



COEGA DEVELOPMENT CORPORATION (PTY) LTD

**CONTRACT No: CDC/25/26
FOR**

**DEVELOP AND CONSTRUCT PROJECT FOR THE NEW
NTSHELE CLINIC AT KING SABATA DALINDYEBO
MUNICIPALITY IN MTHATHA**

VOLUME 1 (TENDERING PROCEDURES)

**CLOSING DATE: 14 April 2026
CLOSING TIME: 12:00**

PREPARED FOR:

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Ltd

NAME OF TENDERER: _____

VOLUME 1

Table of Contents

T1: TENDERING PROCEDURES		PAGE NO.
T1.1:	INVITATION TO TENDER	4
T1.2:	TENDER DATA	9
T1.3:	FUNCTIONALITY CRITERIA SCORING	23
T1.4:	STANDARD CONDITIONS OF TENDER	32
T1.5:	SPECIAL CONDITIONS OF TENDER	44

CONTRACT No. CDC/25/26

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

PART T1: TENDERING PROCEDURES

T1.1: INVITATION TO TENDER

CONTRACT No. CDC/25/26

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

The Coega Development Corporation (CDC) is headquartered in the City of Gqeberha, Nelson Mandela Bay Municipality, South Africa, with a strategic operational footprint in South Africa and beyond the borders in the African continent. The CDC's vision is to be the leading catalyst for the championing of socio-economic development. This it seeks to achieve through the development and operation of the Coega Special Economic Zone (SEZ), a transshipment hub and a leading investment destination in Africa, providing highly skilled competence and capacity for the execution of quality complex infrastructure and related projects throughout South Africa and selected markets on the African continent, and advisory on the development of industrialization and logistics zones. The CDC's advanced capabilities are successful enablers in economic zone development and management, real assets management, infrastructure planning and development for National, Provincial, Local Government Departments and State-owned Entities, technology integration while realising related socio-economic impact areas such as skills and SMME development. The foundational culture of the CDC's approach, backed by core values, is innovation and continuous improvement.

The CDC is assisting The Eastern Cape Department of Health (ECDOH) with implementation of infrastructure projects. These projects are aimed at enhancing the health infrastructure leading to developing and transferring skills and reducing poverty.

INVITATION TO TENDER

The Coega Development Corporation (CDC) is inviting capable and competent Contractors with an active CIDB Contractor Grading designation of **7GB or higher** and proven experience and track-record in the planning, design, construction, equipping and commissioning of a medical facility. Emerging contractors with a CIDB Contractor grading designation of 6GB PE are not eligible to make submissions and will not be considered.

The project involves the creation of a turnkey solution for Ntshela Clinic, in Ntshela Village at King Sabata Dalindyebo Municipality, Mthatha (**Coordinates: -31.67177° latitude, 28.723315° longitude**).

The appointed service provider will be responsible for the full scope of work including planning, design, construction, equipping and commissioning of a medical facility. The objective is to deliver fully operational and compliant primary care clinic upon completion. The expected project duration is 24 months. This comprises 4 months for remaining design processes, and 20 months for the construction, handover and close out activities.

SCOPE OF WORK

The replacement facility will be constructed as a single project. The delivery mechanism having been agreed in Procurement Gate 2, amongst other things, follows a Develop & Construct methodology.

The design phase of works is to complete the gateway approvals process as mandated by Framework for Infrastructure Delivery and Procurement Management (FIDPM). FIDPM Stage 2 has already been approved by the funder, Eastern Cape Department of Health (ECDoH), with the remaining stages to be completed by the successful bidder.

The detailed scope of works in accordance with FIDPM is as follows:

- a. Review of Stage 2: Concept and Viability (Preliminary Design)
- b. Stage 3: Design Development (Detailed Design)
- c. Stage 4: Procurement and Documentation
- d. Stage 5: Construction Works, comprising of:
 - (i) Bulk earthworks (cut and fill) to construct roads, parking areas and platforms.
 - (ii) Installation of anti-climb security fencing along the facility boundary;
 - (iii) Bulk Services (water, sanitation, waste, electrical & ICT)
 - (iv) Construction of a new 8-hour primary healthcare facility with accommodation for:
 - Clinical Services, e.g., consulting rooms, counselling, vitals, sputum booths, dispensary using ABT;
 - (v) Administration and Staff Areas e.g. main and sub-waiting areas, reception, records, ablutions, and staff rest rooms;
 - (vi) Public Areas e.g. Community meeting rooms, waiting areas and walkways
 - (vii) Construction of General Support services facilities e.g. Utilities Building, Waste Management, Guard House and on-site Laundry Room;
 - (viii) Site security and facility controlled access;
 - (ix) Staff Accommodation/Nurses Homes;
 - (x) Landscaping;
 - (xi) Health Technology;
- e. Stage 6: Hand Over
- f. Stage 7: Commissioning.

Further to the above, the non-infrastructure components socio-economic deliverables that also form part of the project scope and shall be achieved, namely:

Experiential learning opportunities for built environment graduates in the form of internships; Employment opportunities for the members of the local community; and Participation opportunities for local SMME subcontractors in the form of construction work packages.

CONDITIONS OF TENDER

Failure to adhere to the conditions stated hereunder or to provide evidence where specified, will render the submission non-responsive and the submission will be declared as null and void and will not be considered further.

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

- (a) Bidders must be registered with the Construction Industry Development Board (CIDB) and must have an active CIDB Contractor grading of **7GB or higher. 6GB PE and lower are not eligible to bid.** CIDB JV Calculator will be used for JV's/Consortiums. The CDC will verify the active grading through CIDB website.
- (b) Bidders must ensure that their CIDB registration is valid and active, or that they are capable of being registered, for the required grading and class of works from the bid closing date up to and including the date of award of the contract. CDC reserves the right to verify the bidder's CIDB registration status on the CIDB website at any stage during the evaluation and adjudication process. Where a bidder is not registered with the CIDB at the bid closing date but claims to be capable of being registered, the bidder must submit, as part of its bid, proof of application for CIDB registration. Failure to maintain an active and valid CIDB registration, or to successfully obtain such registration prior to award where the bidder was only capable of being registered at closing, will result in disqualification or rejection of the bid.
- (c) This project will be implemented under the CIDB Best Practise Project Assessment Scheme, known as the B.U.I.L.D Programme, and the successful Bidder will be required to adhere to the requirements of:
 - (i) the CIDB Standard for Indirect Targeting for Enterprise Development Through Construction Works Contracts published in Gazette Notice No. 36190 of 25 February 2013; and
 - (ii) the CIDB Standard for Developing Skills Through Infrastructure Contracts (March 2023).
- (d) The CDC's Procurement Policy & Procedures shall apply.
- (e) The following shall apply:
 - (i) Public Finance Management Act (PFMA);
 - (ii) Preferential Procurement Policy Framework Act, 2000
 - (iii) The Preferential Procurement Regulations 2022
 - (iv) National Treasury Regulations.
 - (v) The Construction Industry Development Board (CIDB) Act 38 of 2000
 - (vi) National Building Regulations and Building Standards Act (103 of 1977);
 - (vii) The National Qualifications Framework Act (Act No. 67 of 2008)
 - (viii) The National Qualifications Framework Amendment Act (Act No. 12 of 2019)
 - (ix) The Skills Development Act (Act No. 97 of 1998)
 - (x) Occupational Health and Safety Act and Regulations, Act (85 of 1993);
 - (xi) Compensation for Occupational injuries and disease Act (130 of 1993);
 - (xii) NEMA National Environmental Management Act (107 of 1998)
 - (xiii) Disaster Management Act, (57 of 2002)
 - (xiv) National Water - NWA Act, (36 of 1998)
 - (xv) Broad Based Black Economic Empowerment (BBBEE Act Number 53 of 2003 (as amended by Act number 46 of 2013); and
 - (xvi) Any other applicable legislation.
- (f) Either 80/20 or 90/10 preference points system will apply and the lowest acceptable tender will be used to determine the applicable preference point system.
- (g) Bidders will be evaluated on functionality assessment and are expected to meet the minimum of 60 points threshold in order to be evaluated further. The evaluation criteria for measuring functionality assessment and weight of each criterion are provided in the tender document volume 2.

- (h) An Entity that is part of the JV / Consortium is not permitted to form part of more than one bid submission in terms of the Competition Act 1996.
- (i) Bidders and all its Consortium/Joint Venture (JV) members, if any, must confirm their company registration with Companies and Intellectual Property Commission (CIPC) (formerly CIPRO) as CDC will not award any bid to any business that appears on the CIPC List of de-registered businesses.
- (j) Bidders must be VAT registered and bids must be submitted VAT inclusive. Non-VAT vendors who submit bids for contracts that would, if successful, take their annual turnover above the threshold of R 1 million are obliged to include VAT in the prices quoted and must therefore immediately upon award of the contract register with the South African Revenue Services (SARS) as VAT vendors. The award of contract would be conditional pending the successful bidder submitting proof of registration as a VAT vendor with SARS.
- (k) The CDC will only award the tender to a bidder who is tax compliant. The tax status of the bidders will be verified through CSD and SARS website.
- (l) Bidders (all the members in the Bidding Team in the case of Consortia or Joint Ventures) must provide proof of registration on the National Treasury's Central Supplier Database (CSD) or provide a Treasury CSD registration number e.g. MAAA0.
- (m) No competitive bids will be awarded to a person or entities/JV's who are not Tax Compliant, therefore prospective bidders must ensure that they are Tax Compliant throughout the validity period of the bid in review.
- (n) As per amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements) QSEs with at least 51% or 100% black shareholding and EMEs with an annual turnover of R3,0 million or more are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R3,0 million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover. In case of a Joint Venture (JV) / Consortium, a consolidated B-BBEE certificate would be required, and it must be accompanied by individual B-BBEE Certificates/affidavits of their entities to confirm the type of enterprise.
- (o) CDC will not award more than two active projects to one bidder, unless one project has reached 80% completion stage and beyond. Capacity assessment may be conducted in an event that the recommended bidder is the only responsive service provider and has already been awarded two contracts.
- (p) The Bidders must nominate a delegate with an authority to sign:
 - i. The Tender Submissions;
 - ii. Any correspondence with the CDC during the bidding process;
 - iii. The Agreement to be entered into with the Successful Bidder; and
 - iv. Any correspondence during the Contract Execution Phase.
- (q) Public servants are prohibited from doing any form of business with organs of state, whether in their own capacity as individuals or through companies in which they are directors. Verification will be done, and bidders will be disqualified should they be found to be in contravention with the regulations.
- (r) Bidders must complete and sign the POPI Act consent form. In case of Joint Venture/Consortium, a **separate** form in respect of each party to the JV must be completed.

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

- (s) Any misrepresentation of information will lead to immediate disqualification of the Bidder's Submission. It is imperative that the duly authorised person conducts quality control on all the documentation to be submitted to the CDC as part of this Tender Document and signs the submission as a correct and sound documentation that the CDC could put its reliance on.
- (t) Attendance of the Briefing Meeting by at least one member of the Company or JV/Consortium is compulsory.
- (u) The successful bidder (Principal Contractor) will be required to comply with the Occupational Health and Safety Act and Regulations, Act (85 of 1993); Compensation for Occupational injuries and disease Act, Act (130 of 1993), National Environmental Management Act, Act (107 of 1998) and Disaster Management Act, Act (57 of 2002) and, all relevant and applicable legislations throughout the duration of the contract. Upon appointment of the successful bidder, the service provider will be required to develop Occupational Health, Safety and Environmental Management Systems to comply with the SANS and CDC Norms and Standards.
- (v) Upon award the successful Bidder will be required to provide a valid proof of registered Construction Health and Safety Officer or Construction Health and Safety Manager (CHSO/CHSM) with SACPCMP within the prescribed period. No candidate registration will be accepted. The CHSO/CHSM must have proven record of 5 years or more.
- (w) Upon award the successful Bidder (Principal Agent) will be required to appoint Construction Health and Safety Agent (CHSA) actively registered with South African Council for the Project Construction Management Professions (SACPCMP) to perform safety, health and environmental professional consulting services. The CHSA will take full management and supervision of safety, health and environment during project planning, construction and closeout stages and must have a proven record of 10 years of experience or more. No candidate registration will be accepted.
- (x) In case of a JV award, the entity will be expected to provide valid proof of registration with Compensation Fund or approved Licensed Insurer specified as the J/V entity for a specific duration
- (y) Incomplete Tender document Submissions will be deemed null and void and shall be considered non-responsive.
- (z) Tenders must only be submitted on the tender document that is issued.
- (aa) Tender validity shall be sixteen (**16**) weeks from the closing date.
- (bb) Post contract award, the successful bidder will be required to visit a project of a similar nature in order to determine the benchmarking / quality requirements for the scheme.
- (cc) It is incumbent upon and the responsibility of the Prospective Bidders to submit their full and correct contact details when they download the Bid Document to enable any communication that the CDC might need to issue to all the Prospective Bidders during the bidding process to be realized. The CDC will not be accountable for any such omission or failure by the Prospective Bidders.

Collection of Documents

Bid documents for this Tender Process can be downloaded free of charge from the CDC Website: www.coega.co.za or National Treasury e-tender portal publication from **Friday, 13 March 2026 at 10h00**. The CDC will not take responsibility for any errors that may occur in the downloading of documents. Bidders are therefore required to ensure that they download the full pack with no missing pages.

In case a bidder prefers to purchase a physical bid document, the bidder must place an order via dohtenders@coega.co.za. The bid documents can be collected 2 days after placing an order during working hours from **CDC's Mthatha Office at 76 Blakeway Rd, Umtata Central, Mthatha, 5100 from Friday, 13 March 2026 at**

10h00, AT THE **RECEPTION**. No documents will be available or issued at the Briefing Session and should therefore be collected timeously beforehand.

Bidders who prefer to purchase a physical bid document, a non-refundable fee of **R700.00** per document must be deposited or payable by means of electronic transfers to Account Name: **CDC ECDOH; Standard Bank, Account No: 000898813, Branch No: 000205, Branch Name: Johannesburg** and proof of payment is required upon collection of the bid documents. **NO CASH WILL BE ACCEPTED.**

Bid Communication

Queries relating to this Tender may be addressed to **Ms. Zine Mtanda, Unit Head: Supply Chain Management** strictly via e-mail: dohtenders@coega.co.za between the period of **13 March to 07 April 2026** No new queries received after **07 April 2026** will be responded to.

Briefing Meeting

A compulsory briefing meeting with representatives of the employer will take place on site, **Tuesday 24 March 2026 at 13h00** at Ntshеле Clinic, in Ntshélé Village at King Sabata Dalindyebo Municipality, Mthatha (Coordinates: -31.67177° latitude, 28.723315° longitude). The Briefing meeting minutes will be published on the CDC website within 48hours.

Closing date and time

The closing date and time for the receipt of completed bids is **Tuesday, 14 April 26 at 12:00** at **CDC's Mthatha Office at 76 Blakeway Rd, Umtata Central, Mthatha, 5100** . Bids are to be placed in the tender box at the **RECEPTION** area. One original completed bid document shall be contained in a sealed envelope clearly marked: **"CDC/25/26 DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA"**

Bids will not be opened in public for the received tenders and a bid opening register will be placed on the CDC website within 48 hours. **NO LATE SUBMISSION** will be considered.

Failure to provide any mandatory information required in this document will result in the submissions being deemed null and void and shall be considered non-responsive.

Tenderers must ensure that all bid documents are submitted in a secure, sealed, tamper-proof envelope or container. The submission must be secure against any form of tampering, alteration, removal, or insertion of documents. Any bid submission received in packaging that appears to be torn, unsealed, loose papers or otherwise compromising the integrity of the contents may be deemed non-responsive and disqualified at the discretion of the CDC.

Telegraphic, telexed, tipped, facsimiled or e-mail submissions will not be accepted.

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

No telephonic or any other form of communication relating to this bid with any other CDC member of staff, CDC Agent, Client or any other role players will be permitted. All enquiries regarding this tender must be in writing only, and must be directed to:

Ms. Zine Mtanda, Unit Head: Supply Chain Management; email: dohtenders@coega.co.za.

There shall be no disclosure, other than to the Clients legal and technical advisors of the tender amounts, method of work, terms conditions, etc., to any other service Bidder nor to any parties who have not submitted tender documents.

The CDC reserves the right not to accept the lowest proposal in part or in whole or any proposal.

1.2: Tender Data

Conditions of Tender

The Conditions of Tender are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Engineering and Construction Procurement, Board Notice 136 Government Gazette No 38960 of 10 July 2015 (Amended August 2019) (see www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of Tenderers and attached to this Tender Data.

The Standard Conditions of Tender make several references to the Tender Data which specifically applies to the 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 data given below shall be cross-referenced to the Clause in the Standard Conditions of Tender to which it mainly applies.

The Additional Conditions Of Tender Are:

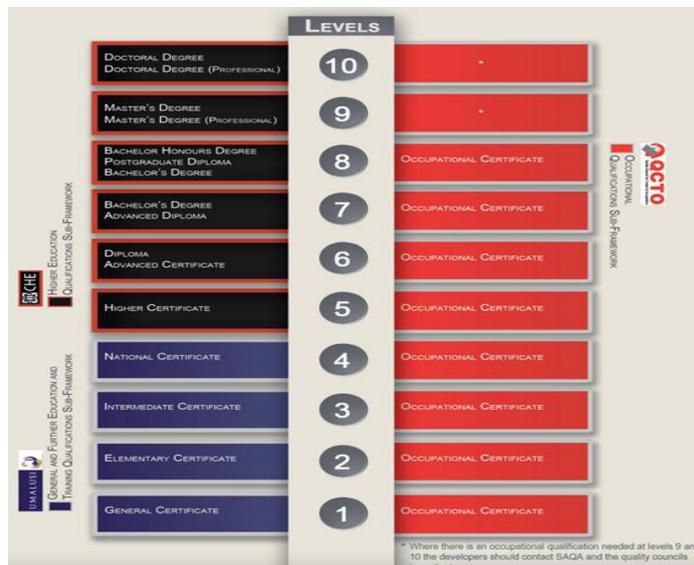
Clause Number	Description
	<p>The conditions of Tender are the Standard Conditions of Tender as contained in Annexure C of Board Notice 136 of 2015 in Government Gazette No. 38960 of 10 July 2015 (Amended August 2019), Construction Industry Development Board (CIDB) Standard for Uniformity in Engineering and Construction Procurement. (See www.cidb.org.za).</p> <p>The Standard Conditions of Tender for Procurements 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.</p> <p>Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it applies.</p>
C.1	GENERAL
	The Employer is the COEGA DEVELOPMENT CORPORATION
C.1.2	Tender documents:
C.1.2	Bill of Quantities
	A set of Bill of Quantities is bound in as part of the tender document.
C.1.2	Drawings
	<p>Drawings are annexed to the Bid document – Drawing reference numbers, as part of the tender document.</p> <p>The Tender Document shall be obtained from the Employer or his authorised representative at the physical addresses stated in the Tender Notice, upon payment of the deposit stated in the Tender Notice.</p>
C.1.4	Communication and Employer's Agent:
	<p>The Employer is: Coega Development Corporation Address: Ground Floor, 76 Blakeway, Mthatha, 5099 Email: dohtenders@coega.co.za</p>
C.1.5	The Employer's right to accept or reject any tender offer:
	The Employer may accept or reject any variation, deviation, of the tender offer, or alternative offer, and

Clause Number	Description	
	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.	
C.2	TENDERER'S OBLIGATIONS	
C.2.1	MANDATORY/ELIGIBILITY AND DETERMINATION OF RESPONSIVE BIDDERS	
	Item No.	Description
	1	Completed and Signed Attendance Register at the mandatory briefing meeting. The attendance register must be completed in the name of the bidding entity. One person cannot represent more than one bidding company. Failure to attend the compulsory briefing meeting will lead to the bidder's elimination the bid will not be evaluated further.
	2	Completed and signed Invitation to Bid (SBD 1) . In case of a Joint Venture/Consortium, the information of all the entities should be reflected on the SBD1 form.
	3	Completed and signed Bidders Disclosure Form (SBD4) . In the case of a JV joint Venture / Consortium, a separate bidders disclosure form in respect of each party to the JV must be completed and submitted. Where the SBD4 is completed in the name of the JV, the bid will not be considered further.
	4	Bidders shall be registered with the Construction Industry Development Board (CIDB) and should have an active CIDB Contractor grading of 7GB or higher. 6GB PE and lower are not eligible to bid. The CDC will verify the active grading through the CIDB website.
	5	A signed letter of intent to enter into a JV/Consortium, to be signed by all parties (Where applicable).
	6	Completed and Signed Certificate of Authority of Signatory to be signed by all bidders. In case of a Joint Venture/ Consortium, the Authority of Lead Partner to sign JV/Consortium documents must ALSO be provided and signed by all parties in the JV. Proof of authority to sign may be submitted in a form of company resolution
	7	Fully Completed and Signed Form of Offer.
	8	An original fully completed, priced and handwritten Bill of Quantities (<i>including Mechanical, Electrical BoQ & SHE BoQ (where applicable),</i>) must be filled in clearly legible with permanent black ink . In cases where the P&G's is not priced the bidder must explicitly indicate as such. Failure to provide the total amount for P&G's or to state if the amount is covered elsewhere will result in immediate disqualification. The bidder must expressly state "included or elsewhere covered" for the line items that are considered to be covered elsewhere in measured works items. Non- compliance will lead to immediate

Clause Number	Description
	<p>disqualification.</p> <p>Copies of the priced BoQ, alternatively scanned copies of priced Bills of Quantities are not acceptable and may result in disqualification.</p>
	<p>9 The Entity must provide proof of registration for the following resources registered under:</p> <p>(a) Architect: Registered as a Professional Architect (Pr. Arch) OR Professional Senior Architectural Technologist (Pr. S. Arch. T) OR Professional Architectural Technologist (Pr. Arch. T) with the South African Council for the Architectural Profession (SACAP) AND</p> <p>(b) Quantity Surveyor: Registered as a Professional Quantity Surveyor (Pr. QS) with the South African Council for the Quantity Surveying Profession (SACQSP) AND</p> <p>(c) Electrical Engineer: Registered as a Professional Engineer (Pr. Eng) OR Professional Engineering Technologist (Pr. Tech Eng) with the Engineering Council of South Africa (ECSA) AND</p> <p>(d) Mechanical Engineer: Registered as Professional Engineer (Pr. Eng) OR Professional Engineering Technologist (Pr. Tech Eng) with the Engineering Council of South Africa (ECSA) AND</p> <p>(e) Civil Engineer: Registered as a Professional Engineer (Pr. Eng) OR Professional Engineering Technologist (Pr. Tech Eng) with the Engineering Council of South Africa (ECSA) AND</p> <p>(f) Structural Engineer: Registered as a Professional Engineer (Pr. Eng) OR Professional Engineering Technologist (Pr. Tech Eng) with the Engineering Council of South Africa (ECSA)</p> <p>Notes: (1) Candidate category will not be considered. The registered professional SHALL NOT be nominated for two (2) or more competing bidders as this constitutes a Conflict of Interest. Freelancers to take note of this condition</p> <p>(2) Appointed Project Manager/Employer's Representative under CDC/251/25 will not be accepted.</p>
10	<p>The bidder must provide valid proof that the proposed Alternative Building Technology (ABT) product and system complies with the National Building Regulations (NBR) and relevant South African National Standards (including SANS 10400). Compliance must be demonstrated through one of the following: 1. Agrément South Africa Certification: A current and valid Agrément South Africa Certificate for both the product and the system, confirming that the ABT meets all regulatory and performance requirements OR 2. Rational Design Certification: A Rational Design Certificate issued by a competent person (as defined in the</p>

Clause Number	Description
	<p>National Building Regulations), confirming that the ABT product and system meet the performance requirements of the NBR and SANS 10400. The certificate must include: The rational design report; Proof of the competent person's registration and qualifications; and Evidence that the design has been assessed for safety, structural performance, fire compliance, and durability OR 3. Equivalent Certification (if applicable): In cases where an equivalent recognised certification is provided, the bidder must submit evidence that the certification: Is issued by a recognised and accredited body; Covers the same performance requirements as an Agrément SA Certificate or Rational Design (including compliance with NBR and SANS 10400); and Applies specifically to the product and system being offered. Third-Party Provider Requirement: If the bidder intends to deliver the ABT solution through a third-party service provider, the bidder must submit: a) A Letter of Intent or Signed Agreement with the third-party provider; and b) Proof that the third-party provider holds the required Agrément SA Certificate, Rational Design Certificate, or equivalent compliant certification as outlined above.</p>

Figure 1 – SAQA NQF Tabl.



PROJECT SPECIFIC REQUIREMENTS/ ADDITIONAL INFORMATION		
	ITEM NO.	DESCRIPTION (ALL DOCUMENTS BELOW ARE REQUIRED AND HIGHLIGHTED UNDER FUNCTIONALITY)
	1)	As per the amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable B-BBEE elements) QSEs with at least 51% or 100% black shareholding and EMEs with an annual turnover of R3,0 million or more are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R3,0 million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by CIPC, confirming their ownership and annual turnover. In case of a Joint Venture (JV) / Consortium, a consolidated B-BBEE certificate would be required, and it must be accompanied by individual B-BBEE Certificates/affidavits of their entities to confirm the type of enterprise.
	2)	Supporting documents on project imperatives: (i) Plans for promoting and managing safety, health and environmental issues during execution of the project. (ii) Plans for monitoring and applying quality assurance principles in the execution of the project. (iii) Plans for addressing socio-economic issues (with specifics on numbers to be achieved) which include: <ul style="list-style-type: none"> • Maximisation of job opportunities (labour histograms); • Use of local material/local suppliers; and Training of labour (non-accredited and accredited training)
	3)	Provide information that covers the level of education and training, and the positions held of the key staff /personnel (specific to the Architect, Quantity Surveyor, Electrical Engineer, Mechanical Engineer, Civil Engineer, Structural Engineer, Contracts Manager, Site Agent and Foreman including in the form of a CV. In order to determine the period of relevant experience for the purpose of allocating scores. The CV must set out, at a minimum, the start and end date of each job/ work assignment with a brief description of the work undertaken during that period. Please provide copies of qualifications. If copies of qualifications are not provided, a score for qualifications will not be allocated.
	4)	Proof of available capital for the execution of this project in the form of confirmed credit line with banking institution and letters of confirmation of supplier credit. In order for Bank Letters to contribute to the score, the letter must set out a Rand value that the contractor is "good for". An alphabetical rating only - I.e. "A" or "B" etc. will not attract a score.
	5)	Bidders must complete and sign the POPI Act form. In the case of a JV / Consortium, a separate form in respect of each party to the JV must be completed.
	6)	A Completed and signed SBD 6.1 preference points claim Form in terms of the Preferential Procurement Regulations 2022.

	7)	Access/Ownership (availability) of plant and equipment. In case of hiring key plant, a letter confirming the willingness of the hirer to hire equipment to the bidder.
	8)	An SMME Implementation Plan – for the achievement of the set target of 35% local economic participation
	9)	Quality Control System and Procedures which ensure compliance with the standards and specifications required for delivery of the project
	10)	Successful bidder to provide Professional Indemnity Insurance to a minimum value of R 20mil for each discipline (i.e. Architect, Quantity Surveyor, Electrical, Mechanical, Civil, Structural). Indemnity to be in the name of the bidder not the on the names of the individual disciplines.
C2.1	Eligibility	<p>A Tenderer will not be eligible to submit a tender if:</p> <ul style="list-style-type: none"> (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, is in Business Rescue 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 applicable to this tender; (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; <p>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.</p>
C.2.1.1	Construction Industry Development Board (CIDB) Registration	<p>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.</p> <p>A contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations, for a 7GB or higher class of construction work, are eligible to have their tenders evaluated.</p> <ul style="list-style-type: none"> (a) Joint Ventures are eligible to submit tenders provided that: (b) Every member of the Joint Venture is registered with the CIDB; (c) The lead partner must be registered in the relevant class of construction work; (d) The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 7GB or higher class of construction work of value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations and

	(e) The lead partner is mandated by the joint venture to attend meetings, answer questions and sign documentation of a legal nature.
C.2.1.1	Economic Enterprises tendering should sub-contract a minimum of 35% to QSE's which are at least 51% owned by black people.
C.2.7	The arrangements for a tender briefing session are stated in the Tender Notice and Invitation to Tender.
	See T1.1 TENDER NOTICE AND INVITATION TO BID. Tenderers must sign the attendance register in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance register
C.2.10	Pricing the tender offer:
	<u>Value Added Tax</u> 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 the contract offer has been agreed with the Employer's 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:
C.2.11.1	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. Tenderers shall 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	No alternative Tender offer will be considered.
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 of a joint venture to provide the whole of the works, services or supply 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 in non-erasable black ink. Under no circumstances whatsoever may the tender forms be retyped or redrafted.
C.2.13.3	Tender offers shall be submitted as an original.
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 authorised 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	One original of the completed bid document shall be placed in a sealed envelope clearly marked: DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA The Employer's address for delivery of tender offers and identification details are: Location of tender box: Coega Development Corporation Physical address: Ground Floor, 76 Blakeway, Mthatha, 5099

	<p>Identification details:</p> <p>Title of Tender: DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA</p> <p>The closing date: 14 April 2026</p> <p>Time of tender: 12h00</p>
C.2.13.9	Accept that tender offers submitted by facsimile or email will be rejected by the employer, unless stated otherwise in the tender data.
C.2.15	Closing Time: 12h00
C.2.15.1	<p>Ensure that the employer received 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.</p> <p>The closing time for submission of tender offers is 12h00 at:</p> <p>Coega Development Corporation, Ground Floor, 76 Blakeway, Mthatha, 5099</p> <p><u>Telephonic, facsimile, electronic or e-mailed tenders will not be accepted.</u></p>
C.2.16	Tender Offer Validity
C.2.16.1	The Tender offer validity period is 12 weeks from closing time for submission of tenders.
C.2.17	Clarification of Tender 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.
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), referencing 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.2.23	Certificates
	<p>The tenderer is required to submit with his tender the following:</p> <ul style="list-style-type: none"> (a) SARS PIN Number (b) Tax Clearance Certificate (c) CSD Registration Report/ CSD MA Number (d) 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); (e) Form of intent by a bank or an insurance company to provide a performance guarantee; (f) Certified Copies of Identity Document; (for company directors) (g) Certified Certificate of Contractor Registration issued by the Construction Industry Development Board. (h) Agreement Certificate
C.3	THE EMPLOYER'S UNDERTAKINGS
C.3.4	Opening of Tender submissions:
C.3.4.1	Bids will be opened in public for the received tenders and a bid opening register will be placed on the CDC website within 48 hours.

C.3.11	Evaluation of Tender Offers																																
C.3.11.	Only Responsive tenders will be evaluated in terms of Method 2: Functionality Assessment, Price and Preference.																																
	<p>The responsive tender with the highest combined total points for financial offer and preferences, is the preferred tender.</p> <p>The responsive tender with the highest total points of $P_s + N_p$ as defined below, will be considered, but CDC reserves the right not to award the bidder with highest points:</p> <p>(a) P_s (Financial Offer)</p>																																
	The CDC Procurement Policy shall apply. The 80/20 or 90/10 Preferential Points system, in terms of the Preferential Procurement Regulations, 2022 will be applicable. In the event that the tendered price of the lowest acceptable tender is below R50million, then the 80/20 preference points system will be applicable.																																
	<p>THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS:</p> <p>A maximum 80 or 90 points is allocated for price on the following basis:</p> $P_s = 80 \left[1 - \frac{P_t - P_{min}}{P_{min}} \right] \quad \text{OR} \quad P_s = 90 \left[1 - \frac{P_t - P_{min}}{P_{min}} \right]$ <p>Where:</p> <p>P_s = Points scored for comparative price of tender or offer under consideration.</p> <p>P_t = Comparative price of tender or offer under consideration; and</p> <p>P_{min} = Comparative price of lowest acceptable tender or offer.</p> <p>In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:</p>																																
		<table border="1"> <thead> <tr> <th data-bbox="600 1247 895 1301">B-BBEE Status Level of Contributor</th> <th data-bbox="900 1247 1195 1301">80/20</th> <th data-bbox="1195 1247 1490 1301">90/10</th> </tr> </thead> <tbody> <tr> <td data-bbox="600 1301 895 1344">1</td> <td data-bbox="900 1301 1195 1344">20</td> <td data-bbox="1195 1301 1490 1344">10</td> </tr> <tr> <td data-bbox="600 1344 895 1386">2</td> <td data-bbox="900 1344 1195 1386">18</td> <td data-bbox="1195 1344 1490 1386">9</td> </tr> <tr> <td data-bbox="600 1386 895 1429">3</td> <td data-bbox="900 1386 1195 1429">14</td> <td data-bbox="1195 1386 1490 1429">8</td> </tr> <tr> <td data-bbox="600 1429 895 1471">4</td> <td data-bbox="900 1429 1195 1471">12</td> <td data-bbox="1195 1429 1490 1471">5</td> </tr> <tr> <td data-bbox="600 1471 895 1514">5</td> <td data-bbox="900 1471 1195 1514">8</td> <td data-bbox="1195 1471 1490 1514">4</td> </tr> <tr> <td data-bbox="600 1514 895 1556">6</td> <td data-bbox="900 1514 1195 1556">6</td> <td data-bbox="1195 1514 1490 1556">3</td> </tr> <tr> <td data-bbox="600 1556 895 1599">7</td> <td data-bbox="900 1556 1195 1599">4</td> <td data-bbox="1195 1556 1490 1599">2</td> </tr> <tr> <td data-bbox="600 1599 895 1641">8</td> <td data-bbox="900 1599 1195 1641">2</td> <td data-bbox="1195 1599 1490 1641">1</td> </tr> <tr> <td data-bbox="600 1641 895 1720">Non-compliant Contributor</td> <td data-bbox="900 1641 1195 1720">0</td> <td data-bbox="1195 1641 1490 1720">0</td> </tr> </tbody> </table>	B-BBEE Status Level of Contributor	80/20	90/10	1	20	10	2	18	9	3	14	8	4	12	5	5	8	4	6	6	3	7	4	2	8	2	1	Non-compliant Contributor	0	0	
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	As per amended construction codes, companies with less than 51% black shareholding (QSEs & Generics) are to submit a valid SANAS Accredited B-BBEE Verification Certificate (with the full applicable cIB-BBEE elements) QSE with at least 51% or 100% black shareholding and EMEs with an annual turnover of R 3 million are required to submit a B-BBEE verification certificate from a SANAS accredited verification agency as they have to comply with the 40% sub-minimum requirement on the QSE Skills Scorecard to avoid being discounted a level. EMEs with a turnover of less than R 3 million are exempt from complying with the subminimum requirement and may submit an affidavit or a certificate issued by																																

	CIPC, confirming their ownership and annual turnover. The consortia/Joint Venture must submit a consolidated B-BBEE Certificate as well as individual B-BBEE Certificates /affidavits of their own entities to confirm the type of enterprise.
C.3.11.1	Scoring Financial offers:
	The procedure for the evaluation of responsive tenders is contained in the Evaluation and Scoring of Tender Offers on Specific Goals and Price.
C.3.11.1	Scoring quality (Functionality) For Functionality scoring bidders must achieve a minimum threshold of 60 points in respect of the Consultant Team AND a minimum of 60 points in respect of the Contractor in order to be considered for next stage evaluation.
C.3.11.1	Decimal Places
	Score price, preference and functionality, as relevant, to two decimal places.
C.3.13	<p>Tender offers will be accepted if:</p> <ul style="list-style-type: none"> (a) the Tenderer or any of its directors/shareholders 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; (b) The Tenderer submits a letter of intent from an approved insurer undertaking to provide the Construction Guarantee to the format included in Part T2.2 of the procurement document. (c) The Tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation and has submitted proof of CIDB grading. (d) the Tenderer has not: <ul style="list-style-type: none"> (i) abused the Employer's Supply Chain Management System; or (ii) failed to perform on any previous contract and has been given a written notice to this effect. (e) The tender offer is signed by a person authorised to sign on behalf of the Tenderer. (f) The Tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform the Contract in the best interests of the Employer or potentially compromise the tender process. (g) the Tenderer is registered and in good standing with the Compensation Fund or with a licensed compensation insurer; (h) the Employer is reasonably satisfied that the Tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely. (i) The Tenderer has submitted certified copies of the directors, owners and shareholders identity documents with the tender offer. (j) The Tenderer or any of its principals, directors or managers are 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 tender submission. (k) Tenderer who submitted a tender as a Joint Venture has included an acceptable Joint Venture Agreement with his/her tender signed by all parties. (l) The Tenderer complies with the specifications and conditions applicable to the product and submitted all the required documentation as stipulated in part C3: Scope of Works. (m) The Tenderer or any of its principals is not listed on the register of Tender Defaulters in

	<p>terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.</p> <p>(n) At least 35% of works must be subcontracted to SMMEs in accordance with the specified tendering rules contained in this document.</p>
	<p>The Employer is satisfied that the tenderer or any of his principals have <u>not influenced</u> the tender offer and acceptance by the following criteria:</p> <p>(o) 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;</p> <p>(p) having acted in a fraudulent or corrupt manner in obtaining or executing this Contract;</p> <p>(q) 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;</p> <p>(r) 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;</p> <p>(s) having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed tender;</p> <p>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.</p>
C.3.17	Provide copies of the contracts
	The employer will provide the successful tenderer with one (1) paper copy of the signed contract as soon as possible after completion and signing of the form of offer and acceptance.

Functionality criteria will be applied in accordance with the provisions attached to this Procurement Plan, as follows:

- (a) Table A1&B B1: Functionality Criteria Score
- (b) Table A2 & B2: Indicators for the Scoring of Functionality Criteria

Only tenderers that score a minimum of 60 out of a possible 100 points for the functionality (table A1) will be considered further and evaluated in terms of the Price and B-BBEE scoring components of the project.

Note: The professional team and contractor will be evaluated separately as per table A1 and A2. Each team must pass with a 60 points to be considered further.

FUNCTIONALITY SCORING SCHEDULES

Table A1: Consultants Functionality

No	Functional Criteria	Max. Score
1	Qualification of key individuals: Project Experience on relevant projects	
Architect	Bidders must demonstrate the experience and capability of the assigned resource by providing evidence of completed construction projects that are comparable to this project in terms of: Facility type: medical or clinical facilities; Design and technical complexity; Project size and scope; Project value Bidders Must Submit:	15
Quantity surveyor	For the assigned resource, bidders must provide details of completed projects, focusing on those with the highest contract value. Each project submission must include: (a) Proof of Completion - Completion certificates or performance reports from the previous employer/client. AND (b) One Contactable Client References – including Name of client representative; Organisation; Contact details (phone and/or email)]; A reference or performance letter including the above project details.	15
Electrical engineer	Information submitted must show as a minimum: (1) Project Details - Project name; Project location; Contract value; Project duration; Project status (must show that project is completed); Supplier/contractor performance evaluation AND (2) Evidence Linking the Assigned Resource to the Project - Clear indication that the proposed resource participated in the project (e.g., appointment letter, CV project list, client confirmation).	15
Civil/ Structural Engineer	Summary: Bidders must show that the assigned resource has successfully completed similar medical/clinical facility projects of comparable design complexity, size, and value. Evidence must be complete, verifiable, and supported by client references and performance documentation.	15
2	Professional Indemnity Insurance	

No	Functional Criteria	Max. Score
Architect	Bidders must provide evidence that the professional consulting firm (per discipline) has adequate Professional Indemnity (PI) Insurance to cover a project of this nature. Bidders Must Submit	10
Quantity surveyor	To meet this criterion, bidders must provide ONE of the following: (a) A valid Professional Indemnity (PI) Insurance Certificate - Must show the insured amount (limit of indemnity); Must clearly reflect the consulting firm's name; Must be valid at the time of submission. OR	10
Electrical engineer	(b) A Letter of Intent (LOI) from the Professional Service Provider's (PSP) Insurer - A formal confirmation that the insurer will provide PI insurance for this specific project if the bidder is appointed; Must include the potential cover amount and insurer details.	10
Civil/ Structural Engineer	Summary The bidder must demonstrate that the firm has—either currently in place or formally committed to obtaining—appropriate PI Insurance to cover the risks associated with this project.	10
TOTAL		100

Table A2: Consultants: Indicators for the Scoring of Functionality Criteria

#	Functionality Criteria	No response (0%)	Poor (25%)	Satisfactory (50%)	Good (75%)	Very Good (100%)
1	Experience of the registered professional	Failed to provide Information	0 – 5 Years' healthcare experience <u>post registration</u> with the respective Built Environment Council (SACQSP, SACAP, ECSA)	More than 5 Years up to 10 Years' healthcare experience <u>post registration</u> with the respective Built Environment Council (SACQSP, SACAP, ECSA)	> 10 Years up to 15 Years' healthcare experience <u>post registration</u> with the respective Built Environment Council (SACQSP, SACAP, ECSA)	> 15Years healthcare experience <u>post registration</u> with the respective Built Environment Council (SACQSP, SACAP, ECSA)
2	Professional Indemnity Insurance	Failed to provide information	Limit Professional Indemnity R10m or less per claim, unlimited in the aggregate	Limit of Professional Indemnity > R10m to R12m per claim, unlimited in the aggregate.	Limit of Professional Indemnity > R12m to R15m per claim, unlimited in the aggregate	Limit of Professional Indemnity > R15m per Claim, unlimited in the aggregate.

If the combined weighted score is less than 60 then the tender is disqualified from further evaluation.

Table B1: Contractor – Functionality Criteria Score

No	Functional Criteria	Sub-Criteria		Requirements from Bidders
		Description	Max Points	
1	Adequacy of proposed work plan	Submission of a project programme	10	Bidders should propose the main activities for the implementation of the project indicating/describing their contents, durations, major resources (personnel, plant & equipment), critical path milestones demonstrating that the project can be delivered within stated period – Detailed scheduled with key activities – listing all planning activities leading up to the site activities. Refer to section C3.1 for the scope and quality register as the proposed format for identification of programme activities. Approvals processes. Construction activities; include subcontracted works; include procurement activities; and indicate ordering of long lead items.
		Methodology for executing the work, including key risk factors to be considered	10	Bidders must provide an approach paper (methodology and technical approach) detailing the execution of the project which is consistent with the project programme. The methodology is to refer to the scope of works, planning & construction phases, approvals processes and SHEQ issues. This must also include contingency planning and management. The key risk factors affecting the project should be described with possible mitigation action.
2	Sub-Contracting with QSEs/EMEs	Sub-Contracting with QSEs/EMEs	10	The Tenderers are to provide Form K - Completed and signed indicating their commitment to the Contract Participation (in %) and rand value for sub-contracting to EMEs/QSEs. The implementation of the committed percentage is outlined in the CDC SMME Specification.
3	Demonstrated experience (past performance) in Building related projects or alternative building technology or similar nature (i.e. Mobile Accommodation) and an equivalent of traceable client references, letters of	Demonstrated experience	30	This criterion covers the experience and knowledge that the Bidder has working on other construction projects that are comparable in terms of complexity, size, value, and construction durations. Bidders are to provide details of construction projects with the highest value that have been completed in the past 5 years. Bidders MUST either provide completion certificates, reference letters or occupational certificates from the previous employer or consultants or local authority that

No	Functional Criteria	Sub-Criteria		Requirements from Bidders
		Description	Max Points	
	appointment, and / or completion certificates.			they have worked with. Details of two (2) contactable references for each project listed are to be included.
4	Quality Control System and Procedures which ensure compliance with the standards and specifications required for delivery of the project		10	The Bidder shall provide a copy of their quality management system or quality management plan that will be specific for this project. The Bidder shall demonstrate that the system is being implemented on existing projects.
5	Qualifications of personnel dedicated to the project	Contracts Manager	4	<p>The Bidder shall provide information that covers the level of qualifications (specific to the Contracts Manager, Site Agent, General Foreman). Please provide copies of qualifications. If no copies of qualifications are supplied, no score will be allocated. . If no copies of qualifications are supplied, no score will be allocated.</p> <p>Please note below:</p> <p>NQF 6: National Diploma and Advanced Certificate in the Built Environment</p> <p>NQF 7: Bachelor's Degree, Advanced Diplomas, Post Graduate Certificates and Bachelor of Technology in the Built Environment</p> <p>NQF 8: Honour's Degree, Postgraduate Diploma in the Built Environment</p> <p>NQF 9: Master's Degree in the Built Environment</p> <p>NQF 10: Doctor's Degree in the Built Environment</p>
		Site Agent	3	
		Foreman	3	
6	Experience of the key staff personnel that will be available to manage the execution of the project	Contracts Manager	4	<p>The Bidder shall provide information that covers the level of experience and the positions held of the key staff /personnel (specific to the Contracts Manager, Site agent, General Foreman). Form C shall be fully completed. Only post qualification experience will be considered and evaluated. CV's shall be set out so that years' experience in this specific role of contracts manager, site agent or general foremen (as applicable), can be determined. Failure to do so will result in no score being allocated.</p>
		Site Agent	4	
		Foreman	2	
7	Locally based service providers from		10	The bidders must submit proof of office establishment as evidence to demonstrate

No	Functional Criteria	Sub-Criteria		Requirements from Bidders
		Description	Max Points	
	the targeted areas as follows			locality. The evidence required should be in the form of a Title Deed in the name of the Bidder, a Valid signed Lease Agreement in the name of the Bidder (the landlord's contact number and e-mail address visible), a Municipal account not older than 3 months in the name of the Bidder, or a Municipal Billing Clearance Certificate in the name of the Bidder. Failure to submit sufficient proof of occupancy will render the bid non-responsive. Please note: CSD, CIPC registration documents, Letterheads, Search engines, Statements, etc. will not be considered as proof of office space.
			100	

If the combined weighted score is less than 60 points then the tender is disqualified from further evaluation.

Table B2: Contractor – Indicators for Scoring of Functionality Criteria

#	Functionality criteria	Evaluation Indicators				
		No response (score 0%)	Poor (25%)	Satisfactory (50%)	Good (75%)	Very Good (100%)
1.0	Adequacy of proposed work plan: Construction Work Program / scheduling	Failed to provide information	The activity schedule omits important task or the timing of the activities and the correlation among them are inconsistent with the methodology statement. There is lack of clarity	All key activities are included in the activity schedule but are not detailed. There are minor inconsistencies between timing, project deliverables and proposed methodology	The work program fits the methodology well; all important activities are indicated in the activity schedule and their timing and sequence is appropriate and consistent with project objectives. There is fair amount of detail including info on resources.	Besides meeting the “good” rating, decision points and the sequencing and timing of activities are very well defined indicating the bidder has optimized the use of resources including procurement, subcontractor, and long lead item ordering activities.
2.0	Methodology for executing the work, including key risk factors to be considered	Failed to provide information	The technical approach or methodology is poor and unlikely to satisfy project objectives or requirements. The bidder has misunderstood certain aspects of the scope of work and does not deal with the critical aspects of the project. No risk factors have been listed.	The approach is generic and not tailored to address the specific project objectives and requirements. The risk factors have been listed; however, they are generic and are not detailed	The approach is specifically tailored to address the specific project objectives, scope and requirements and is sufficiently flexible to accommodate changes that may occur during execution. The risk factors have been listed which are specific to the project and have sufficient detail	Besides meeting the “good” rating, important issues are approached in an innovative and efficient way, indicating that the bidder has outstanding knowledge of state-of-the-art approaches. The approach paper details ways to improve the project outcomes and quality and covers SHEQ. Methodology incorporates detailed programming / scheduling. Detailed information on risk and mitigation measures is provided.
3.0	Commitment to sub-contracting with QSEs/ EMEs. <i>Note 1: The overall Percentage on Form K</i>	No Commitment to sub-contracting to QSEs / EMEs or	Commitment to sub-contracting less than 35% to QSEs/ EMEs	Commitment to sub-contracting 35% to the QSEs / EMEs	Commitment to sub-contracting more than 35.1% up to 37% QSEs/	Commitment to sub-contracting more than 37.1% up to 40% QSEs /

#	Functionality criteria		Evaluation Indicators				
			No response (score 0%)	Poor (25%)	Satisfactory (50%)	Good (75%)	Very Good (100%)
	<i>will be utilized to allocate points.</i>		Failed to complete form K	(Percentage confirmed on Form K)	(Percentage confirmed on Form K)	EMEs (Percentage confirmed on Form K)	EMEs (Percentage confirmed on Form K)
4.0	Demonstrated experience (past performance) in Building related projects or alternative building technology or similar nature (i.e. Mobile Accommodation) and an equivalent of traceable client references, letters of appointment, and / or completion certificates.		Failed to provide information	One or more projects completed in the last 10 years with values less than R9M (incl. VAT).	Minimum one project completed in the last 10 years valued at R9Million (incl. VAT) or higher	Minimum two projects completed in last 10 years valued at R9Million (incl. VAT) or higher per project	Three or more projects completed in the last 10 years, valued at R9Million (incl. VAT) or higher per project
5.0	Quality Control System and Procedures which ensure compliance with the standards and specifications required for delivery of the project		Failed to provide information	Documented Quality Management System is available, however is of poor quality	Documented system/Quality Management Plan is provided, and proof supplied that the system is implemented.	Documented system/Quality Management Plan is provided, and proof supplied that the system is implemented and audited. (Audit in this instance may include internal and external auditors)	An Accredited Quality Management System is provided AND, proof that it is implemented and that it is ISO9001:2015 compliant, AND proof supplied that the system is implemented. Note: Only ISO 9001:2015 certificates that include at least "building construction" in the scope of the certificate will be considered. Note: Proof of implementation may be forms/ reports used on a previous project.
6.0	Qualifications of the key staff / personnel who will be available to manage the execution of the project. Note that these scores will be applied to each required individual before application of the weighting factor	Contracts Manager	Failed to provide information	NQF 5 Higher certificate in Built Environment field	NQF 6 Diploma in the Relevant Built Environment field	NQF 7 (or higher) degree in the relevant Built Environment field)	NQF 8 (or higher) degree in the relevant Built Environment field
		Site Agent	Failed to provide information	NQF 4 certificate Built Environment field	NQF 5 Diploma in the Built Environment field	NQF 6 Diploma in the Built Environment field	NQF 7 (or higher) degree in the Built Environment field
		Foreman	Failed to provide information	NQF 4 certificate	NQF 5 Diploma in the relevant construction field	NQF 6 Diploma in the relevant	NQF 7 (or higher) degree in the relevant

#	Functionality criteria		Evaluation Indicators				
			No response (score 0%)	Poor (25%)	Satisfactory (50%)	Good (75%)	Very Good (100%)
						construction field	construction field)
7.0	Experience of the key staff personnel that will be available to manage the execution of the project – (Averaged score for the Contracts Manager, Site Agent & General Foreman)	Contracts Manager	Failed to provide information	Less than five years' as a contracts manager	Between 5–8 years' as a contracts manager	More than 8 years up to 14 years' as a contracts manager	More than 15 years' relevant experience as a contracts manager
		Site Agent	Failed to provide information	Less than five years' site agent experience	Between 5–8 years' site agent experience	More than 8 years up to 10 years' site agent experience	More than 10 years' site agent experience
		Foreman	Failed to provide information	Less than five years' experience as a Site Supervisor	Between 5–8 years' relevant experience a Site Supervisor	More than 8 years up to 10 years' experience a Site Supervisor	More than 10 years' relevant experience a Site Supervisor
8.0	Locality		Failed to provide information	Outside of the Eastern Cape Province	The bidder is based within the Eastern Cape Province	The bidder is based within the OR Tambo District Municipality	The bidder is based within the King Sabata Dalindyebo Local Municipality

NOTE:

- Figure 1 below – SAQA/ NQF qualifications should be used as a guide in respect of qualifications for the respective staff in. Furthermore, Bidders should provide SAQA certificate if they have provided foreign qualifications to prove the equivalence to NQF level.
- Key personnel will be expected to be available for all site and other meetings (co-ordination and technical meetings) as the exigencies of this project require.

Should it become necessary to replace or supplement any of the key personnel listed in the course of this contract, they may only be replaced by individuals with similar or better qualifications and experience, who satisfy the minimum requirements and then only with the approval of the Employer

1. QUALITATIVE ASSESSMENT

Bids that pass the Functionality Assessment will be further adjudicated on Price and Specific Goals. Bids will be evaluated according to the Preferential Procurement Policy Framework Act, 2000 and Preferential Procurement Regulations, 2022. The 80:20 Or 90/10 scoring system will be used.

Table 3: Price & Specific Goals

AREA OF ADJUDICATION	MAXIMUM POINTS	
Tendered Price	80.00	90.00
Specific Goals	20.00	10.00
Total Points	100.00	

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

$$Ps = 80 \left[1 - \frac{Pt - Pmin}{Pmin} \right] \quad \text{OR} \quad Ps = 90 \left[1 - \frac{Pt - Pmin}{Pmin} \right]$$

Where:

Ps = Points scored for comparative price of tender or offer under consideration.

Pt = Comparative price of tender or offer under consideration; and

Pmin = Comparative price of lowest acceptable tender or offer.

2. QUALITATIVE ASSESSMENT

The Qualitative Assessment will be conducted on the top three (3) responsive bidders who passed through the quantitative assessment. The main aim of this assessment is to do a risk analysis and mitigation and to ascertain that they have capacity and capability to execute the project successfully.

The following criteria constitute “objective criteria” in terms of 2(f) of the Preferential Procurement Policy Framework Act, Act 5 of 2000, and will be used to pass over a bidder for consideration for award of a contract:

- (a) Performance reports for the previous projects done internal and external will be reviewed and those bidders with negative performance reports will not be recommended for appointment. Where the bidder has previously undertaken work for the CDC, internal reports will be obtained. Where these are inconclusive, external reports will be requested.
- (b) Listing on National Treasury register of Tender Defaulters and or the National Treasury Register of restricted bidders: Where the bidder, or a director / member of the bidder appears on either of the National Treasury Registers, the bidder will be passed over.
- (c) Listing on the CDC’s orange list: Where a bidder has failed to perform on a previous CDC contract and has been listed on CDC’s Orange list, the bidder will be passed over.

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

- (d) Previously contract terminated by an organ of state in the last 5 years: Where a bidder has had a contract terminated by an organ of state in the last 5 years on account of failure to perform or non-compliance with the contract, the bidder will be passed over.
- (e) Conviction for fraud or corruption: Where the bidder or director/member of the bidder has been convicted by a court of law for fraud and or corruption, the bidder will be passed over.
- (f) The prices will be scrutinized to check for arithmetic errors to communicate with the Tenderers to acknowledge and decide if their bottom-line price still stands.
- (g) Tender offers will be compared against the cost estimate as well as the market average to confirm if the tender offers are market-related with no risks around the pricing.
- (h) The Tenderers will be assessed on their procurement integrity to establish whether the Tenderer or any of its directors been convicted of a corrupt or fraudulent act in competing for or executing any contract, whether the Tenderer or any of its directors is currently government employees and whether there is conflict of interests and/or collusion.

Annex C (normative)

T.1.4 Standard Conditions of Tender

As published in Annexure C of the CIDB Standard for Uniformity for construction Procurement, Board Notice 136 Government Gazette No 38960 of 10 July 2015 – Amended August 2019

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 anti competitive 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 that can be utilized 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 ZA 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.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 the 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.

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 familiarise 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 authorised 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 the 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.

DEVELOP AND CONSTRUCT PROJECT FOR THE NEW NTSHELE CLINIC AT KING SABATA DALINDYEBO MUNICIPALITY IN MTHATHA

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 Non-disclosure

Not disclosed 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.3.6 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.3.7 Test for responsiveness

C.3.7.1 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.3.7.2 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.3.8 Arithmetical errors, omissions and discrepancies

C.3.8.1 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.3.8.2 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.3.8.3 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.3.8.4 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 obvious 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.3.9 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.3.10 Evaluation of tender offers

The Standard Conditions of Tender standardise 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.

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 standardised 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.3.10.1 General

The employer must appoint an evaluation panel of not less than three persons conversant with the proposed scope 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.3.11 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.3.12 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 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.3.13 Prepare contract documents

C.3.13.1 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.3.13.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

C.3.14 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.3.15 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.3.16 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.3.17 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.

T1.5 Special Conditions of Tender

GENERAL CONDITIONS OF CONTRACT

The Conditions of Contract will be: The General Conditions of Contract published by the NEC3 Engineering and Construction Contract Edition 3 April 2013 - Option B: Priced Contract with bill of quantities.

CONTRACT DATA AS AGREED BY THE EMPLOYER AND THE CONTRACTOR AS WELL AS AMENDMENTS TO THE NEC3

The following contract specific data and amendments to the NEC3 are applicable to this contract:

CLAUSE TYPE	CLAUSE NO.	DESCRIPTION
Z1		<p>In the event that the contractor, due to causes of his own making, fails to achieve the targets set out in his construction programme and his performance is not in accordance with the contract, payment of the time related P&G will be paid in proportion to the value of the monthly progress payment and not in accordance with the projected cash flow for this item. The project manager shall review the status quo and revert to paying the contractor in accordance with the contract once the contractor has demonstrated improvement of their performance and the project manager is satisfied that the contractor is performing diligently.</p> <p>Similarly, the full amount of the fixed portion of the P&G will be paid only once the successful contractor has fully complied with deliverables under this section.</p>
Z2		<p>The tenderer should provide the client with an indicative cashflow projection outlining the progress targets of which they intent to claim. The document is to be submitted within two weeks after appointment and on a monthly basis.</p>
Z3		<p>Clause 5. Amended - The employer shall pay to the contractor the amount certified in interim assessments within thirty day (30) of the date of issue of the assessment or the contractors tax invoice whichever is the later date</p>
Z4		<p>The Bills of Quantities shall only be used as a pricing tool and does not supersede the works information, site information and drawings. All works to be executed on site shall be in accordance with drawings and site instructions. The actual works executed on site will be re-measured and adapted to the items outlined within the BoQ. Refer to clause 55.1.</p>
Z5		<p>Tenderers are required to price all individual items in the preliminary and general section of the bill of quantities and should not lump the items into a single sum or amount. This fully priced schedule must be included as part of the priced bill of quantities returnable with tender submission.</p> <p>This pricing requirement shall also apply to all items for Socio Economic Deliverables and Safety, Health and Environment in the bill of quantities. Refer to Specification & BOQ.</p> <p>In general tenderers shall ensure that their bid price includes for the provision of all</p>

CLAUSE TYPE	CLAUSE NO.	DESCRIPTION
		<p>requirements in terms of the Occupational Health and Safety Act and Regulations, Act (85 of 1993) read with Construction Regulations 2014 and applicable Legislations</p>
Z6		<p>The tenderer shall be briefed on the restrictions of movement, servitudes, access control, buildings in use, security requirements and security clearances, working hours due to the site being always occupied and under the employer's control. The contractor shall not extend his operations into any restricted or undefined areas.</p> <p>The employer shall have unrestricted and continuous access to the works due to the statutory classification of the site and its operations. With the exception of a section of the site where the existing clinic is, thereby needing coordination and a decanting plan in order to access location. This arrangement shall be coordinated and agreed upon by all parties prior to the handover of the site to the contractor. A steering committee comprising representatives of the employer, the Project Manager, the contractor and any other nominated or required party shall be set up to ensure that the contractors' operations are unhindered.</p> <p>Work shall be carried out during normal working hours. Any extended times or approval or overtime work shall be considered and approved by the steering committee.</p> <p>The contractor shall comply with the employers' rules for the control of delivery of materials and goods into the site and for the removal of such items from the site.</p> <p>Possession of site shall be given to the Contractor after submission by the Contractor of the documents indicated in the Form of Offer and Acceptance and approval of the Contractor's Safety, Health and Environmental Plan or approval of construction files and plans.</p>
Z7		<p>There shall be no lien or right of retention held by any contractor in respect of the works executed on site.</p>
Z8		<p>In connection with clause 26.2, the sub-contractors under the contractor to have a minimum professional indemnity cover based on the value of the discipline they represent. This is to be approved by the project manager. Professional liability insurance value not less than R 3million in respect of each claim, without limit to the number of claims. Period of Liability: 5 years or count from completion certification</p>
Z9		<p>The wording of clause 60.4 is hereby altered.</p> <p>A difference between the final total quantity of work done and the quantity stated for an item in the Bill of quantities is a compensation event if: (excluding provisional items)</p> <p>(a) The difference is only as a direct result of a change to the works information.</p> <p>(b) The difference, if only as a direct result of a change to the works information, causes the Defined Cost per unit of quantity to change,</p>
Z11		<p>The contractor shall ensure that he allocates a minimum of 35% of the value of the works</p>

