="checkbox"/> a Member of an Accounting Authority of any National or Provincial Public Entity |
| <input type="checkbox"/> a Member of the Board of Directors of any Municipal entity | <input type="checkbox"/> an employee of Parliament or a Provincial Legislature |
| <input type="checkbox"/> an Official of any Municipality or Municipal entity | |

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

Name of Sole Proprietor, Partner, Director, Manager, Principal Shareholder or Stakeholder	Name of Institution, Public Office, board or organ of State and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

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Section 7: Record of spouses, children and parents in the service of the State

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a Sole Proprietor, Partner in a Partnership or Director, Manager, Principal Shareholder or Stakeholder in a Company or Close Corporation is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|--|---|
| <input type="checkbox"/> a Member of any Municipal Council | <input type="checkbox"/> an employee of any Provincial Department, National or Provincial Public Entity or Constitutional Institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| <input type="checkbox"/> a Member of any Provincial Legislature | <input type="checkbox"/> a Member of an Accounting Authority of any National or Provincial Public entity |
| <input type="checkbox"/> a Member of the National Assembly or the National Council of Province | <input type="checkbox"/> an employee of Parliament or a Provincial Legislature |
| <input type="checkbox"/> a Member of the Board of Directors of any Municipal Entity | |
| <input type="checkbox"/> an Official of any Municipality or Municipal entity | |

Name of spouse, child or parent	Name of Institution, Public Office, Board or Organ of State and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the Enterprise:

- i) authorizes the Employer to obtain a tax clearance Certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that the neither the name of the Enterprise or the name of any Partner, Manager, Director or other Person, who wholly or partly exercises, or may exercise, control over the Enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no Partner, Member, Director or other Person, who wholly or partly exercises, or may exercise, control over the Enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other Tendering entities submitting Tender Offers and have no other relationship with any of the Tenderers or those responsible for compiling the Scope of Work that could cause or be interpreted as a conflict of interest; and
- iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed

Date

Name

Position

Enterprise Name

F. SCHEDULE OF THE TENDERER'S EXPERIENCE

The following is a Statement of Work of similar nature recently successfully executed by myself / ourselves (attach completion certificate for all completed projects as proof):

Employer: Contact Person and Telephone Number	Consulting Engineer: Contact Person and Telephone Number	Nature of Work	Value of Work (inclusive of VAT)	Date Completed or Expected to be Completed

SIGNATURE:
(of person authorised to sign on behalf of the Tenderer)

DATE:

F.1 TENDERER'S CURRENT OBLIGATION WORKS

The following is a Statement of Works currently as obligations:

Employer: Contact Person and Telephone Number	Consulting Engineer: Contact Person and Telephone Number	Nature of Work	Value of Work (inclusive of VAT)	Date Expected to be Completed

If there are no current works under construction: bidder must Declare in writing on this Tables; that there are no current obligations.

SIGNATURE:
(of person authorised to sign on behalf of the Tenderer)

DATE:

G. KEY PERSONNEL

In terms of the Project Specification and the Conditions of Tender, unskilled Workers may only be brought in from outside the Local Community if such personnel are not available locally.

The Tenderer shall list below the personnel which he intends to utilize on the Works, including key personnel which may have to be brought in from outside if not available locally.

Category of Employee	Number of Persons					
	Key Personnel, Part of the Contractors Organisation		Key Personnel to be imported if not locally available		Unskilled Personnel to be recruited from the local community	
	HDI	NON-HDI	HDI	NON-HDI	HDI	NON-HDI
Project Manager						
Quality Control & Health and Safety						
Plant/Equipment Operators (Forklift)						
Electrician Artisan						
Electrical Technician						
Mechanical Technician						
Building works Artisans (all three – bricklayers, painter, plumber)						
Unskilled Workers						
Others:						
.....
.....
.....
.....
.....

SIGNATURE:
(of person authorised to sign on behalf of the Tenderer)

DATE:

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H. CURRICULUM VITAE FORMAT OF KEY PERSONNEL

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

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications, and my experience.

.....
Signature of person named in the Schedule

.....
Date

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

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications, and my experience.

.....
Signature of person named in the Schedule

.....
Date

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

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

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications, and my experience.

.....
Signature of person named in the Schedule

.....
Date

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

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

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications, and my experience.

.....
Signature of person named in the Schedule

.....
Date

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

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

Certification:

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications, and my experience.

.....
Signature of person named in the Schedule

.....
Date

I. AMENDMENTS, QUALIFICATIONS AND ALTERNATIVES

(This is not an invitation for amendments, deviations or alternatives, but should the Tenderer desire to make any departures from the Provisions of this Contract he shall set out his proposals clearly hereunder. The Employer will not consider any amendment, unless form (a), has been completed to the satisfaction of the Employer). The Tenderer is referred to Tender Data paragraph F.2.12, where it is clearly stated that no Alternative Offers will be accepted.

I / We herewith propose the amendments, as set out in the table below:

(a) AMENDMENTS

PAGE, CLAUSE OR ITEM NO	PROPOSED AMENDMENT

- Notes:**
- (1) Amendments to the General and Special Conditions of Contract are not acceptable;
 - (2) The Tenderer must give full details of all the financial implications of the amendments and qualifications in a covering letter attached to his Tender.

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J. SCHEDULE OF PROPOSED SUBCONTRACTORS

We notify you that it is our intention to employ the following Subcontractors for work in this Contract.

If we are awarded a Contract, we agree that this notification does not change the requirement for us to submit the names of proposed Subcontractors in accordance with requirements in the Contract for such appointments. If there are no such requirements in the Contract, then your written acceptance of this list shall be binding between us.

	Name and address of proposed Subcontractor	Nature and extent of Work / Service	Previous experience with Subcontractor.
1.			
2.			
3.			
4.			
5.			

Signed

Date

Name

Position

Tenderer

K. SCHEDULE OF PLANT AND EQUIPMENT

The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this Contract or will acquire or hire for this Contract if my / our Tender is accepted.

(a) Details of major equipment that is owned by and immediately available for this Contract.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

(b) Details of major equipment that will be hired, or acquired for this Contract if my / our Tender is acceptable.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed

Date

Name

Position

Tenderer

Proof of ownership and/or rental agreement should form part of the tender document.

L. COPY OF WORKMEN'S COMPENSATION REGISTRATION CERTIFICATE (OR PROOF OF PAYMENT OF CONTRIBUTIONS IN TERMS OF THE COMPENSATION FOR OCCUPATIONAL INJURIES AND DISEASES ACT NO. 130 OF 1993)

[Certified Copy of the Certificate or Proof of Payment thereof obtained from the Workmen's Compensation Commissioner to be inserted here]

M. COMPANY PROFILE, INCLUDING TRACK RECORD

[Abbreviated company profile, giving history, status, activities, staff and track record of the tendering entity, to be inserted here. In case of a Joint Venture, a separate profile for each partner must be submitted]

N. CONSTRUCTION INDUSTRIES DEVELOPMENT BOARD (CIDB) REGISTRATION

[Certified copy of the Tenderer's CIDB registration indicating the Contractor grading designation, to be inserted here. For a Joint Venture, each partner's CIDB certificate is to be included, as applicable]

O. TAX COMPLIANCE STATUS

IMPORTANT NOTES:

1. The Central Supplier Database and tax compliance status PIN are approved methods that will be used to verify tax compliance as SARS does not issue tax clearance certificate anymore but has made an online provision available via e-Filing for bidders to print their own tax clearance certificates which can be submitted with this bid.
2. Tax Clearance submitted by bidders will be verified on e-Filing and/or Central Supplier database.
3. Bidders must provide a tax compliance status PIN and Central Supplier Database Number to access their records and verify tax compliance status.

APPLICATION FORM FOR TAX CLEARANCE CERTIFICATE

(In respect of Tender see note at bottom)

1. NAME OF TAXPAYER/TENDERER:
2. TRADE NAME:
3. IDENTIFICATION No. (if applicable):
4. COMPANY/CLOSE CORPORATION REG No:
5. INCOME TAX REFERENCE No:
6. VAT REGISTRATION No:
7. PAYE EMPLOYERS REG No. (if applicable) :

NB: Copy of the Tender request must be attached to this application.

CONTACT PERSON REQUIRING TAX CLEARANCE CERTIFICATE:

SIGNATURE:

NAME :

TELEPHONE NUMBER : CODE: NUMBER:

ADDRESS :

DATE : 20..../...../.....

Please note that the Commissioner for the South African Revenue Service (SARS) will not exercise his discretionary powers in favour of any person with regard to any interest, penalties and/or additional tax leviable due to the late or underpayment of taxes, duties or levies or the rendition of returns by any person.

NAME OF PERSON RESPONSIBLE FOR CONTRACT:

(ST 5.1) March 1999

NB: This is a pro forma application form that has to be submitted to SARS to enable them to issue the required Tax Clearance Certificate. The original and valid Tax Clearance Certificate furnished by the Receiver of Revenue must be submitted with the Tender (to be attached to the next page).

TAX CLEARANCE CERTIFICATE

[Valid Original Tax Clearance Certificate obtained from SARS to be inserted here after or CSD Summary Report]

P. TENDERER'S FINANCIAL STANDING

In terms of Clause F.2.18.1 of the Contract-specific Tender Data the Tenderer shall provide information about his commercial position, which includes information necessary for the Employer to evaluate the Tenderer's financial standing.

To that end the Tenderer must provide with his tender a bank rating, certified by his banker, to the effect that he will be able to successfully complete the contract at the tendered amount within the specified time for completion.

However, should the Tenderer be unable to provide a bank rating with his tender, he shall state the reasons as to why he is unable to do so, and in addition provide the following details of his banker and bank account that he intends to use for project:

Name of account holder:

Name of Bank: Branch:

Account number: Type of account:

Telephone number: Facsimile number:

Name of contact person (at bank):

Failure to provide either the required bank details or a certified bank rating with his tender, will lead to the conclusion that the Tenderer does not have the necessary financial resources at his disposal to complete the contract successfully within the specified time for completion.

The Employer undertakes to treat the information thus obtained as confidential, strictly for the use of evaluation of the tender submitted by the Tenderer.

SIGNATURE: DATE:
(of person authorised to sign on behalf of the Tenderer)

P1 FINANCIAL INFORMATION OF TENDERER

This information sheet has to be filled in by the financier of the Tenderer, duly signed and stamped on behalf of the financial institution he represents.

Tenderer / Tender Details

Tender Description:

Contract Period:

Name of Tenderer:

Bank Account Number:

Tender Amount:

State amount of Demand Guarantee: R.....

Attach Letter of Intent from Financial Institution

Financial Institution

Name of Commercial Bank:

Branch:

Name of Bank Manager:

Telephone Number:

We acting on behalf of the above Commercial Bank confirm that

..... (Tenderer)

has operated an account with us for the last years.

We have been requested to provide a bank rating based in relation to the financial capability of the Tenderer, taking into account directives set out in the following two tables.

FINANCIAL CAPABILITY

Maximum value of contract that the Tenderer is considered capable of	Value on which Bank Rating must be used
Up to R300 000	R24 000
R1 000 000	R78 000
R3 000 000	R240 000
R5 000 000	R480 000
R10 000 000	R900 000
R30 000 000	R2 400 000
R100 000 000	R7 800 000

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher

BANK RATING

Bank Code	Description of Bank Code
A	Undoubted for the amount of enquiry
B	Good for the amount of enquiry
C	Good for the amount quoted if strictly in the way of business
D	Fair trade risk for amount of enquiry
E	Figures considered too high
F	Financial position unknown
G	Occasional dishonours
H	Frequent dishonours

The value on which our Bank Rating of the Tenderer is based is R.....

In words only)

The Bank Rating is code:

.....
Signature: Manager Financial Institution

.....
Print Name

.....
Date

RUBBER STAMP OF INSTITUTION

Q: SBD FORMS REQUIRED TO BE COMPLETED

SBD 1 – INVITATION TO BID (REVISED 2022)

SBD 3.1 – FIRM PRICES

SBD 4 – BIDDERS DISCLOSURE

SBD 6.1 – PREFERENCE POINT CLAIM FORM

PART A INVITATION TO BID

SBD1

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	LEDA/KKP/2025/26-2D	CLOSING DATE:	25 February 2026	CLOSING TIME:	11H00
DESCRIPTION	Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
ENTERPRISE DEVELOPMENT HOUSE					
MAIN ROAD					
LEBOWAKGOMO					
0737					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Suzan Mabeba		CONTACT PERSON	Sibuyi DE	
TELEPHONE NUMBER	066 484 1939		TELEPHONE NUMBER	(015) 294 3429/ 079 895 4313	
FACSIMILE NUMBER			FACSIMILE NUMBER		
E-MAIL ADDRESS	Suzan.mabeba@lieda.co.za		E-MAIL ADDRESS	SibuyiDE@agric.limpopo.gov.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.					

SBD1

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:

SBD4**BIDDER'S DISCLOSURE****1. PURPOSE OF THE FORM**

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

- 2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

- 2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

Full Name	Identity Number	Name of State institution

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

- 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**

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.

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher

2.3.1 If so, furnish particulars:

.....
.....

3 DECLARATION

I, the undersigned, (name)..... in submitting the accompanying bid, do hereby make the following statements that I certify to be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are 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

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.

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included).

1.2 **To be completed by the organ of state**

(delete whichever is not applicable for this tender).

- a) The applicable preference point system for this tender is the 80/20 preference point system.
- b) 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	80
SPECIFIC GOALS	20
Total points for Price and SPECIFIC GOALS	100

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

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

2. DEFINITIONS

- (a) **“tender”** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation.
- (b) **“price”** means an amount of money tendered for goods or services and includes all applicable taxes less all unconditional discounts.

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

3.1.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

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

Where:

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT

3.2.1. POINTS AWARDED FOR PRICE

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

80/20

$$Ps = 80 \left(1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where:

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/documentation stated in the conditions of this tender:
- 4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 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 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 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 80/20 preference point system.

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

(Note to organs of state: Where the 80/20 preference point system is applicable, corresponding points must also be indicated as such.)

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

The specific goals allocated points in terms of this tender	Number of points allocated (80/20 system) (To be completed by the organ of state)	Number of points claimed (80/20 system) (To be completed by the tenderer)	Means of verification
Black people ownership	5		Central Supplier Database
Women equity	3		Central Supplier Database
Youth equity	2		Central Supplier Database
Disability	2		Medical certificate or equivalent
Promotion of small businesses	3		Latest financial statement
Enterprises located within Limpopo	3		Proof of address in the name of the company
Military Veterans (MVA)	2		MVA force number
Total	20		

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;

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

- 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:

.....

.....

.....

R. EXECUTION PROGRAMME / PROGRAM OF WORKS

The Tenderer shall detail below or attach a preliminary programme reflecting the proposed sequence and tempo of execution of the various activities comprising the Work for this Contract. The programme shall be in accordance with the information supplied in the Contract, requirements of the Project Specifications and with all other aspects of his Tender.

The Execution Programme must be based on the completion time as specified in the Contract Data. The activities identified and filled in below, are specifically to be carried forward to Schedule T, the contractor’s Method Statement.

PLEASE NOTE: the cash flow projections from the Contractor (to be submitted before commencement of the execution of the Contract) must be in accordance with this execution plan in order to ensure proper Cash flow management by the Department and to minimise delayed payments.

PROGRAMME										
ACTIVITY	MONTHS									

S. DETAILED METHOD STATEMENT

[The adjudication of the responsiveness of a bid also relies on the extent to which a tenderer can prove an understanding of the scope of works. The tenderer should describe below the methods and procedures he will employ to successfully complete the various activities as identified for the foregoing Schedule S, the Execution Programme]

[illegible]

[Add more pages as required]

T: CONTRACTOR'S HEALTH AND SAFETY DECLARATION

In terms of Clause 4(4) of the OHS Act 1993 Construction Regulations 2014 (referred to as "the Regulations" hereafter), a Contractor may only be appointed to perform construction Work if the Employer is satisfied that the Contractor has the necessary competencies and resources to carry out the Work safely in accordance with the Occupational Health and Safety Act No 85 of 1993 and the OHS Act 1993 Construction Regulations 2014.

To that effect a person duly authorised by the Tenderer must complete and sign the declaration hereafter in detail.

Declaration by Tenderer

1. I the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No 181 of 1993), and the OHS Act 1993 Construction Regulations 2014.
2. I hereby declare that my Company has the competence and the necessary resources to safely carry out the construction Work under this Contract in compliance with the Construction Regulations and the Employer's Health and Safety Specifications.
3. I propose to achieve compliance with the Regulations by one of the following:
 - (a) From my own competent resources as detailed in 4(a) hereafter: ***Yes / No**
 - (b) From my own resources still to be appointed or trained until competency is achieved, as detailed in 4(b) hereafter: ***Yes / No**
 - (c) From outside sources by appointment of competent specialist Subcontractors as detailed in 4(c) hereafter: ***Yes / No**

(* = delete whatever is not applicable)

4. Details of resources I propose:

(Note: Competent resources shall include safety personnel such as a construction supervisor and Construction Safety Officer as defined in Regulation 6, and Competent Persons as defined in Regulations 7, 8, 10, 11, 12, 14, 15, 18, 21(1), 22, 26 and 27, as applicable to this Contract)

- (a) Details of the competent and qualified key persons from my Company's own resources, who will form part of the Contract team:

NAMES OF COMPETENT PERSONS	POSITIONS TO BE FILLED BY COMPETENT PERSONS

- (b) Details of training of persons from my Company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:
- (i) By whom will training be provided?
 - (ii) When will training be undertaken?
 - (iii) List the positions to be filled by persons to be trained or hired:
.....
.....
.....
- (c) Details of competent resources to be appointed as Subcontractors if Competent Persons cannot be supplied from own Company:
- Name of proposed Subcontractor:
- Qualifications or details of competency of the Subcontractor:
.....
.....
.....
5. I hereby undertake, if my Tender is accepted, to provide, before commencement of the Works under the Contract, a suitable and sufficiently Documented Health and Safety Plan in accordance with Regulation 5(1) of the Construction Regulations, which plan shall be subject to approval by the Employer.
6. I confirm that copies of my Company's approved Health and Safety Plan, the Employer's Safety Specifications as well as the OHSA 1993 Construction Regulations 2014 will be provided on Site and will at all times be available for inspection by the Contractor's personnel, the Employer's personnel, the Engineer, visitors, and Officials and Inspectors of the Department of Labour.
7. I hereby confirm that adequate provision has been made in my Tendered rates and prices in the Schedule of Quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHSA 1993 Construction Regulations 2014, and that I will be liable for any penalties that may be applied by the Employer in terms of the said Regulations (Regulation 30) for failure on the Contractor's part to comply with the Provisions of the Act and the Regulations.
8. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer will mean that I am unable to comply with the requirements of the OHSA 1993 Construction Regulations 2014, and accept that my Tender will be prejudiced and may be rejected at the discretion of the Employer.

SIGNATURE:
(of person authorised to sign on behalf of the Tenderer)

DATE:

U: CONTRACTOR'S SAFETY PLAN

[The Contractor shall submit the Contractor's Health and Safety Plan as required in terms of Regulation 5 of the Occupational Health and Safety Act 1993 Construction Regulations 2014, and referred to in T2.1, before commencement of the Works.]

V. PRO FORMA NOTIFICATION FORM IN TERMS OF THE OCCUPATIONAL HEALTH AND SAFETY ACT 1993, CONSTRUCTION REGULATIONS 2003

[This form must be completed and forwarded, prior to commencement of Work on Site, by all Contractors that qualify in terms of Regulation 3 of the Construction Regulations 2003, to the Office of the Department of Labour]

1. (a) Name and postal address of Contractor:.....
.....
- (b) Name of Contractor's contact person:
Telephone number:
2. Contractor's Workman's compensation registration number:
3. (a) Name and postal address of Client:
.....
- (b) Name of Client's contact person or Agent:.....
Telephone number
4. (a) Name and postal address of designer(s) for the Project:
.....
- (b) Name of Designer's contact person:
Telephone number
5. Name of Contractor's Construction Supervisor on Site appointed in terms of Regulation 6(1): Telephone number:
6. Name/s of Contractor's sub-ordinate supervisors on Site appointed in terms of Regulation 6(2).
.....
7. Exact physical address of the construction Site or Site Office:
.....
8. Nature of the construction Work:
.....
9. Expected Commencement Date:
10. Expected Completion Date:
11. Estimated maximum number of persons on the construction Site:
12. Planned number of Subcontractors on the construction Site accountable to Contractor:
13. Name(s) of Subcontractors already chosen:
.....
.....
.....

SIGNED BY:

CONTRACTOR: DATE:

CLIENT: DATE:

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading:7GB or higher

W. MONTHLY LABOUR REPORT

MONTHLY LABOUR REPORT FOR CERTIFICATE OF PAYMENT NO.

JOBS CREATED.....

AS PER BUSINESS PLAN

A	B	C	D	E	F	G	H	I	J
Category	Number of persons employed in category	Rate (R/d)	Local P-days	Non-local P-Days	Total P-days (D+E)	Amount expended on labour (C x F)	P-days by women	P-days by youth	P-days by disabled
Clerical									
Managerial									
Supervisory									
Skilled									
Semi-skilled									
Unskilled									
All operations									

ACTUAL TO DATE

A	B	C	D	E	F	G	H	I	J
Category	Number of persons employed in category	Rate (R/d)	Local P-days	Non-local P-Days	Total P-days (D+E)	Amount expended on labour (C x F)	P-days by women	P-days by youth	P-days by disabled
Clerical									
Managerial									
Supervisory									
Skilled									
Semi-skilled									
Unskilled									
All operations									

SUMMARY

Planned person-days target

Tendered construction period (months):

Overall person-days target per month:

Months represented by this report:

Person-day target for this month:

Achieved person-days to date:

Person-days ahead/behind target:

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

X: BIDDER'S DETAILED EXPERIENCE – REFERENCE SHEET

BIDDER'S DETAILED EXPERIENCE – REFERENCE SHEET

The following are to be completed by the Client or Principal Agent / Consultant and is to be supported in each case by a letter of award and the works completion certificate. Both client and Principal Agent must stamp the documents, failure to obtain both stamp will result in no allocation of points.

Project Name and scope of work:
--

Scope of work :

Contract duration:

Actual Contract Duration:

Name of Institution/company /place where contract was undertaken/ Client	Principal Agent/ Consultant	Value of contract	Contract Duration (in days, weeks, months, years)	Actual Contract Duration (in days, weeks, months, years)

To be filled by Principal Agent

Description/Performance	Very Poor (1)	Poor (2)	Fair (3)	Good (4)	Excellent (5)
Quality of office administration					
Quality of Site Management					
Competence Foreman					
Co-operation during contract					
Quality of workmanship					
Quality of materials					
Programme management					
Rectification of condemned work					
Tidiness of site					
Adequacy of equipment					
Adequacy of labour force					
Procurement of material					
Labour relations					

Any other additional remarks considered necessary to assist in evaluation of the contractor?

.....

Client/Principal Agent/consultant Firm.....

Telephone

Client/Principal Agent/consultant Signature

Date

STAMP

Appointment of a service provider for the design, construction, refurbishment and upgrade of existing building facility and installation of sweet potato yoghurt processing machinery for Kgarose Kgaros Pty Ltd at Seshego industrial park. CIDB grading: 7GB or higher

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To be filled by Principal Agent

Description/Performance	Very Poor (1)	Poor (2)	Fair (3)	Good (4)	Excellent (5)
Quality of office administration					
Quality of Site Management					
Competence Foreman					
Co-operation during contract					
Quality of workmanship					
Quality of materials					
Programme management					
Rectification of condemned work					
Tidiness of site					
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Adequacy of labour force					
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Labour relations					

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Client/Principal Agent/consultant Firm.....

Telephone

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Date

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