



KWAZULU-NATAL PROVINCE
PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

KZN DEPARTMENT OF PUBLIC WORKS

**CONTRACT NO. ZNP 02/24/25:
ESTABLISHMENT OF A PANEL OF
CONTRACTORS FOR
CONSTRUCTION PROJECTS FROM
CIDB GRADING 7GB TO 9GB**

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Notice and Invitation

Introduction

The Kwazulu-Natal Department of Public Works is mandated to act as an implementing agent for other Provincial client departments to assist them with their infrastructure and property-related requirements so that they may achieve their core objectives and ensure efficient, effective, service delivery.

Background

In most instances, the Department utilises the traditional approach in almost all major construction projects but has in the recent past utilised more modern approaches to service delivery via period contracts for small works and maintenance projects which have proved to be successful.

The Department has identified the need to put in place further built environment framework contracts to address the vast number of requests being received and to respond swiftly to urgent and emergency requests. In some instances, these requests are life threatening and are a serious impediment to service delivery.

The Department has identified the need for the composition of a panel of contractors (without necessarily committing to any quantum of work) who would provide services or works within a defined scope on an as-instructed basis as and when required over a set term of three (3) years

Hence the purpose of this invitation is to invite competent contractors with active CIDB gradings of 7GB to 9GB to submit applications to register on the Departments' approved panel of contractors

Evaluation Criteria

Contractors are informed that only those respondents who are compliant with both the eligibility criteria and functionality criteria as set out in the form and who submit proof of compliance thereof are eligible to have their submissions evaluated further and considered.

**NOTIFICATION OF INVITATION
INVITATION FOR CONTRACTORS WITH ACTIVE CIDB GRADING 7GB TO 9GB TO
REGISTER ON THE KZN DEPARTMENT OF PUBLIC WORKS'S PANEL OF CONTRACTORS
FOR A PERIOD OF THREE YEARS.**

The Department of Public Works invites all suitable and experienced contractors with active CIDB Grading of 7GB, 8GB or 9GB to apply to register on the Department's Panel of Contractors.

Reference Number	: ZNP 02/24/25
Closing Date	: 20 June 2024
Time	: 11h00am
Documents available from	: At no cost via e-tender portal or Departmental website under the section "Bids & Quotations" or at a non-refundable cost of R 330.00 for a hard copy is payable for collection from the KZN Department of Public Works, 191 Prince Alfred Street (O.R. Tambo Building) Pietermaritzburg, during working hours 09h00 am to 15h00 pm. Proof of payment must be submitted for collection of the document .
Enquiries relating to bid:	: Ms A Sewmohan – 033 355 5455, or Mrs T Radebe – 033 355 5646 or Mr L Khumalo 033 260 3759

Compulsory Clarification Meeting

No compulsory clarification meeting will be held.

Bidders need to submit all queries by the latest on 4 June 2024 at close of business to the following e-mail address: scmenquiries@kznworks.gov.za

Replies to any queries submitted will be collated and replied to by 6 June 2024 and published on the Departmental website under 'Questions and Answers'

TENDERERS TO NOTE

1. Requirements for sealing, addressing, delivery, opening and assessment of the registration form are contained in the registration document.
2. All completed registration documents is to be submitted into the bid box at lower ground, 191 Prince Alfred Street, Pietermaritzburg
3. Late submissions will not be accepted.
4. Faxed or e-mailed quotations are not accepted.
5. Respondents are informed that only those respondents who are compliant with the admission criteria as set out in the registration form will be considered.
6. The tenderer must registered on the National Treasury Central Supplier Database
7. Tenderers must have an active CIDB contractor grading designation of either 7GB, 8GB or 9GB.

8. The tenderer must be registered with SARS and all taxes matters are to be in order.
9. The tenderer is not a joint venture. The tenderer either may be a sole proprietor, partnership or registered as a legal form of an entity.
10. The tenderer or any of its directors must not be listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector
11. Contractors to note that registration on the panel does not guarantee any award of a contract.

Submission Address

The Department's address for delivery of submissions is as follows:

Submissions may be posted to:
KZN DEPARTMENT OF PUBLIC WORKS
Private Bag X9152
Pietermaritzburg
3200

Or deposited in the bid box situated at:
Foyer: Lower Ground Floor
191 Prince Alfred Street
Pietermaritzburg

Respondents should ensure that submissions are delivered timeously to the correct address. If the submission is late, it will not be accepted for consideration. The bid box is generally open 8 hours a day, 5 days a week. Telephonic, telegraphic, telex, facsimile or e-mailed submissions offers will not be accepted. Late submissions will be not be accepted.

SUBMISSION DATA

1. Scope of Work

The successful contractors within each panel will be required to undertake projects within CIDB Grading of 7GB to 9GB (General Building Work as defined by CIDB) as and when required. The detailed scope of work and bills of Quantities (where applicable) will be provided to the successful contractors to price for each specific project.

2. Who can Apply

Interested contractors who have active CIDB gradings of 7GB, 8GB and 9GB and registered on the Central Supplier's database are eligible to submit their applications.

3. Eligibility Criteria and Functionality Criteria

Respondents are informed that only those contractors who are compliant with both the eligibility criteria and responsiveness criteria will be considered for registration onto the panel of contractors.

4. Evaluation

4.1 Eligibility Criteria:

- 4.1.1 The tenderer is registered on the National Treasury Central Supplier Database
- 4.1.2 Tenderers must have an active CIDB contractor grading designation of either 7GB, 8GB and 9GB.
- 4.1.3 The tenderer must be registered with SARS and all taxes matters are to be in order
- 4.1.4 The tenderer ***is not a joint venture***. The tenderer either may be a sole proprietor, partnership or registered as a legal form of an entity.
- 4.1.5 The tenderer or any of its directors must not be listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.
- 4.1.6 The tenderer must complete the Department's document in all aspects and certify that all information provided is correct.
- 4.1.7 All approved contractors will be expected to furnish a Generic Safety Plan in accordance with the Construction Regulations on the first contract award.
- 4.1.8 The requirements of the CIDB B.U.I.L.D. Programme with respect to Indirect Targeting for Enterprise Development is set at a minimum contribution of 30% of the project's contract value towards development support. This is the support that the successful tenderer must provide on this contract. (As per CIDB B.U.I.L.D Programme - only for projects that are R60 million and above and have a minimum duration of 6 months) The requirements of the CIDB B.U.I.L.D. Programme with respect to the Standard for Skills Development is set at a maximum development support of 0.25% of the project's contract value. (As per CIDB B.U.I.L.D Programme) (only applicable to projects that are R60 million and above and minimum duration of 12 months) Tenderers shall be required to demonstrate that they will

have in their employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work for labour-enhanced competencies for management and supervisory personnel.

- 4.1.9 The employment contracts for the Contracts manager, Construction Manager, Foreman/Supervisor and Health and Safety Manager as employed by the contractor is to be submitted.

Should the contractor fail to submit any of the information and documentation as indicated in paragraph 4.1.1 to 4.1.9, the contractor will not be considered further.

4.2 Functionality Criteria

Functionality criteria	Description	Point allocation
1.Key Personnel: Detailed Curriculum Vitae and Qualifications Projects Implementation Experience Construction Experience and Rehabilitation Experience (total points 60) Curriculum Vitae clearly indicating the experience and certified copies of qualifications to be provided for Contracts manager, Construction Manager, Foreman/Supervisor and Health and Safety Manager	Contracts Manager X1 Must be professionally registered with ECSA and / or SACPCMP (Pr Eng / Pr Tech Eng / Pr Tech/ Pr CPM or Pr CM only)	Maximum points: 20 Years of experience - calculated post qualification: 10 years and above = 20 5-9 years =15 3-4 years =5 0 – 2 years =0
	Construction Manager (Senior Site Agent) X1 (Must hold a Btech/BSc in Civil Engineering and LIC NQF 5 “Manage Labour-Intensive Construction Processes”)	Maximum points:15 Years of experience: 15 years and above = 15 10-14 years =10 5-9 years =5 0-4 years =0
	Foreman / Supervisor X1	Maximum points = 15 Years of experience: 5 years and above = 15 3-4 years = 10 1-2 years = 5 0 years = 0
	Health and Safety Manager X1	Maximum points = 10 Years of experience: 5 years and above = 10 3-4 years = 7 1-2 years = 5 0 years = 0
2. Tenderers Relevant Experience	Construction Experience Contractors are to have completed 5 projects within their applicable CIDB grading and 2 projects of one grade lower than their current CIDB Grading in the last five years.	Maximum points = 40 Appointment Letter and Final Approval Certificates/ Completion Certificates for 5 projects completed within the current grading and 2 projects completed of one grading lower in the last 5 years = 40 Appointment Letter and Final Approval Certificates/ Completion Certificates for 4 projects completed within the current grading and 1 project completed of one grading lower in the last 5 years = 32 Appointment Letter and Final Approval Certificates/ Completion Certificates for 3 projects

		completed within the current grading and 1 project 1 completed of one grading lower in the last 5 years = 24 Appointment Letter and Final Approval Certificates/ Completion Certificates for 2 projects completed within the current grading and 1 project completed of one grading lower in the last 5 years = 16 Appointment Letter and Final Approval Certificates/ Completion Certificates for 1 project completed within the current grading and 1 project completed of one grading lower in the last 5 years = 8 Appointment Letter and Final Approval Certificates/ Completion Certificates for 0 projects = 0
TOTAL Maximum score = 100 points Maximum score = sum of all individual scores		
Tenderers scoring 50% and above of the functionality score will qualify for further evaluation. Note: All personnel to be in the employ of the bidding enterprise. Bidding with multiple enterprises will not be allowed. The Department will disregard all experience of duplicated personnel. The Department reserves the right to assess the functionality ongoing to ensure compliance. The Department must be apprised immediately if there is any change to the personnel identified in the tender document. Failure to comply with this requirement shall lead to contract termination. Any replacement must have equal or higher experience		

Contractors who do not meet the qualifying 50% functionality score will be not considered further.

4.3 Specific goals

Specific goals applicable are indicated as per the table below:

The specific goals allocated points in terms of this tender	Applicable or Not Applicable	Number of points allocated (90/10 system)	No of points claimed by contractor (to be completed by the contractor)
"Ownership by People who are Youth Documentary Proof Required: 1) Certified copy of Identity Document/s 2) SANAS Approved B-BBEE Certificate	Applicable	5	
"Ownership by People who are Women Documentary Proof Required: 1) Sworn Affidavit; signed and dated by Commissioner of Oaths 2) Certified Copy of Identity Document/s"	Applicable	5	

5. Method of appointment

- 5.1 Contractors will be listed according to the unique number issued during time of tendering.
- 5.2 Contractors with duplicate identity numbers of full-time staff members will not be admitted to the panel.
- 5.3 For each new project, contractors will be required to follow a competitive procurement process restricted to the approved contractors on the panel.
- 5.4 Quotations will be requested from the **first five** contractors on the panel as and when the need arises. After a transaction, all those involved in the transaction, i.e., those who declined an appointment, those invited to submit quotations, and those who were awarded a contract will be moved to the bottom of the panel until all entries have been involved in a transaction.
- 5.5 Multiple awards of bids will be limited (unless by exception due to circumstances) in order to spread the work amongst a large number of successful bidders and to minimize the risk to the Department. Multiple awards shall be limited to the ceiling value of the applicable CIDB grading of the recommended bidder unless previous contracts awarded has been more than 60 % completed in terms of the actual scope of the contract and time expended are within the allocated time lines of the contract period of the contract with specific reference to the activity based construction program and concise demonstration has been given that the bidder has the capability and resources to complete the project successfully".
- 5.6 Should the CIDB grading of a contractor who is on the panel be upgraded during the course of the 36 months, the contractor is to immediately notify the Department thereof in writing. The contractor is to also provide the necessary documentation to the Department in line with the requirements of the panel to be listed within their new CIDB grading. Failure to notify and submit the required documentation to the Department will result in the contractor being suspended from the panel until the such time the required documentation is provided.
- 5.7 The Department will determine for which projects quotations/bids will be invited from the panel. Should the Department wish to go out on an open bid process, (outside of the panel) contractors on the panel can also respond to the invitation.
- 5.8 Contractors to note that registration on the panel does not guarantee any award of contract.

6. Validity of Registration on the Panel

Registration shall remain valid for a three-year period, subject to the contractor advising the Department of any changes in contact particulars and parameters that will result in the contractor no longer satisfying the abovementioned admission criteria.

7. Defaulting Contractors

Contractors who cancel their contract or fail to deliver the service within the allocated time and budget will be reported to Provincial Treasury to be included on the register of defaulting bidders. The contractor will not be invited to bid until the outcome from Provincial Treasury as to whether they are listed as a defaulting service provider is finalised. Should the contractor be listed on the register of defaulting bidders, they will immediately be removed from the panel.

ANNEXURE A

BIDDER'S DISCLOSURE

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.

Bidder's declaration

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

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

Full Name	Identity Number	Name of State institution

2.2

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

2.2.1 If so, furnish particulars:

.....
.....

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

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.

If so, furnish particulars:

.....
.....

DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

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.

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.

.....
Signature

.....
Date

.....
Position

.....
Name of bidder

ANNEXURE B

AUTHORITY TO SIGN A BID

A. COMPANIES

If a Bidder is a company, a certified copy of the resolution by the board of directors, personally signed by the chairperson of the board, authorising the person who signs this bid to do so, as well as to sign any contract resulting from this bid and any other documents and correspondence in connection with this bid and/or contract on behalf of the company must be submitted with this bid, that is before the closing time and date of the bid

AUTHORITY BY BOARD OF DIRECTORS

By resolution passed by the Board of Directors on.....20.....

Mr/Mrs/Miss..... (whose signature appears below) has been duly authorised to sign all documents in connection with this bid on behalf of

(Name of Company)

.....

IN HIS/HER CAPACITY AS:

SIGNED ON BEHALF OF COMPANY:
(PRINT NAME)

SIGNATURE OF SIGNATORY: DATE:

WITNESSES: 1

2

B. SOLE PROPRIETOR (ONE - PERSON BUSINESS)

I, the undersigned..... hereby confirm that I am the sole owner of the

business trading as

.....

.....
SIGNATURE
(PRINT NAME)

.....
DATE

D. CLOSE CORPORATION

In the case of a close corporation submitting a bid, a certified copy of the Founding Statement of such corporation shall be included with the bid, together with the resolution by its members authorising a member or other official of the corporation to sign the documents on their behalf.

By resolution of members at a meeting on 20..... at

.....Mr/Mrs/Miss....., whose
signature appears below, has been authorised to sign all documents in connection with this bid on
behalf of (Name of Close Corporation)

.....
....

SIGNED ON BEHALF OF CLOSE CORPORATION:
(PRINT NAME)

IN HIS/HER CAPACITY AS **DATE:**

SIGNATURE OF SIGNATORY:

WITNESSES: 1

2

E CO-OPERATIVE

A certified copy of the Constitution of the co-operative must be included with the bid, together with
the resolution by its members authoring a member or other official of the co-operative to sign the bid
documents on their behalf.

By resolution of members at a meeting on 20..... at

Mr/Mrs/Miss....., whose signature appears below, has been
authorised to sign
all documents in connection with this bid on behalf of (Name of co -
operative).....

SIGNATURE **OF** **AUTHORISED**
REPRESENTATIVE/SIGNATORY:
(PRINT NAME)

IN HIS/HER CAPACITY AS:..... **DATE:**
.....

SIGNED ON BEHALF OF CO-OPERATIVE:.....

NAME IN BLOCK LETTERS:.....

WITNESSES: 1

2

ANNEXURE C

CONTRACTOR'S INFORMATION SHEET – CONTRACTOR'S HEAD OFFICE

Reference Number	
Description of service	

Name of Respondent	
Physical address	
Postal address	
Contact name	
Telephone number	
Fax number	
Cell number	
E-mail address	

OTHER REGIONAL OFFICES (if any)

Physical address	
Postal address	
Contact name	
Telephone number	
Fax number	

OTHER REGIONAL OFFICES (if any)

Physical address	
Postal address	
Contact name	
Telephone number	
Fax number	

ANNEXURE D

INFORMATION REGARDING PREVIOUS EXPERIENCE (IF ADDITIONAL SPACE IS REQUIRED, KINDLY INDICATE AND MAKE REFERENCE TO SAME)

[illegible]