



MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE

REQUEST FOR BIDS

Bid No:	MAPSEZ 003/2023 (T)
Bid Description:	Appointment of a Suitably Qualified, Registered Contractors from Grade 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on "As and When Basis" for a Period Of two (02) years by The Maluti-A-Phofung Special Economic Zone.
Advert Date:	14 July 2023
Compulsory Briefing Date:	No compulsory clarification meeting for this bid
Closing Date:	11 August 2023 at 11h00

MAP-SEZ is, in terms of section 4 of the SEZ Act No. 16 of 2014, an economic development tool intended to promote national economic growth targeting foreign and domestic investment.

Instructions of submission of quotations

Bids to be submitted to the tender box at the Maluti-a-Phofung Special Economic Zone at corner Amanda & De Lange Streets, Tshiame, Harrismith 9880

Regrettably faxed or emailed bids will not be considered.

Please note that bids delivered after the closing date and time, will not be considered.

Mandatory Requirements

See page 5 and 6 of 58 for list of mandatory requirements.

Conditions Of Contract

National Treasury's General Conditions of Contract.

Company Name:			
Completed By:			
CSD Supplier Number:			
CRS Number:			
CIDB Class of works your company is bidding for:	<input type="checkbox"/> GB <input type="checkbox"/> CE <input type="checkbox"/> EB <input type="checkbox"/> EP <input type="checkbox"/> SO <input type="checkbox"/> SQ		
Bidder CIDB Grading Level	GB grading level: _____	CE grading: _____	
	EB grading: _____	EP grading: _____	
	SO grading: _____	SQ grading: _____	
Email:			
Telephone:			
Mobile Number:			
Date:			

Inquiries

Procurement inquiries related to this Bid can be forwarded by email to Ms. L. Wolf at lebakilew@mapsez.co.za / 058 635 1120 / 1134

Technical inquiries related to this Bid can be forwarded by email to Mr. V. Nyathi at vcivilmapsez@gmail.com / 0606376909 Mr. Thobani Guma at thobaniguma@gmail.com / 073 498 8311

VERY IMPORTANT NOTICE ON DISQUALIFICATION

A Bid not complying with the peremptory requirements stated hereunder will be regarded as being a “not Acceptable Quotation” and as such will be rejected.

“Acceptable Quotation” means any Bid which, in all respects, complies with the conditions of the Specifications as set out in this document, including conditions as specified in the Preferential Procurement Policy Framework Act, 2000 and related legislation as published in Government Gazette No 20854, in terms of which provision is made for this policy.

Bidder are expected to:

- i. Submit bid on or before closing date and time
- ii. Fill in the required information in all Forms/Bills
- iii. Complete all Forms/Bills in black ink. Do not use pencils or correction fluid to make corrections
- iv. Make corrections, if necessary, only by placing a line across the words/numbers to be corrected and initial next to the amended text. Do not scratch out, write over rates, paint over rates or use correction fluid
- v. Ensure that witnesses sign where required
- vi. Attend the compulsory site/clarification meetings (if applicable)
- vii. Attach to the bid documents a copy of a signed Joint Venture agreement (if applicable)
- viii. Ensure that only the person authorised to do so may sign the Bid offer
- ix. Submit a valid Tax Clearance Certificate and a unique Security Personal Identification Pin issued by the South African Revenue Service (in the case of a joint venture, of all the partners in the joint venture) must be submitted with the bid document on closing date of the bid
- x. Register with the Central Supplier Database
- xi. Register with the Construction Industry Development Board (if applicable)

Furthermore, the Bid will be considered as not acceptable if:

- i. There are attempts by the bidder to influence, the evaluation and / awarding of the quote
- ii. The bidder or any of his directors is listed on the Register of Bid Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004
- iii. The bidder has abused the MAP-SEZ's Supply Chain Management System
- iv. Irrespective of the procurement process followed, no award may be given to a person-
 - i. Who is in the service of the state, or
 - If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or
 - who is an advisor or consultant contracted with the FDC or the MAP-SEZ in respect of contract that would cause a conflict of interest
- i. The bidder may only submit a Bid on the documentation provided by the MAP-SEZ

Bidder: Initial of authorised signatory/ies

MAPSEZ: Initial _____

Witness: Initial _____

Bidder: Initial _____

Witness: Initial _____
Initial of authorised signatory/ies

IN THIS DOCUMENT AND OTHER DOCUMENTS REFERRED TO BUT NOT ATTACHED, THE FOLLOWING WORDS ARE SYNONYMOUS WITH EACH OTHER

1. CLIENT, EMPLOYER, MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE
2. BIDDER, CONTRACTOR, SERVICE PROVIDER
3. QUOTATION AND BID AND VARIATIONS THEREOF
4. JOINT VENTURE / CONSORTIUM

DOCUMENTS IN THIS BID DOCUMENT PACK

Respondents are to ensure that they have received all pages of this document, which consist of the following sections:

SECTION A

Note: Documents in this section are for information to / instruction of respondents and may be withdrawn when returning bids:

☐ **Section A Part 1:** Terms of Reference

☐ **Section a Part 2:** General Terms and Conditions

SECTION B

☐ Construction Industry Board documentation

☐ Returnable Documents

Note: Documents in this section must be completed and returned with bids. Bidders are encouraged to set out their bids in the following format:

Section B	Details	Bidder to tick in confirmation
Part 1	Special Conditions of Contract (if applicable)	
Part 2	Resolution Forms (to nominate signatory.	
Part 3	Invitation to Bid (SBD 1)	
Part 4	Tax Clearance Certificate / Tax Status Pin (The tax clearance certificate requirements page must not be returned with the bids; a valid Tax Clearance Certificate / Tax Status Pin must be submitted with the bid)	
Part 5	Pricing Schedule SBD 3.1, 3.2, or 3.3 (whichever is applicable / if applicable)	
Part 6	Declaration of interest (SBD 4)	
Portfolio of Evidence for functionality scoring grades 4 and Above		
Part 07	Company Experience and Exposure	
Part 08	CV Templates(s)	
Part 09	Registered in the relevant professional Field E.G., ECSA For EB Or EP	
Part 10	Indemnity Insurance	

SECTION A

SECTION A PART 1:	TERMS OF REFERENCE
SECTION A PART 2:	GENERAL TERMS AND CONDITIONS
SECTION A PART 3:	CONTRACT INFO

PART 1: TERMS OF REFERENCE

BACKGROUND INFORMATION	The MAP-SEZ is a public entity established in terms of the Special Economic Zone Act No. 16 of 2014. In terms of section 4 of the Act, the entity is an economic development tool intended to promote national economic growth targeting foreign and domestic investment and technology.			
GLOSSARY	Term	Definition		
	Addendum	Any document issued by MAP-SEZ after the date of this Request for Quotations and labelled as an “Addendum” to this Request for Proposals; collectively known as “Addenda”.		
	MAPSEZ	Means Maluti a Phofung Special Economic Zone, subsidiary of the FDC.		
	FDC	Means the Free State Development Corporation, the licence holder of the MAP-SEZ.		
	Business Day	A day other than Saturday, Sunday and any other day not taken to be a public holiday in New South Wales.		
	Closing Date	The date specified on the cover of this Request for Quotations		
	RFQ Process	The process commencing on the issuing of this Request for Quotations and concluding when MAPSEZ has notified each Recipient whether or not it has been shortlisted, or upon the earlier termination of the process by MAPSEZ.		
	Bidder / Respondent / Service Provider	A person in receipt of this Request for Quotations, who intends to respond to the request. And is interchangeable with the terms Quotes, Service Provider, Applicant, Bidding Entity and Supplier.		
	RFQ	This document, including its schedules, attachments and appendices. It is interchangeable with the term Bid.		
	Response	The document submitted by a Bidder to deliver the Services in response to this Request for Tenders		
	Services	The services described in the section entitled “Scope of Work”		
PURPOSE OF THE REQUEST FOR TENDERS	Appointment of a Suitably Qualified, Registered Contractors from Grade 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on “As And When Basis” for a Period Of two (02) years by The Maluti-A-Phofung Special Economic Zone.			
BID DETAILS	Advert Date:	14 July 2023		
	Briefing Session:	None		
	Closing Date:	11 August 2023 at 11h00		
MANDATORY REQUIREMENTS AND PRE-QUALIFYING CRITERION	Bidding entities are expected to adhere to the following mandatory requirements to be considered administratively compliant for evaluation.			
	4 and above	Mandatory Requirements	Comply	Non-Comply
		Bidders submitting bids in grade 4 and above category are expected to submit the CV of a professional registered in the relevant field e.g., ECSA for EB or EP		
		Bidders submitting bids in the grade 4 and above classes of works are expected to possess applicable indemnity insurance		
	<ul style="list-style-type: none">Registration with the Central Supplier Database.Registration with the Construction Industry Development Board with a grading between grade 4 and above in the GB, CE, SO, SQ, EB & EP classes of works.			

<p>SCOPE OF WORK</p>	<p>The purpose of the contract is to appoint a suitably qualified contractors to form part of the Maluti-a-Phofung Special Economic Zone's panel of contractors to be appointed to undertake construction related and maintenance services for the Special Economic Zone as and when needed on a rotational basis.</p> <p>The successful contractors placed on the panel will be placed on the panel according to their CIDB grading level and CIDB grading class of work.</p>
<p>EVALUATION PROCESS</p>	<p>Bidders are not permitted to alter or modify their bids in anyway after the closing date and time. The bids will be evaluated following the below listed steps:</p> <p>Step 1 (Compliance to Mandatory Criteria and Administrative Compliance)</p> <p>All received documents will be examined to determine compliance with requirements minimum entry requirements, which are:</p> <ul style="list-style-type: none"> - their compliance in respect to the minimum mandatory requirements, - whether the bid documents have been completed in full, properly signed and are generally in order. <p>Documents with obvious deviations from the requirements / conditions will be eliminated from further consideration. Therefore, MAPSEZ reserves the right to reject any bid at this stage.</p> <p>Step 2 (Functionality Evaluation)</p> <p>Bid responses that do not meet the mandatory functionality requirements will be disqualified and will not be placed on the panel.</p> <p>Bidders scoring the minimum points out of 100 for functionality will be placed on the MAPSEZ's panel in line with their class of work and CIDB grading. i.e. 4 GB bidders will be placed on the 4 GB panel, 4 CE bidders will be placed on the 4 CE panel, so forth and so on.</p>

FUNCTIONALITY EVALUATION CRITERIA FOR BIDDERS FALLING WITHIN THE GRADE 4 AND ABOVE CLASS OF WORKS	Bidders scoring a minimum of 80 out of 100 will be eligible to be placed on the SEZ's panel of contractors in line with each class of work and grading	
	Functionality Scoring Grade 4 and above (4 and above GB, EP, EB, CE, SO, SQ)	
	Experience and Exposure	Details
	Company years of experience operating in the field (building environment) To be demonstrated through appointment letters. <ul style="list-style-type: none"> • 3-5 yrs. experience = 5 points • 5-8 yrs. Experience = 15 points • 9 yrs.< experience = 25 points 	25
	Completion certificates of work undertaken in the grading advertised you are advertising for. <ul style="list-style-type: none"> • 3-5 completion letters / certificates = 5 points • 5-8 completion letters / certificates = 10 points • 9< completion letters / certificates 25 points 	25
	Technical ability Experience	
	Bidders are expected to demonstrate the experience of the foreman who will be the lead person overseeing technical projects on the ground The foreman must have at least 10 years working experience in general building related work and a minimum of NQF level 7 qualification in a related field (<i>Built environment qualification, civil engineering qualification</i>) Bidders must submit the CV of the foreman in the company demonstrating the 10 years' experience <ul style="list-style-type: none"> • 0-2 yrs. experience = 15 points • 3-4 yrs. experience = 25 points • 5- yrs and above = 50 points 	20
	Financial Stability	
	The bidder must demonstrate that he has the financial capability to undertake projects as and when needed. The bidder must provide; <ul style="list-style-type: none"> a) Annual Financial Statement (AFS) that are audited and or signed off by the accountant. 	20
	TOTAL	100
Bidding entities must score a minimum of 80 points out of 100 for their bids to be considered for further evaluation. Bids failing to achieve this minimum score will be disqualified.		

PART 4 GENERAL TERMS AND CONDITIONS	
TERMS OF REFERENCE COMPILATION, AMENDMENT AND CONFIDENTIALITY	<p>The MAP-SEZ reserves the right to amend, modify or withdraw these ToR's if deemed necessary. If amendments are made, the amendments will be sent to each Bidder in writing. No oral amendments will be considered.</p> <p>This document is confidential and should not be distributed to any non-bidding party without proper authorisation of the MAP-SEZ.</p> <p>These Terms of Reference (ToR) have been compiled by the MAP-SEZ and are being made available to all interested Bidders. Bidders submitting a tender in response to this invitation will be deemed to do so on the basis that they acknowledge and accept the terms as set out below.</p>
ADDITIONAL INFORMATION REQUIREMENTS	The MAP-SEZ reserves the right to call for supporting documentation, clarification or additional information in order to confirm any information provided by a Bidder in its Bid.
FRAUD AND CORRUPTION	<p>All service providers are to take note of the implications of contravening the Prevention and Combating of Corrupt Activities Act No 12 of 2004 and any other Act Applicable</p> <p>No bidding entity may be involved, whether directly or indirectly, in more than one Bid in response to this RFQ, failure to comply with its requirements will result in disqualification of the relevant bidding entity.</p>
RFQ VALIDITY	<p>The Bid should be valid for a period of 90 days after the closing date.</p> <p>In exceptional circumstances, prior to the expiration of the tender validity period, the MAPSEZ may request in writing for bidders to extend the validity of their bids.</p>
RFQ ACCURACY AND HOLDING	<p>The MAP-SEZ and its advisors may rely on a Bid as being accurate and comprehensive in relation to the information and proposals provided therein by the Bidders.</p> <p>All Bids submitted to the MAP-SEZ in relation to this RFQ will become the property of the MAP-SEZ and will as such not be returned to the Bidder unless if received after the closing date and time. The MAP-SEZ will make all reasonable efforts to maintain Bids in confidence.</p>
SUPPLIER REPRESENTATIVE	The duly authorised representative of the bidding entity must sign the Bid document.
RFQ REJECTION	<p>Bids from persons whose tax affairs are not in order or those owing the MAP-SEZ or its parent company the FDC for more than 90 days without acceptable official arrangements, will not be considered for the commissioning of the services.</p> <p>MAPSEZ shall reject an RFQ if the recommended supplier has committed a proven corrupt or fraudulent act in competing for the particular contract or have failed to perform on any previous contract and proof exists.</p> <p>MAP-SEZ has the right to accept any bid in whole or in part.</p>
VETTING OF RESPONDENTS	MAP-SEZ reserves the right to vet applicants and to accept any quotation in whole or in part.
TERMINATION OF RFQ PROCESS	<p>If MAP-SEZ terminates the RFQ process;</p> <ul style="list-style-type: none"> • It may; negotiate with any one or more of the bidders or any other person for the supply of all or any of the services, • Call for new RFQs, • Engage in any other selection process for the supply of services, • Add to, alter or delete any services

REQUEST FOR CLARIFICATION	<p>Should bidders find any inconsistency, error or have any doubt as to the meaning or completeness of this RFQ or require clarification on any aspect of it, they should notify the MAP-SEZ in writing via the provided email addresses not less than 2 days before the closing date.</p> <p>MAP-SEZ may issue an Addendum to all Bidders clarifying the discrepancy, error, doubt or query (as the case may be) and may extend the Closing Date if appropriate in all the circumstances.</p>
BIDDING COSTS	<p>The Bidder will bear all costs and expenses associated with the preparation and submission of a proposal in relation to this invitation. Neither the MAP-SEZ or any of its respective directors, officers, employees, agents, representatives or advisors will assume any obligation for any costs or expenses incurred by any party in or associated in preparing or submitting a Bid in response to this invitation.</p>
CONDITIONS OF CONTRACT	<p>Standard terms and conditions will be those set out in the National Treasury's General Conditions of Contract.</p> <p>Successful bidders will enter into a Service Level Agreement with the MAP-SEZ.</p>
FORMAT OF RFQ'S	<p>Respondents must complete all necessary documents and undertakings in this document. Respondents are advised that their bids should be concise, written in plain English and simply presented. Respondents are to set their proposal in the format prescribed in Section B below.</p>
SUBMISSION	<p>The Bidder shall submit a duly signed and complete Bid comprising the documents and forms in accordance with the requirements and manner in section B of this document.</p> <p>The Bid shall be signed by the Bidder or person(s) duly authorized to commit the Bidder. The authorization shall be communicated through a resolution (see section B) or document evidencing such authorization issued by the legal representative of the bidding entity, or a Power of Attorney, accompanying the Proposal.</p> <p>Bidders must be aware that the mere act of submission of a bid, in and of itself, implies that the Bidder fully accepts the MAPSEZ's General Contract Terms and Conditions.</p> <ul style="list-style-type: none"> • The signed bid shall bear the number and description of the bid • It shall bear the name and address of the bidder • Shall be addressed to the MAPSEZ • Shall bear a warning that states "not to be opened before the time and date for bid opening as specified in the terms of reference" <p>Should the bidder submit an original copy and the envelope and packages are not sealed and marked as required, MASPEZ shall assume no responsibility for the misplacement, loss or premature opening of the bid.</p> <p>If the bidder intends to courier the document, it is the responsibility of the bidder to ensure that their couriers deposit the document in the correct bid box.</p>
ENQUIRES	<p>Procurement inquiries related to this Bid can be forwarded by email to Ms. L. Wolf at lebakilew@mapsez.co.za / 058 635 1120 / 1134</p> <p>Technical inquiries related to this Bid can be forwarded by email to Mr. V. Nyathi at civilmapsez@gmail.com / 0606376909 Mr. T. Guma at thobaniguma@gmail.com / 073 498 8311</p>

SECTION B

CONSTRUCTION INDUSTRY DEVELOPMENT BOARD DOCUMENTS

RETURNABLE DOCUMENTS

Contents	
The Quotation	
Part T1: Quotation Procedures	
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C1.2	Form of Offer and Acceptance
C1.3	Contract Data
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Part C3: Scope of Work	
C3	Scope of Work
Part C4: Site information	
C4	Site Information
Part C5: Additional Returnable Documents	
C5.1	CIDB registration certificate in the grading designation stipulated in clause 2.1 above,
C5.2	A valid Tax Clearance Certificate issued by the South African Revenue Services.
C5.3	Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate),
C5.4	Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompany this bid

THE QUOTATION

PART T1: BIDDING PROCEDURES

T1.1 – Quotation Notice and Invitation to Quote

QUOTATION NO:	MAPSEZ 003/2023 (T)
DESCRIPTION:	Appointment of a Suitably Qualified, Registered Contractors from Grade 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on "As And When Basis" for a Period Of two (02) years by The Maluti-A-Phofung Special Economic Zone.

T1.1 Quotation Notice and Invitation to Quote

Appointment of a suitably qualified contractors from grades 4 and above (GB, CE, SO, SQ, EB & EP classes of works) on a panel of contractors for the Maluti-a-Phofung Special Economic Zone

For this bid, bidding entities are expected to have a either 4 and above CIDB grading in the GB, CE, SO, SQ, EB or EP classes of works.

The bids will be evaluated on functionality, bidders reaching the minimum points out of 100 will be placed on the panel of service providers.

MANDATORY REQUIREMENTS:

- Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompanying this bid.
- It is estimated that the service providers must have cidb contractor grading of grades 4 and above (GB, CE, SO, SQ, EB & EP classes of works) on a panel of contractors for the Maluti-a-Phofung Special Economic Zone Duly Signed
- Completed SBD 1 – Invitation to Tender.
- Duly Signed and Completed SBD 4 – Declaration of Interest

Grading 4 and above	Mandatory Requirements
	Bidders submitting bids are expected to submit the CV and must be registered in the relevant professional Field E.G., ECSA For EB Or EP
	Bidders submitting bids in the grade 4 and above classes of works are expected to possess applicable indemnity insurance

- Registration with the Central Supplier Database.
- Registration with the Construction Industry Development Board with a grading between grade 4 and above in the GB, CE, SO, SQ, EB & EP classes of works.

SUBMITTED BIDS ARE TO BE COMPLETED IN ACCORDANCE WITH THE CONDITIONS AND BID RULES CONTAINED IN THIS DOCUMENT. BID DOCUMENTS MUST BE PROPERLY INDEXED AND NEATLY BOUND.

The closing date and time for the bid is at 11h00 on the 11 August 2023. Bids must be submitted on the tender documentation that is issued and can be submitted at the tender box at the Maluti-a-Phofung Special Economic Zone's head office at corner Amanda and De Lange Streets, Tshiame, Harrismith 9880.

Telegraphic, telephonic, telefax, facsimile and late Quotations will not be accepted. Requirements for sealing, addressing, delivery, opening and assessment of Quotations are stated in the Tender Data.

Procurement inquiries related to this Bid can be forwarded by email to Ms. L. Wolf at lebakilew@mapsez.co.za / 058 635 1120 / 1134

Technical inquiries related to this Bid can be forwarded by email to Mr. V. Nyathi at civilmapsez@gmail.com / 060 637 6909 OR Mr. T. Guma at thobaniguma@gmail.com / 073 498 8311

Bids may only be submitted on the Bid documentation issued.

Bid validity period is 90 days (Calendar Days)

PART T1: BIDDING PROCEDURES

T1.2 - Tender Data

T1.2 TENDER DATA			
Project title:	Appointment of a Suitably Qualified, Registered Contractors from Grade 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on "As And When Basis" for a Period Of two (02) years by The Maluti-A-Phofung Special Economic Zone.		
Quotation No:	MAPSEZ 003/2023 (T)	Briefing Session Date:	<p>THERE WILL BE NO BRIEFING SESSION.</p> <p>SCM related inquiries:</p> <p>Ms. Lebakile Wolf lebakilew@mapsez.co.za / 0586351120</p> <p>Technical inquiries:</p> <p>Mr. V. Nyathi at civilmapsez@gmail.com / 0606376909</p> <p>Mr. T. Guma at thobaniguma@gmail.com / 073 498 8311</p> <p>All enquiries must be submitted before the 4th August 2023.</p>
Advertising Date:	14 July 2023	Closing Date:	11 August 2023 at 11h00

STANDARD CONDITIONS OF TENDER	
<p>The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (July 2015) as published in Government Gazette No 38960, Board Notice 136 of 2015. (See www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of tenderers as an Annex to this Tender Data.</p> <p>The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.</p>	
The additional conditions of tender are:	
Clause Number	Tender Data
F.1.1	The employer is the Maluti-a-Phofung Special Economic Zone
F.1.2	<p>For this contract the following documents will be adopted. The single volume procurement document issued by the employer comprise of the following:</p> <p>The Tender</p> <p>Part T1: Bidding Procedures</p> <p>T1.1 Tender notice and invitation to tender</p> <p>T1.2 Tender data</p> <p>Annexure A</p> <p>Standard Conditions of Tender</p> <p>Part T2: Returnable Documents</p> <p>T2.1 List of returnable documents</p> <p>T2.2 Returnable schedules</p> <p>The Contract</p> <p>Part C1: Agreements and Contract Data</p> <p>C1.1 Form of offer and acceptance</p> <p>C1.2 Contract data</p> <p>Part C2: Pricing data</p> <p>C2.1 Pricing Instructions</p> <p>C2.2 Activity schedules / Bills of Quantities</p> <p>Part C3: Scope of work</p> <p>Part C4 : Site information</p> <p>Part C5 : Additional returnable documents</p>
F.1.4	<p>The Employer's agent for the purpose of this tender is deemed to be the authorised and designated representative of the Employer.</p> <p>Procurement Queries– Ms. L. Wolf lebakilew@mapsez.co.za / 058 635 1120 / 1134</p> <p>Technical Queries – Ms. V. Nyathi OR Thobani Guma 060 637 6909 / yusmusi@gmail.com OR 073 498 8311 / thobaniguma@gmail.com</p>
F.2.1	<p>Only those Bidders who satisfy the following eligibility criteria are eligible to submit Quotations:</p> <ul style="list-style-type: none"> Have a minimum of 4 and above CIDB grading in the GB, CE, SO, SQ, EB & EP classes of works <p>Bidders that satisfy the criteria stated in the tender data and the bidder or any of his principals is not under any restriction to do business with the employer</p>
F.2.8	Tenderers may request clarification of the tender documents by notifying the employer at least three

	(3) working days before the closing time and date stated in the tender data.
F.2.12	No alternative quotation offers will be considered
F.2.13.3	The list of Returnable Documents identifies which of the documents a bidder must complete when submitting a quotation offer. A bidder must submit his quotation offer by completing all of the Returnable Documents and signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the Returnable Documents back to the MAPSEZ.
F.2.13.4	Sign the original and all copies of the quotation offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the bidder. 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.
F.2.13.5	<p>The employer's details and method(s) for delivery of quotation offers and identification details that are to be shown on each tender offer package are: Bids can be hand delivered at the tender box at the offices of the Maluti-a-Phofung Special Economic Zone at C/r Amanda and De Lange Streets, Tshiame, Harrismith 9880</p> <p>Identification details:</p> <p>Bid documents are to be clearly marked with the bid number, project description and name and address of the tenderer.</p> <p>Bid Description:</p> <p>Appointment of a Suitably Qualified, Registered Contractors from Grade 4 and above (GB, CE, SO, SQ, EB & EP Classes of Works) on a Panel of Contractors on "As And When Basis" for a Period Of two (02) years by The Maluti-A-Phofung Special Economic Zone.</p>
F2.13.9	Telephonic, telegraphic, telex or facsimile quotation offers will not be accepted.
F.2.14	Bidders are alerted that quotation 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.
F.2.15	The closing time for submission of quotation offers is as stated in the Tender Notice and Invitation to Tender.
F.2.15	<p>The closing time and location for the submission of tender offers is:</p> <p><u>Closing Date:</u> Time: 11h00 Date: 11 August 2023</p> <p><u>Location:</u> Maluti-a-Phofung Special Economic Zone C/r Amanda and De Lange Streets Tshiame Harrismith 9880</p>
F.2.16	The Bid offer validity period is 90 calendar days
F.2.18	The bidder shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
F.2.23	<p>The bidder is required to submit with his Bid the following documentation / information:</p> <ul style="list-style-type: none"> • CIDB registration certificate in the grading designation stipulated in clause 2.1 above.

	<ul style="list-style-type: none"> • A valid Tax Clearance Certificate issued by the South African Revenue Services. • Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate), • Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompany the submitted quote.
F.3.5	A two-envelope procedure will not be followed.
F.3.11.1	The procedure for the evaluation of responsive tenders is: Method 2 functionality.
F.3.11.2	<p>Scoring Financial Offer: Tender offers will be scored using the following formula: $N_{FO} = P_m / P \times W_1$ where N_{FO} = number of tender evaluation points awarded for the financial offer. W_1 = the percentage score given for financial offer as stated in the Notice and Invitation to Tender T1.1 P_m = the comparative offer of the most favourable tender offer. P = the comparative offer of tender offer under consideration. where W_1 = the number of tender evaluation points for financial offer and equals: 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 50 000 000; or 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R 50 000 000.</p> <p>Scoring Preferences: Up to 20 points will be awarded to the tenderer who completes the preferencing schedule and who is found to be eligible for the preference claimed.</p>
F3.13.1	<p>Quotation offers will only be accepted if:</p> <ul style="list-style-type: none"> • Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompanying this bid • Bidders have a CIDB Grading Level 4 to 9 (GB, CE, SO, SQ, EB & EP classes of works) • Bidders submitting bids in grade 4 and above category are expected to submit the CV of a professional registered in the relevant field e.g., ECSA for EB or EP • Bidders submitting bids in the grade 4 and above classes of works are expected to possess applicable indemnity insurance
F.3.18	The number of paper copies of the signed contract to be provided by the employer is one.

PART T2: RETURNABLE DOCUMENTS

T2.1 - List of Returnable Documents

MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE	
BID NO:	MAPSEZ 003/2023(T)
DESCRIPTION:	Appointment Of A Suitably Qualified, Registered Contractors From Grades 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on "As And When Basis" for a Period of two years (02) by the Maluti-A-Phofung Special Economic Zone.

T2.1	List of Returnable Documents
The tenderer must complete the following returnable documents:	
List of Returnable Documents required (Mandatory)	
<ul style="list-style-type: none"> Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompanying this bid See mandatory documents listed in terms of reference of this document. 	
<p>Potential Bidders must be registered as CIDB Grading Level 4 and Above (GB, CE, SO, SQ, EB & EP classes of works)</p> <ul style="list-style-type: none"> Annexure A: Record of Addenda to tender documents Annexure B: Proposed amendments and qualifications Annexure C: Preferencing schedule: Broad-Based Black Economic Empowerment status Annexure D: Compulsory Declaration 	
<ul style="list-style-type: none"> Duly Signed and Completed Invitation to Tender – SBD 1 	
Additional required for tender documentation	
<ul style="list-style-type: none"> Schedule of Subcontractors Schedule of Plant and Equipment Schedule of the Tenderer's Experience (Particulars of Tenderers Projects) Certificate of Resolution of Board of Directors. Certificate of Resolution of Board of Directors to enter into a Consortia or Joint Venture. Certificate of Special Resolution of Consortia or Joint Venture. 	
C1.1	Offer and Acceptance
C1.2	Contract Data (Part 2)
C2	Bills of quantities
C3	Scope of Works
C5	Additional Returnable Schedules for administrative compliance purposes:
<ul style="list-style-type: none"> CIDB registration certificate in the grading designation stipulated in clause 2.1 above, A valid Tax Clearance Certificate issued by the South African Revenue Services. Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate), Valid Proof of Registration on the National Treasury`s Central Supplier`s Database must be accompanying this bid 	

PART T2: RETURNABLE DOCUMENTS

T2.2 - Returnable Schedules

Annexure A: Record of Addenda to tender documents

We confirm that the following communications received from the Employer before the submission of this tender offer, amending the quotation documents, have been taken into account in this quotation offer:

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

Attach additional pages if more space is required.

Signed_____

Date_____

Name_____

Position_____

Bidder _____

Annexure B: Proposed amendments and qualifications

The Tenderer should record any deviations or qualifications he may wish to make to the tender documents in this Returnable Schedule. Alternatively, a tenderer may state such deviations and qualifications in a covering letter to his tender and reference such letter in this schedule.

The Tenderer's attention is drawn to clause 5.8 of SANS 10845-3 regarding the employer's handling of material deviations and qualifications.

Page	Clause or item	Proposal

Signed

Date

Name

Position

Bidder

Annexure C: Compulsory Declaration

The following particulars must be furnished. In the case of a joint venture, separate declarations in respect of each partner must be completed and submitted.

Section 1: Enterprise details

Name of enterprise	
Contact person	
Email	
Telephone	
Cell	
Fax	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Closed Corporation registration number	
---------------------------------------------------------	--

Section 3: SARS information

Tax reference number	
VAT registration number	(state Not Registered if not registered for VAT)

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
-------------------------------------------------	--

Section 5: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

--	--	--

Attach separate page if necessary

Section 6: Record in the service of the state

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

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

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

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

Attach separate page if necessary

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

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

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

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

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

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

Attach separate page if necessary

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

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

☐ Yes ☐ No (tick appropriate box)

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

Section 9: Declaration

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

- i) neither the name of the tendering entity, nor any of its principals, appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004); or
 - b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) the tendering entity or any of its principals has not been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa) within the last five years;
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers;
- v) the tendering entity has not engaged in any prohibited restrictive horizontal practices, including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract, etc.) or intention to not win a tender;
- vi) the tendering entity has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer nor any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity, and are not in arrears for more than three months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and, when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by National Treasury, for SARS to do likewise.

Signed_____

Date_____

Name_____

Position_____

Enterprise name_____

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

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

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

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

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

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

Schedule of Proposed Subcontractors (CDP Sub-Contractors)**Note: The list is available on request from the Department**

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

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

We confirm that all Subcontractors who are contracted to for this project are registered with the CIDB

No	Name & address of proposed Subcontractor	Nature & extent of work	Indicate the value of work to be sub-contracted as % of Total Value of the contract	BEE Contributor Level of the subcontractor

Signed _____

Date _____

Name _____

Position _____

Tenderer _____

T2.2t: TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax
3. Clearance Certificates are available at any Receiver's Office.

Schedule of Proposed Subcontractors (Local Sub-Contractors)

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

If we are awarded a contract we agree that this notification does not change the requirement for us to submit the Names of proposed Subcontractors in accordance with requirements in the contract for such appointments.

If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

No	Name and address of proposed Subcontractor	Nature and extent of work	Previous experience Of the Subcontractor.	Indicate the value of work to be sub-contracted as % of Total Value of the contract	BEE Contributor Level of the subcontractor

Signed _____

Date _____

Name _____

Position _____

Tenderer _____

T2.2t: TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

4. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
5. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax
6. Clearance Certificates are available at any Receiver's Office.

SCHEDULE OF PLANT AND EQUIPMENT

Schedule of Plant and Equipment

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

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

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

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

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed_____

Date_____

Name_____

Position_____

Tenderer_____

RETURNABLE DOCS

Part 1	Special Conditions of Contract (if applicable)
Part 2	Resolution Forms (to nominate signatory.
Part 3	Invitation to Bid (SBD 1)
Part 4	Tax Clearance Certificate / Tax Status Pin (The tax clearance certificate requirements page must not be returned with the bids; a valid Tax Clearance Certificate / Tax Status Pin must be submitted with the bid)
Part 5	Pricing Schedule SBD 3.1, 3.2, or 3.3 (whichever is applicable / if applicable)
Part 6	Declaration of interest (SBD 4)
Part 7	CV Template(s)
Part 8	An original / certified copy of a valid B-BBEE Certificate or an Affidavit signed by an Commissioner of Oaths
Part 9	A valid copy of the company registration and company incorporation certificate
Part 10	Proof of registration with the Central Supplier Data Base
Part 11	Testimonials / References (where relevant)
Part 12	Sample of designs offered for required items in the scope of work

RESOLUTION OF BOARD OF DIRECTORS

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(legally correct full name and registration number, if applicable, of the Enterprise)

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

1. The Enterprise submits a Quotation to the Maluti-A-Phofung Special Economic Zone, Free State Province in respect of the following project _____

(project description as per Quotation Document)

Quotation Number: _____ *(Quotation Number as per Quotation Document)*

2. *Mr/Mrs/Ms: _____ in *his/her Capacity as _____
and who will sign as follows: _____ be, and is hereby, authorised to sign the Quote, and any and all other documents and/or correspondence in connection with and relating to the Quote, as well as to sign any Contract, and any and all documentation, resulting from the award of the Quotation to the Enterprise mentioned above.

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

1. * Delete which is not applicable.
3. **NB.** This resolution must be signed by all the Directors / Members / Partners of the
4. Quoting Enterprise.

ENTERPRISE STAMP

RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the Board of *Directors / Members / Partners of:

(Legally correct full name and registration number, if applicable, of the Enterprise)

held at: _____ on: _____
(date)

RESOLVED that: The Enterprise submits a Quote, in consortium/joint venture with the following Enterprises:

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the consortium/joint venture)
to the Maluti-A-Phofung Special Economic Zone in respect of the following project:

(Project description as per Quotation Document)

Quotation Number: _____ *(Quotation Number as per Quotation Document)*

2 *Mr/Mrs/Ms: _____

in *his/her Capacity as: _____ *(Position in the Enterprise)*

and who will sign as follows: _____

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the MAPSEZ in respect of the project described under item 1 above.

4 The Enterprise choose as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the MAPSEZ in respect of the project under item 1 above:

Physical address: _____

Code : _____

Physical address: _____

Code: _____

Telephone No.: _____

Code: _____

Facsimile No.: _____

Code: _____

BID DOCUMENT: PANEL OF CONTRACTORS (GRADES 4 AND ABOVE)

	NAME	CAPACITY	SIGNATURE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

Note:

1. * Delete which is not applicable.
2. **NB.** This resolution must be signed by all the Directors / Members / Partners of the Quoting Enterprise.

ENTERPRISE STAMP

SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

RESOLUTION of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly quotation for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a consortium/joint venture)*

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

Held at _____ *(place)*

on _____ *(date)*

A. **RESOLVED that:** The above-mentioned Enterprises submit a quotation in consortium/joint venture to the Maluti-A-Phofung Special Economic Zone, Free State Province in respect of the following project:

(Project description as per Quotation Document)

Quotation Number: _____ *(Quotation Number as per Quotation Document)*

B. Mr/Mrs/Ms: _____

in *his/her Capacity as: _____ *(Position in the Enterprise)*

and who will sign as follows: _____

be, and is hereby, authorised to sign the Quote, and any and all other documents and/or correspondence in connection with and relating to the Quote, as well as to sign any Contract, and any and all documentation, resulting from the award of the quotation to the Enterprises in consortium/joint venture mentioned above.

C. The Enterprises constituting the consortium/joint venture, notwithstanding its composition, shall conduct all business under the name and style of:

D. The Enterprises to the consortium/joint venture accept joint and several liability for the due fulfilment of the obligations of the consortium/joint venture deriving from, and in any way connected with, the Contract entered into with the MAPSEZ in respect of the project described under item A above.

E. Any of the Enterprises to the consortium/joint venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the MAPSEZ 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the MAPSEZ for the due fulfilment of the obligations of the consortium/joint venture as mentioned under item D above.

F. No Enterprise to the consortium/joint venture shall, without the prior written consent of the other Enterprises to the consortium/joint venture and of the MAPSEZ, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the MAPSEZ referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the consortium/joint venture for all purposes arising from the consortium/joint venture agreement and the Contract with the MAPSEZ in respect of the project under item A above:

Physical address: _____

_____ (code)

Postal address: _____

_____ (code)

Telephone No.: _____ (code)

Fax No.: _____ (code)

SBD 1: INVITATION TO BID				
YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE				
BID NO.	MAPSEZ (T) 003/2023	CLOSING DATE:	11 August 2023	CLOSING TIME: 11:00
BID DESCRIPTION:	Appointment Of A Suitably Qualified, Registered Contractors From Grades 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on "As And When Basis" for a Period of two years (02) by the Maluti-A-Phofung Special Economic Zone.			
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7)				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT: Maluti-a-Phofung Special Economic Zone at corner Amanda De Lange Streets, Tshiame Harrismith 9880				
ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS – (NOT TO BE RE-TYPED)				
THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT				
SUPPLIER INFORMATION				
THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR BID BEING DISQUALIFIED)				
NAME OF BIDDER:				
POSTAL ADDRESS:				
STREET ADDRESS:				
TELEPHONE NUMBER:	CODE:		NUMBER:	
CELLPHONE NUMBER:				
FACSIMILE NUMBER:	CODE:		NUMBER:	
EMAIL ADDRESS:				
VAT REGISTRATION NUMBER:				
CSD REGISTRATION NUMBER:				
HAS A VAILID TAX CLEARANCE CERTIFICATE BEEN SUBMITTED? (SBD 2)	<input type="checkbox"/> Yes <input type="checkbox"/> No			
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes <input type="checkbox"/> No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes <input type="checkbox"/> No	
IF YES, WHO HAS ISSUED THE CERTIFICATE?				
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUTNING OFFICER AS CONTEMPLATED IN THE CLSOE CORPORATION ACT (CCA)		
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDICATION SYSTEM (SANAS)		
	<input type="checkbox"/>	A REGISTERED AUDITOR: NAME:		
A B-BBBEE STATUS LEVEL VERIFICATION CERTIFICATE / SWORN AFFIDAVIT (FOR EMEs & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE				

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS / SERVICES / WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ANSWER B3 BELOW]
SIGNATURE OF BIDDER:		DATE:	
CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)			
TOTAL BID PRICE	R		
BID PRICE IN WORDS	.....	
		
	.....(VAT INCLUSIVE)		
ENQUIRIES BIDDING PROCEDURE ENQUIRIES	CONTACT PERSON: Lebakile Wolf TEL NO: 058 635 1120 / 1134 EMAIL: lebakilew@mapsez.co.za		
TECHNICAL ENQUIRIES	CONTACT PERSON: Vusimuzi Nyathi OR Thobani Guma TEL NO: 060 637 6909 or 073498 8311 EMAIL: civilmapsez@gmail.com OR thobanigume@gmail.com		

SBD 4: BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

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

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

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

Full Name	Identity Number	Name of State institution

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

2.3.1. If so, furnish particulars:

.....

.....

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

2.3.1 If so, furnish particulars:

.....

.....

2. DECLARATION

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

- 1.2. I have read and I understand the contents of this disclosure;
- 1.3. I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 1.4. The bidder has arrived at the accompanying bid independently from, and without consultation, communication or agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 1.5. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 1.6. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

² Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

- 1.7. There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 1.8. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

PART C: THE CONTRACT

THE CONTRACT

PART C1: AGREEMENT AND CONTRACT DATA

C1.1 - Form of Offer and Acceptance

C1.1 Form of Offer and Acceptance	
Offer	
<p>The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the: <i>Appointment Of A Suitably Qualified, Registered Contractors From Grades 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on “As And When Basis” for a Period of two years (02) by the Maluti-A-Phofung Special Economic Zone.</i></p> <p>The bidder, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.</p> <p>By the representative of the bidder, deemed to be duly authorized, signing this part of this form of offer and acceptance, the tenderer offers to perform all of the obligations and liabilities of the contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.</p>	
<p>THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:.....</p> <p>.....</p> <p>..... Rand (in words); R (in figures)</p>	
<p>This offer may be accepted by the employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the tenderer before the end of the period of validity stated in the tender data, whereupon the tenderer becomes the party named as the contractor in the conditions of contract identified in the contract data.</p> <p>Signature</p> <p>Name</p> <p>Capacity</p>	
<p>for the Bidder:</p> <p>(Name and address of organization)</p> <p>.....</p> <p>Name and signature of witness</p> <p>Date:</p>	

Acceptance

By signing this part of this form of offer and acceptance, the employer identified below accepts the tenderer's offer. In consideration thereof, the employer shall pay the contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the tenderer's offer shall form an agreement between the employer and the tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

The terms of the contract, are contained in:

- Part C1: Agreements and contract data, (which includes this agreement)
- Part C2: Pricing data
- Part C3: Scope of work.
- Part C4: Site information
- Part C5: Additional returnable Documents and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 5 above.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature Date

Name(s) **M. MGEMANE**

Capacity **CHIEF EXECUTIVE OFFICER**

for the Employer MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE

Name and

Signature of witness

Date

Schedule of Deviations	
1. Subject	.....
Details	.....

2. Subject	.....
Details	.....

3. Subject	.....
Details	.....

4. Subject	.....
Details	.....

5. Subject	.....
Details	.....

<p>By the duly authorized representatives signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the tenderer and the employer during this process of offer and acceptance.</p> <p>It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.</p>	

PART C1: AGREEMENT AND CONTRACT DATA

C1.2 - Contract Data

MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE

TENDER NO: MAPSEZ 003/2023(T)

DESCRIPTION: Appointment Of A Suitably Qualified, Registered Contractors From Grades 4 and above (GB, CE, SO, SQ, EB & EP Classes Of Works) on a Panel of Contractors on “As And When Basis” for a Period of two years (02) by the Maluti-A-Phofung Special Economic Zone.

C1.2 Contract Data

PART C2: PRICING DATA

C2.1 – PRICING INSTRUCTION

PART C3: SCOPE OF WORKS

C3.1 – Description of Works

MALUTI-A-PHOFUNG SPECIAL ECONOMIC ZONE

PURPOSE OF THE CONTRACT

The purpose of the contract is to appoint a suitably qualified contractors to form part of the Maluti-a-Phofung Special Economic Zone's panel of contractors for grades 4 and above for the GB, CE, SO, SQ, EB & EP classes of works "As And When Basis" for a Period of two years (02) by the Maluti-A-Phofung Special Economic Zone.

LOCATION OF THE WORKS

The site is at the Maluti-a-Phofung Special Economic Zone.

All the works will be executed within the property boundary of the site

PORTFOLIO OF EVIDENCE GRADES 4 AND ABOVE (CE, EB, EP, SO, SQ, GB)

COMPANY EXPERIENCE AND EXPOSURE (WHERE RELEVANT) – PART 7

Bidders are to complete the table here under to detail their experience. Together with completing the table they are to attach references/testimonials here under to support their quotes.

Table 1 – Prev experience

TESTIMONIALS/FUNCTIONALITY EVIDENCE FORMS—PART 7				
Tenderers are encouraged to complete the forms in this section in addition to submitting supporting documents for functionality scoring. The purpose of these forms is to chart out the history, experience and team composition of the tenderer.				
RELEVANT PREVIOUS EXPERIENCE (PAST PERFORMANCE)				
PROJECT NAME	CLIENT REFERENCE & CONTACT DETAILS	ORDER / APPOINTMENT LETTER DATE	CONTRACT VALUE & PERIOD	TYPE OF ACTIVITIES UNDERTAKEN
			R	
			R	
			R	
			R	
			R	
			R	

TESTIMONIALS/FUNCTIONALITY EVIDENCE FORMS—PART 7

Tenderers are encouraged to complete the forms in this section in addition to submitting supporting documents for functionality scoring. The purpose of these forms is to chart out the history, experience and team composition of the tenderer.

RELEVANT PREVIOUS EXPERIENCE (PAST PERFORMANCE)

PROJECT NAME	CLIENT REFERENCE & CONTACT DETAILS	ORDER / APPOINTMENT LETTER DATE	CONTRACT VALUE & PERIOD	TYPE OF ACTIVITIES UNDERTAKEN
			R	
			R	
			R	
			R	
			R	
			R	

CV TEMPLATE(S)—PART 8

Bidders must append CV's of the proposed resources/personnel under this page.

CVs OF PROPOSED PERSONNEL	
FOREMAN	
Name	
Position for this assignment	Foreman
Nationality	
Language proficiency	
Education / qualifications	
Professional / professional certifications	
Employment record / experience	
References	