

<b>REQUEST FOR TENDER: APPOINTMENT OF A SERVICE PROVIDER FOR CONTROLLING OF VEGETATION BY MEANS OF CUTTING AND THE APPLICATION OF HERBICIDES FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR PRASA RAIL KZN REGION</b>	 prasa PASSENGER RAIL AGENCY OF SOUTH AFRICA
<b>TENDER NUMBER: DBN/CAP (BAC)024/1</b>	

## Annexure 5

### **FORM-C**

## **FORM C: TENDER FORM**

<b>CURRENT TENDER DETAILS</b>	
Request number:	DBN/CAP(BAC) 024/1
Request for Tender:	<b>CONTROLLING OF VEGETATION BY MEANS OF CUTTING AND THE APPLICATION OF HERBICIDES FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR PRASA RAIL KZN REGION</b>

I / We

---

(Insert Name of Tendering Entity)

of

(Full address)  
Conducting business under the style or title of:

Represented by:

in my capacity as:

being duly authorised thereto by a Resolution of the Board of Directors / Certificate of Partners, Members or Participants, as the case may be, dated \_\_\_\_\_, a certified copy of which is annexed hereto, hereby offer to undertake and complete the above-mentioned work (hereinafter called "the WORKS") at the prices quoted in the bills of quantities / schedule of quantities or, where these do not form part of the contract, at a lump sum, in accordance with the terms set forth in the accompanying letter(s) reference \_\_\_\_\_ and dated \_\_\_\_\_ (if any) and the documents listed in the accompanying schedule of tender documents for the sum of R \_\_\_\_\_

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\_\_\_\_\_ (amount in words), (All applicable taxes included)

**N.B.** (i) In the event of any discrepancy, the amount in words will take precedence over the amount in figures.

(ii) Where items in the priced bills of quantities submitted with the tender for the WORKS other than architectural building work are incorrectly extended arithmetically, the unit rate will be treated as decisive.

(iii) In tenders for architectural building work the total amount will be treated as decisive. If amounts for individual items cannot be reconciled with the total amount, the amounts for individual items shall be adjusted to the satisfaction of the PRASA to conform to the total amount.

I / We accept that unless the PRASA should otherwise decide and so inform me / us in the notice of acceptance, this tender (and, if any, its covering letter and any subsequent exchange of correspondence together with the PRASA acceptance thereof) shall constitute a binding contract between the PRASA and me / us. Should the PRASA decide that a formal contract should be signed and so inform me / us in the notice of acceptance, this tender (and, if any, its covering letter and any subsequent exchange of correspondence) together with the PRASA notice of acceptance, shall constitute a binding contract between the PRASA and me / us until the formal contract is signed.

I / We undertake to produce acceptable documentary proof of the necessary coverage for Workmen's Compensation, Securities and Insurance within **30 (thirty)** working days of notification of awarding of the contract, and to sign a formal contract if called upon by the PRASA to do so within **7 (seven)** working days of notification by the PRASA that the contract documents are ready for signature, failing which I / we accept that the PRASA may, in its sole discretion, withhold any payments due for work done until such time as these formalities have been completed.

I / We undertake to complete the whole of the WORKS within \_\_\_\_\_ (in words) from the date of notification to me / us of acceptance of the tender, subject to completion in stages if and as laid down in the project specification and to such extensions of time as may be granted. Failing completion of the WORKS or any stage of the WORKS within the period(s) stipulated or by such extended date(s) as may be allowed by the PRASA I / we shall pay to the PRASA in terms of the Conventional Penalties Act 15 of 1962, the penalty for which provision is made in the project specification. The ordering of any alterations, extras, additions or omissions shall not in any way prejudice the PRASA claim for such penalty.

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Application for relief from the obligation to pay a penalty will be considered by the PRASA, but shall be granted only if I / we can prove to the reasonable satisfaction of the PRASA that the penalty is out of proportion to the prejudice suffered by the PRASA by reason of the act or omission in respect of which the penalty was stipulated.

I / We declare that this tender holds good until \_\_\_\_\_  
**(a minimum period of 90 days from closing date is required).**

I / We further agree that if, after I / we have been notified of the acceptance of my / our tender, I / we fail to enter into a formal contract if called upon to do so, or fail to furnish satisfactory security for the due and proper completion of the WORKS, the PRASA may, without prejudice to any other legal remedy which it may have, recover from me / us any expense to which it may have been put in calling for tenders afresh and / or having to accept any less favourable tender.

I / We declare that, being a company / partnership / close corporation / joint venture, I / we have duly completed the annexe hereto and certified it as correct.

The several documents involved are to be taken as complementary to each other. In the event of any conflict between the content of any of the documents listed in the schedule of tender documents (other than the project specification) and the project specification, the latter shall prevail. In the event of any conflict between the letter that accompanies the tender or other relevant correspondence and the contents of the documents listed in the schedule of tender documents (including the project specification) such letter or correspondence shall prevail.

THUS DONE and SIGNED at \_\_\_\_\_  
on this \_\_\_\_\_ day of \_\_\_\_\_

DULY AUTHORISED SIGNATORY(IES)      WITNESSES

1. _____	1. _____
2. _____	2. _____
3. _____	3. _____

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## **SBD 6.1**

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

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

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

#### **1. GENERAL CONDITIONS**

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

- the 80/20 system for requirements with a Rand value of up to R50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R50 000 000 (all applicable taxes included).

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

a) The applicable preference point system for this tender is the 80/20 preference point system.

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

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

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

The maximum points for this tender are allocated as follows:

	<b>POINTS</b>
<b>PRICE</b>	80
<b>SPECIFIC GOALS</b>	20
<b>Total points for Price and SPECIFIC GOALS</b>	<b>100</b>

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

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

## **2. DEFINITIONS**

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

## **3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES**

### **3.1. POINTS AWARDED FOR PRICE**

#### **3.1.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS**

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

**80/20 or 90/10**

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

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

### **3.2. FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME**

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## GENERATING PROCUREMENT

### 3.2.1. POINTS AWARDED FOR PRICE

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

**80/20**      **or**      **90/10**

$$P_S = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right) \quad \text{or} \quad P_S = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax= Price of highest acceptable tender

#### 4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

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

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

<b>The specific goals allocated points in terms of this tender</b>	<b>Number of points allocated (80/20 system) (To be completed by the organ of state)</b>	<b>Number of points claimed (80/20 system) (To be completed by the tenderer)</b>
51 % Black Owned - CIPS Documents/ B-BBEE Certificate/Affidavit	8	
Black Women Owned- Certified copy of ID Documents of the <b>Owners</b>	3	
Black Youth Owned- Certified copy ID Documents of the Owners	3	
EME or QSE 51% Black Owned- CIPS Documents/ B-BBEE Certificate/Affidavit	3	
Black People Military Veterans- Certified copy of ID Documents of the Owners and military ID number / document	3	
<b>TOTAL</b>	<b>20</b>	

**DECLARATION WITH REGARD TO COMPANY/FIRM**

4.3. Name of company/firm.....

4.4. Company registration number: .....

**4.5. TYPE OF COMPANY/ FIRM**

- Partnership/Joint Venture / Consortium
- One-person business/sole proprietor
- Close corporation
- Public Company

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- Personal Liability Company
- (Pty) Limited
- Non-Profit Company
- State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

- (a) disqualify the person from the tendering process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution, if deemed necessary.

**SIGNATURE(S) OF TENDERER(S)**

**SURNAME AND NAME:** .....

**DATE:** .....

**ADDRESS:** .....

.....

.....

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## **BILL OF QUANTITIES**

<b>CONTROLLING OF VEGETATION BY MEANS OF CUTTING AND THE APPLICATION OF HERBICIDES FOR A PERIOD OF THIRTY-SIX (36) MONTHS FOR PRASA RAIL KZN REGION</b>					
<b>ITEM NO</b>	<b>Description</b>	<b>Unit</b>	<b>Qty</b>	<b>Rate</b>	<b>Total Amount</b>
<b>1</b>	<b>SECTION 1: ROSSBURGH TO KELSO</b>				
<b>1.1</b>	Controlling of vegetation: Rates shall include the following	m <sup>2</sup>	540700		
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.				
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicide				
<b>1.2</b>	Service roads	m <sup>2</sup>	45730		
<b>1.3</b>	<b>Cutting of trees (provisional)</b>	ea	<b>100</b>		
<b>2</b>	<b>SECTION 2: DURBAN TO PINETOWN</b>				
<b>2.1</b>	Controlling of vegetation: Rates shall include the following	m <sup>2</sup>	371632		
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.				
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicide				
<b>2.2</b>	Service roads	m <sup>2</sup>	25000		
<b>2.3</b>	<b>Cutting of trees (provisional)</b>	ea	<b>75</b>		

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<b>ITEM NO</b>	<b>Description</b>	<b>Unit</b>	<b>Qty</b>	<b>Rate</b>	<b>Total Amount</b>
<b>3</b>	<b>SECTION 3: DURBAN TO DUFF's ROAD (VIA GREENWOOD PARK)</b>				
<b>3.1</b>	Controlling of vegetation: Rates shall include the following				
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.	$m^2$	217883		
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicide				
<b>3.2</b>	Service roads	$m^2$	7500		
<b>3.3</b>	<b>Cutting of trees (provisional)</b>	<b>ea</b>	<b>50</b>		
<b>4</b>	<b>SECTION 4: MEREBANK TO CROSMOOR</b>				
<b>4.1</b>	Controlling of vegetation: Rates shall include the following				
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.	$m^2$	181748		
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicide				
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.	$m^2$	181748		
<b>4.2</b>	<b>Cutting of trees (provisional)</b>	<b>ea</b>	<b>50</b>		
<b>5</b>	<b>SECTION 5: DUFF's ROAD TO KWA MASHU</b>				
<b>5.1</b>	Controlling of vegetation: Rates shall include the following				

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	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.	m <sup>2</sup>	15564		
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicide				
5.2	Cutting of trees (provisional)	ea	50		
6.	<b>SECTION 6: DUFF'S ROAD TO BRIGDE CITY</b>				
6.1	Controlling of vegetation: Rates shall include the following				
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve.	m <sup>2</sup>	18310		
	(b) Mulching and spreading evenly (mechanical/manually)				
	(c) Controlling with herbicides				
6.2	<b>Cutting of trees (provisional)</b>	ea	50		
7.	<b>SECTION 7: REUNION TO UMLAZI</b>				
7.1	Controlling of vegetation: Rates shall include the following				
	(a) Cutting of vegetation and trim tree branches that are encroaches to the rail reserve	m <sup>2</sup>	61572		
	(b) Mulching and spreading evenly (mechanically/ manually)				
	(c) Controlling with herbicide				
7.2	<b>Cutting of trees (provisional)</b>	ea	50		
8	<b>SECTION 8: UMNGENI TO SPRINGFIELD</b>				
8.1	Controlling of vegetation: Rates shall include the following				

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	(a)Cutting of vegetation and trim tree branches that are encroaches to the rail service	m <sup>2</sup>	72720		
	(b)Mulching and spreading evenly(mechanically/manually)				
	(c)Controlling with herbicide				
8.2	<b>Cutting of trees (provisional)</b>				

**TOTAL CARRIED OUT TO SUMMARY**

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**SCHEDULE OF QUANTITIES CONTROL OF VEGETATION ON TRACK**

ITEM NO	DESCRIPTION	QTY	UNIT	RATE	AMOUNT	
					R	C
9	Cutting and spraying of herbicides Verge Left 1.7m	385000	m <sup>2</sup>			
10	Cutting and spraying of herbicides Cess 1.4	36400	m <sup>2</sup>			
11	Cutting and spraying of herbicides Ballast 2.5m	648600	m <sup>2</sup>			
12	Cutting and spraying of herbicides Verge Right 1.7m	385000	m <sup>2</sup>			
13	Cutting and spraying of herbicides Yard Area	417400	m <sup>2</sup>			
<b>TOTAL CARRIED OUT TO SUMMARY</b>						

**SCHEDULE OF QUANTITIES FOR TRACK PROTECTION**

ITEM	DESCRIPTION	QTY	UNIT	RATE	AMOUNT	
					R	C
14	Railway Proper Protection					
14.1	Supply one supervisor with valid train working rules and two qualified flagmen (this a provisional item and it shall be applicable for each team working on site) as per item no.7.14.4 (Weekdays)	3168	days			
14.1	Supply one supervisor with valid train working rules and two qualified flagmen (this a provisional item and it shall be applicable for each team working on site) as per item no.7.14.4 (Saturday)	624	days			
14.1	Supply one supervisor with valid train working rules and two qualified flagmen (this a provisional item and it shall be applicable for each team working on site) as per item no.7.14.4 (Sunday)	624	days			

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**SUMMARY OF QUOTES**

<b>Section</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>	
		R	C
1-8	CONTROL OF VEGETATION (OFF TRACK)		
9-13	CONTROL OF VEGETATION (ON TRACK)		
14	TRACK PROTECTION		
<b>SUB - TOTAL</b>			
<b>15% VAT</b>			
<b>TOTAL</b>			