

**GAUTENG PROVINCE**

**INFRASTRUCTURE DEVELOPMENT**

REPUBLIC OF SOUTH AFRICA

**TENDER NO: DIDM14/10/2021**

**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR  
A PERIOD OF 36 MONTHS**

**FOR**

**AUTOCLAVES**

**ISSUED BY:**

Department of Infrastructure Development  
Chief Directorate Maintenance  
Private Bag X83  
Marshalltown  
2107

**Oct-21**

**NAME OF TENDERING ENTITY:**



# GAUTENG PROVINCE

## INFRASTRUCTURE DEVELOPMENT

### REPUBLIC OF SOUTH AFRICA

#### PART A INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (GAUTENG DEPARTMENT OF INFRASTRUCTURE)					
BID NUMBER:	DIDM14/10/2021	CLOSING DATE:	23-Nov-21	CLOSING TIME:	11:00 AM
DESCRIPTION	MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES				
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 (STREET ADDRESS)

The Department of Infrastructure Development, Tender box, Corner House Building, Corner Commissioner & Sauer Street, Marshalltown  
The bid box is generally open 24 hours a day, 7 days a week.

<b>SUPPLIER INFORMATION</b>					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
COIDA REGISTRATION NUMBER					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	Yes <input type="checkbox"/>			B-BBEE STATUS LEVEL SWORN AFFIDAVIT	Yes <input type="checkbox"/>
	No <input type="checkbox"/>				No <input type="checkbox"/>
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	A SWORN AFFIDAVIT SIGNED BY THE COMMISSIONER OF OATH			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
		NAME:			
[A B-BBEE 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?	Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES ENCLOSE PROOF]	ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes <input type="checkbox"/> No <input type="checkbox"/> [IF YES ANSWER PART B:3 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 NUMBER OF ITEMS OFFERED		TOTAL BID PRICE (ALL INCLUSIVE)	
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		TECHNICAL INFORMATION MAY BE DIRECTED TO:	
DEPARTMENT/ PUBLIC ENTITY	Department of Infrastructure Development	CONTACT PERSON	Raditlhalo Moses
CONTACT PERSON	Siya Khumalo	TELEPHONE NUMBER	
TELEPHONE NUMBER	N/A	FACSIMILE NUMBER	
E-MAIL ADDRESS	<a href="mailto:siya.khumalo@gauteng.gov.za">siya.khumalo@gauteng.gov.za</a>	E-MAIL ADDRESS	<a href="mailto:moses.raditlhalo@gauteng.gov.za">moses.raditlhalo@gauteng.gov.za</a>

QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?	YES		NO		
DOES THE ENTITY HAVE A BRANCH IN THE RSA?	YES		NO		
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?	YES		NO		
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?	YES		NO		
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?	YES		NO		
IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

TERMS AND CONDITIONS FOR BIDDING	
<b>1. BID SUBMISSION:</b>	
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.	
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.	
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.	
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).	
<b>2. TAX COMPLIANCE REQUIREMENTS</b>	
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.	
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.	
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILED THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.	
2.4 BIDDERS SHOULD SUBMIT A TCS PIN TOGETHER WITH THE BID.	
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.	
2.6 WHERE NO TCS PIN IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.	
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."	

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER: .....

CAPACITY UNDER WHICH THIS BID IS SIGNED: .....  
(Proof of authority must be submitted e.g. company resolution)

DATE: .....



# GAUTENG PROVINCE

INFRASTRUCTURE DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

## INVITATION TO TENDER

Short description of requirements:	MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES	
Tender number:	DIDM14/10/2021	
Tender documents available from: 29 October 2021	e-Tender publication portal of National Treasury or GPG e-tender portal <a href="https://etenders.treasury.gov.za">https://etenders.treasury.gov.za</a> <a href="http://e-tenders.gauteng.gov.za">http://e-tenders.gauteng.gov.za</a>	
Price of tender documents:	Bid documents must be downloaded and printed on the e-Tender portal at bidders cost.	
Closing date:	23-Nov-21	
Closing time:	11:00 AM	
Address for submission of tenders:	Department of Infrastructure Development (GDID Tender Box) Corner House Building, Corner Commissioner and Pixley Ka Isaka Seme Street (Sauer Street) Marshalltown Johannesburg	
Evaluation Steps:	1) Pre-qualification criteria 2) Mandatory and Administration requirements 3) Functionality	
Non-Compulsory pre-bid meeting/site meeting (all bidders should join the online briefing meeting via the link)	Details of the non-compulsory pre-bid meeting/site meeting is indicated below.	
	Meeting Link address:	<a href="https://teams.microsoft.com/join/9H-rcDRrw.owA9ff9dWkKYagntHLDDGQ.5EXSb7FrRkG-BbdcYbUhVA.uJ8kt5gFaUiTc-IAEndloQ.U6lQr8Ft20uuSvBt9rWwtg.R0EapizVu0eXZool2LiRnw?mode=read&amp;tenantId=003f7489-c006-4532-90f3-">https://teams.microsoft.com/join/9H-rcDRrw.owA9ff9dWkKYagntHLDDGQ.5EXSb7FrRkG-BbdcYbUhVA.uJ8kt5gFaUiTc-IAEndloQ.U6lQr8Ft20uuSvBt9rWwtg.R0EapizVu0eXZool2LiRnw?mode=read&amp;tenantId=003f7489-c006-4532-90f3-</a>
	Date of the meeting	05-Nov-21
	Time of meeting:	11:00AM
Stipulated Pre-qualification criteria: the tenderers that fail to meet the stated prequalification will be disqualified	Only those tenderers meeting the stipulated pre-qualification criteria stipulated below will be evaluated:	
	Pre-qualification criteria applicable to this tender:  Only EMEs or QSEs having a B-BBEE status level contribution of 1 or 2 will be considered for evaluation. Therefore, bidders must submit copy of a valid B-BBEE certificate issued by a SANAS Accredited Agency or a valid sworn affidavit with the bid document. Sworn affidavit must be accompanied by annual financial statement which is not older than 18 months. NB! Sworn affidavit must be signed by deponent and attested by a Commissioner of Oath. (A consortium or JV must submit a valid SANAS accredited consolidated B-BBEE certificate, No sworn affidavit will be accepted for a trust, consortium or JV ).	
<b>B-BBEE information:</b> 1. A Bidder who qualifies as an Exempted Micro Enterprises (EME's) must submit a sworn affidavit. 2. A Bidder who qualifies as a Qualifying Small Enterprises (QSE's) and is more than 51% black owned must submit a sworn affidavit. 3. Sworn affidavits submitted by bidders in support of their B-BBEE level should comply with the DTI or the CIPC format or in a similar format and must be valid, original or certified as a true copy of the original. 4. Bidders who do NOT qualify as EME's and QSE's as outlined in 1 and 2 above, must submit B-BBEE verification certificates that are issued by an Agency accredited by SANAS. 5. A trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender. 6. Public entities and tertiary institutions must also submit B-BBEE Status Level Verification Certificates together with their tenders.  Bidders who fail to submit a valid B-BBEE Certificate or Sworn Affidavit will be regarded as non-responsive bidders and be disqualified. Sworn Affidavits and certification as a "true copy of the original", must comply with the requirements outlined in the Justices of the Peace and Commissioners of Oaths Act, No 16 of 1963 and its Regulations promulgated in Government Notice GNR 1258 of 21 July 1972.		

<b>MANDATORY / COMPULSORY ADMINISTRATIVE REQUIREMENTS</b> <i>(Failure to submit / meet or comply with the following requirements constitute automatic disqualification of tender offer)</i>	Only Tenderers having a Valid CIDB Grade 3ME TO 5ME will be considered for Evaluation. (CIDB Certificates or CRS Numbers must be provided).
	Submission of completed and signed SBD forms (SBD 1, SBD 4, SBD 8 and SBD 9)
	Submission of valid COIDA certificates or Letter of good standing )
	Submission of an undertaking or commitment letter to ensure creation of job opportunities to local people who are Youth, Woman, Military Veterans and people with disabilities
	Submission of Valid SAHPRA licence for manufacturing and handling medical devices
	Submission of signed Joint Venture agreement or Consortia agreement in case of Joint Venture or Consortium

ADMINISTRATIVE COMPLIANCE THAT WILL BE APPLICABLE TO THIS PROCUREMENT	
Submission of the proof of registration with CSD (CSD registration number (MAAA number or CSD Summary registration report)	
Submission of a Tax Compliance Status PIN that will grant a third-party access to the bidder's Tax Compliance Status.	
Submission of company registration documents (Founding Statement – CK1 or Certificate of Incorporation – CM1, etc).	
Submission of certified copies of the Identity Document for members / directors / shareholders or owners	

<b>Applicable Functionality Criteria:</b> Failure to meet the prescribed minimum functionality of 70 points will result in automatic disqualification	This tender will be evaluated against functionality and only tenderers that obtain the required minimum score indicated in the Tender documents will be further evaluated on price and preference.  <b>Bidders must obtain a minimum of 70 points to be considered for further evaluation (price and preference) Total Functionality: 100 points.</b>	
	<b>Functionality Criteria:</b>	
	<b>Functionality Criteria</b>	<b>Weighting Factor</b>
	Company Experience	40 Points
	Key staff	30 Points
	Township Economy	30 Points
	Revitalisation	

<b>Enquiries technical:</b>	<a href="#">moses Raditlhalo</a> <a href="mailto:moses.raditlhalo@gauteng.gov.za">moses.raditlhalo@gauteng.gov.za</a>
<b>Enquiries general:</b>	<a href="#">Siyabonga Khumalo</a> <a href="mailto:siya.khumalo@gauteng.gov.za">siya.khumalo@gauteng.gov.za</a>
<b>Last date for accepting queries is</b>	<b>7 days before closing date</b>
<b>Note to tenderers:</b> All successful service providers will be subjected to signing of SLA and standard Rates as prescribed by the department and the Preferential Procurement Policy Framework Act no 5 of 2000 and its Regulations of 2017 apply.	



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## **Part T1.1 Tender Notice and Invitation to Tender**

The contract period is 36 **months** from conclusion of the contract.

It is estimated that Tenderers should have a CIDB contractor grading designation of 3 ME TO 5 ME only.

Only EMEs or QSEs having a B-BBEE status level contribution of 1 or 2 will be considered for evaluation. Therefore, bidders must submit copy of a valid B-BBEE certificate issued by a SANAS Accredited Agency or a valid sworn affidavit with the bid document. Sworn affidavit must be accompanied by annual financial statement which is not older than 18 months. NB! Sworn affidavit must be signed by deponent and attested by a Commissioner of Oath. (A consortium or JV must submit a valid SANAS accredited consolidated B-BBEE certificate, No sworn affidavit will be accepted for a trust, consortium or JV).

All successful bidders in the panel should ensure creation of job opportunities to local residents in case they get appointment for work. Targeted individuals are Youth, Woman, Military Veterans and people with disabilities.

The physical address for submission of tender documents is:

Gauteng Department of Infrastructure Development (Tender Box)  
Ground Floor, Corner House Building  
Corner Commissioner and Pixley ka Seme Street

Tender documents are only be available on GPG e-tender portal on: <http://e-tenders.gauteng.gov.za> and National Treasury e-Tender Portal <https://etenders.treasury.gov.za/>. Therefore, bidders must download and print tender documents at their own cost.

Tender documents will be available from 29 October 2021.

A non-compulsory clarification meeting with representatives of the Employer will take place online via the link below:  
[https://teams.microsoft.com/join/ixQ\\_AAbAMkWWQ89H-rcDRrw.owA9ff9dWkKYagntHLDDGQ.5EXSb7FrRkG-BbdcYbUhVA,uJ8kt5gFaUiTc-IAEndloQ,U6lQr8Ft20uuSvBt9rWwtg,R0EapizVu0eXZool2LjRnw?mode=read&tenantId=003f7489-c006-4532-90f3-d1feadc0d1af](https://teams.microsoft.com/join/ixQ_AAbAMkWWQ89H-rcDRrw.owA9ff9dWkKYagntHLDDGQ.5EXSb7FrRkG-BbdcYbUhVA,uJ8kt5gFaUiTc-IAEndloQ,U6lQr8Ft20uuSvBt9rWwtg,R0EapizVu0eXZool2LjRnw?mode=read&tenantId=003f7489-c006-4532-90f3-d1feadc0d1af)  
**on 05 november 2021 starting at 11:00AM**

The closing time and date for receipt of tenders is 11:00AM on the 23 November 2021.

Enquiries: Technical enquires: [moses.radihalo@gauteng.gov.za](mailto:moses.radihalo@gauteng.gov.za) and for General enquires: [siya.khumalo@gauteng.gov.za](mailto:siya.khumalo@gauteng.gov.za)

Telegraphic, telephonic, telex, facsimile, electronic and/or late tenders will not be accepted.

Requirements for sealing, addressing, delivery, opening and assessment of tenders are stated in the Tender Data.



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**T1.2 Tender Data**

The conditions of tender are the Standard Conditions of Tender as contained in Annex C of the CIDB Standard for Uniformity in Engineering and Construction Works of August 2019 and as amended from time to time. (See [www.cidb.org.za](http://www.cidb.org.za)).

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.

**The additional conditions of tender are:**

**C.3.13 Acceptance of tender offer**

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

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement;
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial, capability, reliability, experience and reputation, expertise and personnel, to perform the contract;
- c) has a legal capacity to enter into a contract;
- d) is not; insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act No. 2008, bankrupt or being wound up, has his or her affairs administered by a court or a judiciary officer, has suspended his or her business activities or is subject to legal proceedings in respect of any foregoing;
- e) complies with legal requirements, if any, stated in the tender data; and
- f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest



Clause	Tender Data
C.1.1	The employer is the Department of Infrastructure Development: Chief Directorate Maintenance of the Gauteng Provincial Government
C.1.2	<p>The Tender Documents issued by the employer comprise the following documents:</p> <p><b>THE TENDER</b></p> <p><b>Part T1: Tendering procedures</b></p> <p>T1.1 - Tender notice and invitation to tender T1.2 - Tender data</p> <p><b>Part T2: Returnable documents</b></p> <p>T2.1 - List of returnable documents T2.2 - Returnable schedules T2.3 - SBD Forms</p> <p><b>THE CONTRACT</b></p> <p><b>Part C1: Agreements and Contract data</b></p> <p>C1.2 - Contract data C1.3 - Performance Bond</p>
	<p><b>Part C4: Site information</b></p> <p>C4.1 - Site Information</p> <p><b>ANNEXURES</b></p> <p>A - Calculations of penalties</p>
C.1.4	<p>The Employer's Agent is :</p> <p>Name: Address: Tel: Fax: E-mail:</p>

C.2.1	<p>Only those tenderers who are registered with the cidb, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a 3ME to 5ME only class of construction work, are eligible to have their tenders evaluated.</p> <p>Joint ventures or consortia (including unincorporated consortia and joint ventures) are eligible to submit tenders provided that:</p> <ol style="list-style-type: none"> <li>every member of the joint venture or consortia (including unincorporated consortia and joint ventures) is registered with the CIDB;</li> <li>the lead partner has a contractor grading designation in the 3ME to 5ME class of construction work; and</li> <li>the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a 3ME to 5ME class of construction work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations</li> </ol>
C.2.2	<p><b>Cost of Tendering</b></p> <p>The tenderer accept that the Employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer satisfy requirements.</p>

C.2.7	<p>The clarification meeting is non-compulsory</p> <p>The arrangements for the compulsory clarification meeting are as stated in the Invitation to Tender.</p>
C.2.11	Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the Employer, or necessary to correct errors made by the Tenderer. All signatories to the tender offer shall initial all such alterations.
C.2.12	No alternative tender offers will be considered
C.2.13.3	Parts of each tender offer communicated on paper shall be submitted as an original, and no copies.
C.2.13.5	Sealed original tender documents must be submitted by no later than the closing date and time
C.2.13.6	A two-envelope procedure will not be followed
C.2.15	<p>Tenderers are to ensure that the employer receives the tender offer at the address specified in the Invitation to Tender not later than the closing time stated in the tender data.</p> <p>Telegraphic, telephonic, telex, facsimile or electronic tender offers will not be accepted.</p>
C.2.15.1	<p>The employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are:</p> <p><b>Location of tender box:</b> Foyer of Corner House</p> <p><b>Physical Address:</b> Corner Commissioner and Pixley Ka Isaka Seme (Sauer Street), Marshalltown, Johannesburg</p>
C.2.16	The tender offer validity period is valid until the conclusion of procurement process
C.2.16.3	Accept that a tender submission that has been submitted to the employer may only be withdrawn or substituted before the closing time by giving the employer's agent written notice for tenders that a tender is to be withdrawn or substituted.
	At contracting stage, the tenderer must submit to the Employer, names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.

C.2.20	The tenderer is required to submit with his tender a letter of intent from either an insurance company duly registered in terms of the Short-Term Insurance Act of 1998 (Act 35 of 1998) or by a bank duly registered in terms of the Banks Act of 1990 (Act 94 of 1990) undertaking to provide the Performance Bond without any alteration or amendment of the wording of the pro-forma indicated in Part T2.2 of this procurement document
	<p><i>Performance bond or guarantees (7.5% of the offer inclusive of VAT)</i></p> <p><b>Guarantees</b></p> <p><i>Guarantees required in engineering and construction contracts shall not substantially differ from the samples form provided in the contract. Such guarantees shall be fixed guarantee of 7.5% of the contract price and shall be stated in the contract data.</i></p> <p><i>Forms of Guarantees acceptable shall be:</i></p> <p><i>a. Guarantee issued by an insurance company duly registered in terms of the Insurance Act, 2017 or bank duly registered in terms of the Bank Act, 1990; or</i></p> <p><i>b. A cash deposit paid in the name of the employer; or</i></p> <p><i>c. A payment reduction against the payment certificates.</i></p> <p><i>d. Combination of (a) to (c)</i></p> <p><b>Note: Performance Bond or Guarantees should be from a registered financial service providers</b></p>
C.2.23	The tenderer is required to submit with his tender a Tax Compliance Status PIN in the name of the tendering entity as issued by the South African Revenue Services
C.3.4	Tenders will be opened immediately at 11:00 am on the bid closing date
C.3.11	Functionality will be scored out of 100 points and a minimum points to score for qualification to be listed on the panel is 70 points
C.3.17	The number of paper copies of the signed contract to be provided by the employer is one

The functionality criteria and maximum score in respect of each of the criteria are as follows:		
Functionality Criteria	Points allocation for sub criteria	Weighting Factor:
<p><b>1. COMPANY EXPERIENCE</b></p> <p>Demonstrate company experience of tendering entity with respect to relevant projects.</p> <p>Bidder must provide appointment letters or purchase orders (on client's letterhead) with a corresponding completion reference letter or completion certificate not older than 10 years in autoclaves.</p> <p><b>NB! Points will not be allocated for non-corresponding documents.</b></p> <p>5 Appointment letters or Purchasing Orders with 5 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p>4 Appointment letters or Purchasing Orders with 4 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p>3 Appointment letters or Purchasing Orders with 3 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p>2 Appointment letters or Purchasing Orders with 2 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p>1 Appointment letters or Purchasing Orders with 1 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p>0 Appointment letters or Purchasing Orders with 0 Corresponding Completion Certificates or completion reference letters in autoclaves</p> <p><b>Note: Submission of completion certificate /completion reference letter without corresponding appointment letter / purchase order or submission of appointment letter / purchase order without corresponding completion certificate/completion reference letter will not be considered for scoring purposes. Points will be forfeited.</b></p> <p><b>NB: The completion certificates/ completion reference letters and appointment letters must be signed.</b></p>	<p>40 points</p> <p>32 points</p> <p>24 points</p> <p>16 points</p> <p>8 points</p> <p>0 point</p>	<p><b>40 points</b></p>

	<b>2. KEY STAFF</b>		<b>30 points</b>
	Submit/attach a commitment letter or undertaking signed by relevant authorised person to provide the following staff as and when appointed for work		
	•1 Qualified Artisan with a trade test certificate	10 points	
	•1 Technician with NQF Level 6 or higher qualification	10 points	
	•1 Professional Engineer / Technologist registered with ECSA as Professional Engineer / Technologist	10 points	
	NB! Failure to provide commitment letter or undertaking signed by relevant authorised person will score zero point		
	<b>3. TOWNSHIP ECONOMY REVITALISATION</b>		<b>30 points</b>
	Submit/attach any bill or proof of resident in the company name (e.g. Municipal Rate & Taxes or Telkom/phone bill or lease agreement) confirming the business address and must not be older than 6 months		
	•SMMEs Company with Gauteng township address	<b>30 points</b>	
	•SMMEs Company with a SA township address	20 points	
•SMMEs Company with Gauteng address in developed or urban area	10 points		
•Failure to provide proof of address	0 point		
All successful service providers will be subjected to signing of SLA and standard Rates as prescribed by the department.			



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
 AUTOCLAVES**

## **T2.1 List of Returnable Documents**

### **1 Returnable Schedules required for tender evaluation purposes (Mandatories)**

The tenderer must complete the following returnable schedules as relevant:

- Only tenderers having a valid CIDB grade 3ME to 5ME will be considered for evaluation (CIDB certificate or CRS number must be provided)
- Only EMEs or QSEs having a B-BBEE status level contribution of 1 or 2 will be considered for evaluation. Therefore, bidders must submit copy of a valid B-BBEE certificate issued by a SANAS Accredited Agency or a valid sworn affidavit with the bid document. Sworn affidavit must be accompanied by annual financial statement which is not older than 18 months. NB! Sworn affidavit must be signed by deponent and attested by a Commissioner of Oath. (A consortium or JV must submit a valid SANAS accredited consolidated B-BBEE certificate, No sworn affidavit will be accepted for a trust, consortium or JV).
- Submission of completed Invitation to bid (SBD 1)
- Submission of completed Declaration of interest (SBD 4)
- Submission of completed Declaration of bidder's past supply chain management practices (SBD 8)
- Submission of completed Certificate of Independent Bid Determination (SBD 9)
- Submission of signed Joint venture agreement or consortia agreement in case of joint venture / consortium
- COIDA certificate or letter of good standing
- Submission of an undertaking or commitment letter to ensure creation of job opportunities to local people who are Youth, Woman, Military Veterans and people with disabilities
- Submission of Valid SAHPRA licence for manufacturing and handling medical devices

### **2 Other documents required for tender evaluation purposes**

The tenderer must complete the following returnable documents

- Submit proof of registration with CSD (CSD report or MAAA number)
- Submission of a Tax Compliance Status PIN that will grant a third-party access to the bidder's Tax Compliance Status.
- Submit company registration documents (founding statement -CK, Certificate of incorporation CM1, etc)
- Submit certified copies of Identity documents for members / directors / shareholders or owners

**3 Returnable Schedules that will be incorporated into the contract**

- Compulsory Enterprise Questionnaire
- Record of Addenda to tender documents
- Schedule of recently completed and current contracts
- List all current contracts not complete at the time
- Evaluation Schedule: Tenderer's Experience
- Evaluation Schedule: Experience of Key Staff
- Tax Compliance Status PIN for Tenders
- Proof of Registration with the CIDB
- CSD Registration Report / MAAA CSD registration number
- Form of Intent to Provide a Performance Bond
- Preferential point claim form (SBD6.1)

**5 C1.2 Contract Data****C4.1 Site Information**



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**Compulsory Enterprise Questionnaire**

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

**Section 1: Name of enterprise:** .....

**Section 2: VAT registration number, if any:** .....

**Section 3: CIDB registration number, if any:** .....

**Section 4: Particulars of sole proprietors and partners in partnerships**

Name*	Identity number*	Personal income tax number*

\* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

**Section 5: Particulars of companies and close corporations**

Company registration number .....

Close corporation number .....

Tax reference number .....

**Section 6: Record in the service of the state**

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

<input type="checkbox"/>	a member of any municipal council	<input type="checkbox"/>	an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)
<input type="checkbox"/>	a member of any provincial legislature	<input type="checkbox"/>	a member of an accounting authority of any national or provincial public entity
<input type="checkbox"/>	a member of the National Assembly or National Council of Province	<input type="checkbox"/>	an employee of Parliament or a provincial legislature
<input type="checkbox"/>	a member of the board of directors of any municipal entity	<input type="checkbox"/>	
<input type="checkbox"/>	an official of any municipality or municipal entity	<input type="checkbox"/>	

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

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

\*insert separate page if necessary



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

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months been in the service of any of the following:

- |  |   |
|--|---|
| <input type="checkbox"/> a member of any municipal council                                     | <input type="checkbox"/> an employee of any provincial department, national or provincial public entity or constitutional institution |
| <input type="checkbox"/> a member of any provincial legislature                                | <input type="checkbox"/> within the meaning of the Public Finance Management  |
| <input type="checkbox"/> a member of the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national  |
| <input type="checkbox"/> a member of the board of directors of any municipal entity            | <input type="checkbox"/> an employee of Parliament or a provincial legislature  |
| <input type="checkbox"/> an official of any municipality or municipal entity                   |   |

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

\*insert separate page if necessary

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

- i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;
- ii) confirms that neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004;
- iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;
- iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and
- v) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.

Signed	_____	Date	_____
Name	_____	Position	_____
Enterprise name	_____		



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**Record of Addenda to tender documents**

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

	Date	Title or Details
1		
2		
3		
4		
5		
6		
7		
8		

Attach additional pages if more space is required.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_

Enterprise name \_\_\_\_\_



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**Certificate of Authority for Joint Ventures**

This Returnable Schedule is to be completed by joint ventures.

<p>We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorise Mr/Mrs .....          ....., authorised signatory of the company .....          ....., acting in the capacity of lead partner,          to sign all documents in connection with the tender offer and any contract resulting from it on our behalf.</p>		
NAME OF FIRM	ADDRESS	DULY AUTHORISED SIGNATORY
Lead partner   CIDB registration number: .....		Signature ..... Name ..... Designation .....
CIDB registration number: .....		Signature ..... Name ..... Designation .....
CIDB registration number: .....		Signature ..... Name ..... Designation .....
CIDB registration number: .....		Signature ..... Name ..... Designation .....



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES**

**Schedule of recently completed and current contracts**

List not more than seven contracts completed in the last ten years

Contract title:	Employer (name) Place (town)	Reference person		Contract Amount (R million)	Contract Period (months)	Date of Completion*
		Name	Tel			
1						
2						
3						
4						
5						
6						
7						

\*Completed means that a certificate has been issued in terms of a contract by the employer, signifying that the whole of the construction works have reached a state of readiness for occupation or use for the purposes intended, although some minor work may be outstanding.

**List all current contracts not complete at the time**

Project	Employer (name) Place (town)	Reference person		Contract Amount (R million)	Contract Period (months)	Date of Commencement	Date of Completion*
		Name	Tel				
1							
2							
3							
4							
5							
6							
7							
9							
10							

\*Date when defects liability period commenced (period after completion)

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_



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MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES

**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 (owned or leased)	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 (hired)	Description, size, capacity, etc.

Attach additional pages if more space is required

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_



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COMPANY EXPERIENCE		40 points
Demonstrate company experience of tendering entity with respect to relevant projects.		
Bidder must provide appointment letters or purchase orders (on client's letterhead) and corresponding completion reference letter or completion certificate, not older than 10 years in the field.		
NB! Points will not be allocated for non-corresponding documents.		
5 Appointment letters or Purchasing Orders with 5 Corresponding Completion Certificates or completion reference letters in autoclaves	40 points	
4 Appointment letters or Purchasing Orders with 4 Corresponding Completion Certificates or completion reference letters in autoclaves	32 points	
3 Appointment letters or Purchasing Orders with 3 Corresponding Completion Certificates or completion reference letters in autoclaves	24 points	
2 Appointment letters or Purchasing Orders with 2 Corresponding Completion Certificates or completion reference letters in autoclaves	16 points	
1 Appointment letters or Purchasing Orders with 1 Corresponding Completion Certificates or completion reference letters in autoclaves	08 points	
0 Appointment letters or Purchasing Orders and Corresponding Completion Certificates or completion reference letters in autoclaves	0 point	

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_





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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES**

KEY STAFF		30 points
Submit/attach a commitment letter or undertaking signed by relevant authorised person to provide the following staff as and when appointed for work		
1 Qualified Artisen with a trade test certificate	10 points	
1 Technician with NQF Level 6 or higher qualification	10 points	
1 Professional Engineer / Technologist registered with ECSA as Professional Engineer / Technologist	10 points	
NB! Failure to provide commitment letter or undertaking signed by relevant autorised person will score zero point		

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_



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## MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES

TOWNSHIP ECONOMY REVITALISATION	
Submit/attach any bill or proof of resident in the company name (e.g. Municipal Rate & Taxes or Telkom/phone bill or lease agreement) confirming the business address and must not be older than 6 months	
•SMMes Company with Gauteng township address	30 points
•SMMes Company with a SA township address	20 points
•SMMes Company with Gauteng address in developed or urban area	10 points
•Failure to provide proof of address	0 point

The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise, confirms that the contents of this schedule are within my personal knowledge and are to the best of my belief both true and correct.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Name \_\_\_\_\_ Position \_\_\_\_\_

Enterprise name \_\_\_\_\_



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
AUTOCLAVES**

**Tax Clearance Compliance status pin for Tenders**

The tenderer is to affix to this page:

A Tax Compliance Status PIN that will grant a third-party access to the bidder's Tax Compliance Status.□

**Note:**

No contract will be awarded to bidder whose tax matters are not in order.



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
AUTOCLAVES**

**Proof of Registration with the CIDB**

The tenderer is to affix to this page:

CIDB Certificates or CRS Numbers must be provided

**Notes:**

- 1 The Department will verify the validity of the certificate on the CIDB's website.
2. No contract will be awarded to bidder whose CIDB status is not in order



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AUTOCLAVES**

**Proof of registration with CSD**

The tenderer is to affix to this page:

A valid CSD Registration Report / MAAA Number

**Note:**

No contract will be awarded to bidder who is no registered with CSD

the award of the contract.



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
AUTOCLAVES**

### **Annual financial Statements**

The tenderer is to affix to this page:

Annual financial statements that comply with companies act and must not older than 18 months

#### **Notes:**

1. Failure to submit such statements may result in this tender not being further considered for the award of the contract.



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
AUTOCLAVES**

**COIDA CERTIFICATE OR LETTER OF GOOD STANDING**

The tenderer is to affix to this page:

Occupational Health and Safety Certificate

**Notes:**

1. Failure to affix such a certificate may result in this tender not being further considered for the award of the contract.



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS:  
AUTOCLAVES**

**Submission of valid SAHPRA Licence**

The tenderer is to affix to this page:

Valid SAHPRA Licence

**Notes:**

1. The department will verify the validity of the SAHPRA licence





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**Submission of an undertaking or commitment letter to ensure creation of job opportunities to local people who are Youth, Woman, Military Veterans and people with disabilities**

The tenderer is to affix to this page:

**Notes:**

1. failure to submit such commitment letter or undertaking will lead to disqualification



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**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES**

**Part C1.2 Contract Data**

The Conditions of Contract are the NEC3 Engineering and Construction Contract - Option A: Priced contract with activity schedule (Third edition of June 2005 with amendments June 2006 - see [www.neccontract.com/useful\\_downloads/NEC\\_Amendments\\_June\\_2006.asp](http://www.neccontract.com/useful_downloads/NEC_Amendments_June_2006.asp)) copies of which may be obtained from the South African Institution of Civil Engineering (telephone 011-805 5947) or Engineering Contract Strategies (telephone 011-803 3008).

The NEC3 Engineering and Construction Contract makes several references to the Contract Data for specific data, which together with these conditions collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the Contract. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the general conditions of contract.

Each item of data given below is cross-referenced to the clause in the NEC3 Engineering and Construction Contract to which it mainly applies.

**Part one: Data provided by the Employer**

Clause	Statements / Data
1	<b>General</b>
	<p>The <i>conditions of contract</i> are the core clauses and the clauses for main Option A, Priced contract with activity schedule, dispute resolution Option W1 and the following Secondary Option Clauses, indicated below, of the NEC3 Engineering and Construction Contract (June 2005 with amendments).</p> <p><b>Secondary Option Clauses</b></p> <p>X1 Price adjustment for inflation</p> <p>X2 Changes in the law</p> <p>X5 Sectional Completion</p>

	<p>X7 Delay damages</p> <p>X13 Performance Bond</p> <p>X15 Limitation of the <i>Contractor's</i> liability for his design to reasonable skill and care</p>
--	--

	<p>X16 Retention</p> <p>X17 Low performance damages</p> <p>X18 Limitation of liability</p> <p>Z Additional conditions of contract</p>
10,1	<p>The <i>Employer</i> is The Department of Infrastructure Development: Chief Directorate Maintenance of</p> <p>Physical address: 4th Floor, 18 Rissik Street Marshalltown</p> <p>Postal address : Private Bag X83, Marshalltown, 2107</p> <p>Telephone:</p> <p>Facsimile:</p>
10,1	<p>The <i>Project Manager</i> is</p> <p>Name</p> <p>Address</p>
10,1	<p>The <i>Supervisor</i> is</p> <p>Name</p> <p>Address</p> <p>.....</p>

11.2(13)	<p>The works include but are not limited to the following:</p> <p><i>#REF!</i></p>
11.2(14)	<p>The following matters will be included in the Risk Register:</p> <p>.....</p>
11.2(15)	<p>The boundaries of the site are the external walls of Various Institutions in the Westhoven Region</p>
11.2(16)	<p>The Site Information is in Part C4: Site Information</p>
11.2(19)	<p>The Works Information is in Part C3: Scope of Work</p>
12,2	<p>The <i>law of the contract</i> is the law of the Republic of South Africa subject to the jurisdiction of the</p>
13,1	<p>The <i>language of this contract</i> is English</p>
13,3	<p>The <i>period for reply</i> is two weeks</p>

<b>2</b>	<b>The Contractor's main responsibilities</b>						
	No data is required for this section of the <i>conditions of contract</i>						
<b>3</b>	<b>Time</b>						
11.2(3)	The <i>completion date</i> for the whole of the works is 36 months after the <i>starting date</i> .						
11.2(9)	<p>The <i>key dates</i> and the <i>conditions</i> to be met are:</p> <table> <tr> <th>Condition to be met</th><th>Key date</th></tr> <tr> <td>1 .....</td><td>.....</td></tr> <tr> <td>2 .....</td><td>.....</td></tr> </table>	Condition to be met	Key date	1 .....	.....	2 .....	.....
Condition to be met	Key date						
1 .....	.....						
2 .....	.....						
30,1	<p>The <i>access dates</i> are</p> <p><b>Whole of the Site</b> Within two weeks of the Starting date</p>						

31,1	The Contractor is to submit a first programme for acceptance within two weeks of the Contract Date
31,2	<i>Starting date:</i> The contractor shall, within two weeks of the written acceptance by the employer of
32,2	The <i>Contractor</i> submits revised programmes at intervals no longer than one week.
35,1	The <i>Employer</i> is not willing to take over the works before the Completion Date.
<b>4</b>	<b>Testing and Defects</b>
40,5	The <i>defects date</i> is thirteen weeks after completion of the whole of the <i>works</i>
43,2	The <i>defect correction period</i> is four weeks
<b>5</b>	<b>Payment</b>
50,1	The <i>assessment interval</i> is four weeks
51,1	The <i>currency of this contract</i> is the South African Rand
51,2	The period within which payments are made is within five weeks after the assessment date
51,4	The <i>interest rate</i> applicable will be the rate as determined by the Minister of Finance, from time to time, in terms of section 80(1)(b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999)
<b>6</b>	<b>Compensation events</b>
60.1(13)	<p>The <i>weather measurements</i> to be recorded for each calendar month are:</p> <p>the cumulative rainfall (mm)</p> <p>the number of days with rainfall more than 10 mm</p>

The place where weather is to be recorded (on the Site) is on the site of an identified project in close proximity to the major portion of building works

	The <i>weather data</i> are the records of past <i>weather measurements</i> for each calendar month which were recorded at a site nearest to that of the <i>site</i> and which are available from the South African Weather Service
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<b>7</b>	<b>Title</b>
	No data is required for this section of the <i>conditions of contract</i>
<b>8</b>	<b>Risks and insurance</b>
80,1	These are additional <i>Employer's</i> risks 1 ..... 2 .....
84.1	The <i>Contractor</i> provides these additional insurances: 1) A Coupon Policy for Special Risks Insurance issued by the South African Special Risks 2) .....
84,2	The minimum limit of indemnity for insurance in respect of loss of or damage to property (except the <i>works</i> , Plant and Materials and Equipment) and liability for bodily injury to or death of a person (not an employee of the <i>Contractor</i> ) caused by activity in connection with this contract for any one event
84,2	The minimum limit of indemnity for insurance in respect of death of or bodily injury to employees of the <i>Contractor</i> arising out of and in the course of their employment in connection with this contract for
84.2	The insurance against loss of or damage to the <i>works</i> , Plant and Materials is to include cover for
<b>9</b>	<b>Termination</b>
	No data is required for this section of the <i>conditions of contract</i>
<b>10</b>	<b>Data for main option clauses</b>
<b>A</b>	<b>Priced contract with activity schedule</b>
11.2(20)	The <i>activity schedule</i> is in Part C2.2: Activity Schedule

<b>11</b>	<b>Data for Option W1</b>
W1.1	The <i>Adjudicator</i> is appointed when a dispute arises

W1.2(3)	The <i>Adjudicator nominating body</i> is the South African Institution of Civil Engineering															
W1.4(2)	The <i>tribunal</i> is a South African court of law															
12	Data for secondary Option clauses															
X1	Price adjustment for inflation															
X1.1(a)	The <i>base date</i> for indices is the month during which the closing date for tenders falls															
X1.2	Price adjustment for inflation is in accordance with the JBCC Contract Price Adjustment Provisions The listing of additional items for exclusion by Contractors, as contained in clause 3.4.3 of the CPAP															
X2	Changes in the law															
	No data is required for this Option															
X5, X7	Sectional Completion and delay damages used together															
X5.1	<p>The <i>completion date</i> for each <i>section</i> of the <i>works</i> is</p> <table><thead><tr><th>Section</th><th>Description</th><th>Completion date</th></tr></thead><tbody><tr><td>1</td><td>.....</td><td>Within ..... weeks of the Starting date</td></tr><tr><td>2</td><td>.....</td><td>Within ..... weeks of the Starting date</td></tr><tr><td>3</td><td>.....</td><td>Within ..... weeks of the Starting date</td></tr><tr><td>4</td><td>.....</td><td>Within ..... weeks of the Starting date</td></tr></tbody></table>	Section	Description	Completion date	1	.....	Within ..... weeks of the Starting date	2	.....	Within ..... weeks of the Starting date	3	.....	Within ..... weeks of the Starting date	4	.....	Within ..... weeks of the Starting date
Section	Description	Completion date														
1	.....	Within ..... weeks of the Starting date														
2	.....	Within ..... weeks of the Starting date														
3	.....	Within ..... weeks of the Starting date														
4	.....	Within ..... weeks of the Starting date														
X7.1	Delay damages for each <i>section</i> of the <i>works</i> are ..... cents per R100.00 of the value of the															

<b>X7</b>	<b>Delay damages (but not if Option X5 is also used)</b>
X7	Delay damages for Completion of the whole of the <i>works</i> are 16.5 cents per R100.00 of the offered
<b>X13</b>	<b>Performance bond</b>
X13	The amount of the performance bond is five per cent (5%) of the offered total of prices inclusive of

<b>X15</b>	<b>Limitation of the <i>Contractor's</i> liability for his design to reasonable skill and care</b>
	No data is required for this Option
<b>X16</b>	<b>Retention</b>
X16.1	The <i>retention percentage</i> is 10% of such work done up to a limit of 5% of the offered total of the prices exclusive of value added tax
<b>X17</b>	<b>Low performance damages</b>
X17	<p>The low performance damage in Rands relating to the failure to attain a tendered contract</p> $1,5 \times PP \frac{(D - D_0)}{100 \times D_0} \times CA$ <p>where</p> <p>D = tendered Contract Participation Goal percentage in Preferencing Schedule.  D<sub>0</sub> = the Contract Participation Goal which the Employer's representative based on the credits  PP = number of tender evaluation points granted as a preference  CA = contract amount as determined in accordance with the Works Information</p>
<b>X18</b>	<b>Limitation of liability</b>
X18.1	The <i>Contractor's</i> liability to the <i>Employer</i> for indirect or consequential loss is unlimited.

X18.2	The <i>Contractor's</i> minimum amount of liability in respect of loss of or damage to property (except the works, Plant and Materials and Equipment) and liability for bodily injury to or death of a person (not
X18.3	The <i>Contractor's</i> minimum amount of liability in respect of death of or bodily injury to employees of the <i>Contractor</i> arising out of and in the course of their employment in connection with this contract for
X18.4	The <i>Contractor's</i> total liability to the <i>Employer</i> for all matters arising under or in connection with this
X18.5	The <i>end of liability date</i> is thirteen weeks after the Completion of the whole of the works
<b>Z</b>	<b><i>Additional conditions of contract</i></b>
Z1	Clause 13.1 is amended by the addition of the following:



	Communication by cell phone SMS's is not acceptable
Z2	Clause 61.3 is amended by replacing "eight weeks" with "four weeks"
Z3	<p>The <i>Contractor</i> submits his valid tax invoice and valid Tax Clearance Certificate one week after</p> <ul style="list-style-type: none"> <li>the period within which payment is made in terms of clause 51.2 and</li> <li>the time allowed in clause 91.4</li> </ul> <p>are extended by the length of time from the date when the <i>Contractor</i> should have submitted his valid</p>

## Part two: Data provided by the Contractor

Note: The tendering contractor is advised to read both the NEC3 Engineering and Construction Contract (June 2005) and the relevant parts of its Guidance Notes (ECC3-GN) in order to understand the implications of this Data which the Tenderer is required to complete

Clause	Statements / Data
10,1	<p>The <i>Contractor</i> is</p> <p>Name .....</p> <p>Address .....</p> <p>Telephone: .....</p> <p>Facsimile: .....</p>
11.2(8)	The <i>direct fee percentage</i> is 0.05%
11.2(8)	The <i>subcontracted fee percentage</i> is ..... %
11.2(18)	The <i>working areas</i> are the Site and .....
24,1	<p>The key people are</p> <p>1 Name .....</p> <p>Job .....</p> <p>Responsibilities .....</p>

	<p>Qualifications .....</p> <p>Experience .....</p> <p>.....</p> <p><b>2</b>    Name .....</p> <p>          Job .....</p> <p>          Responsibilities .....</p> <p>          .....</p> <p>          Qualifications .....</p> <p>          Experience .....</p> <p>          .....</p>
11.2(3)	The <i>completion date</i> for the whole of the works is thirty six (36) months after the starting date.
11.2(14)	<p>The following matters will be included in the Risk Register:</p> <p>.....</p>

11.2(19)	The Works Information for the <i>Contractor's</i> design is in .....															
31,1	The programme identified in the Contract Data is in .....															
	<b>Data for the Shorter Schedule of Cost Components</b>															
41 in SSCC	The percentage for people overheads is ..... %															
21 in SSCC	<p>The published list of Equipment is the last edition of the list published by the Contractor's Plant Hire</p> <p>The percentage for adjustment for Equipment in the published list is ..... 10 % (state plus or minus)</p>															
22 in SSCC	<p>The rates for other Equipment are</p> <table border="1"> <thead> <tr> <th>Equipment</th><th>Size or capacity</th><th>Hourly Rate</th></tr> </thead> <tbody> <tr><td>.....</td><td>.....</td><td>.....</td></tr> <tr><td>.....</td><td>.....</td><td>.....</td></tr> <tr><td>.....</td><td>.....</td><td>.....</td></tr> <tr><td>.....</td><td>.....</td><td>.....</td></tr> </tbody> </table>	Equipment	Size or capacity	Hourly Rate	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
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63 in SCC	The categories of design employees whose travelling expenses to and from the Working Areas are															

11.2(19)	The Works Information for the <i>Contractor's</i> design is in .....N/A.....															
31,1	The programme identified in the Contract Data is in .....															
	<b>Data for the Shorter Schedule of Cost Components</b>															
41 in SSCC	The percentage for people overheads is ..... %															
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62 in SCC and SSCC	The percentage for design overheads is ..... %															
63 in SCC and SSCC	The categories of design employees whose travelling expenses to and from the Working Areas are included in Defined Cost are professional engineer or professional engineering technologists, technically qualified staff and draughts person															



# GAUTENG PROVINCE

INFRASTRUCTURE DEVELOPMENT  
REPUBLIC OF SOUTH AFRICA

**TENDER NO DIDM14/10/2021**

## **MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES**

### **Part C1.3 Performance Bond** (for use with Option X13)

Note: This proforma to be reproduced exactly as shown below on the letterhead of the Surety

Department of Infrastructure Development:  
Chief Directorate Maintenance  
4th Floor  
18 Rissik Street  
MARSHALLTOWN

Date: \_\_\_\_\_

Dear Sirs,  
0

Department of Infrastructure Development:  
Chief Directorate Maintenance  
4th Floor  
18 Rissik Street  
MARSHALLTOWN

(the *Employer*) and

Contractor Registered Name.....

Address of the contractor.....

.....

.....

0

I/We the undersigned .....  
on behalf of the Surety .....

of physical address .....  
.....

and duly authorised thereto do hereby bind ourselves as Surety and co-principal debtors in solidum for the due and faithful performance of all the terms and conditions of the Contract by the *Contractor* and for all losses, damages and expenses that may be suffered or incurred by the *Employer* as a result of non-performance of the Contract by the *Contractor*, subject to the following conditions:

- 1 The terms *Employer*, *Contractor*, *Project Manager*, works and Defects Certificate have the meaning as assigned to them by the *Conditions of Contract* stated in the Contract Data for the aforesaid Contract.
- 2 We renounce all benefits from the legal exceptions "Benefit of Excursion and Division", "No value received" and all other exceptions which might or could be pleaded against the validity of this bond, with the meaning and effect of which exceptions we declare ourselves to be fully acquainted.
- 3 The *Employer* has the absolute right to arrange his affairs with the *Contractor* in any manner which the *Employer* deems fit and without being advised thereof the Surety shall not have the right to claim his release on account of any conduct alleged to be prejudicial to the Surety. Without derogating from the
- 4 This bond will lapse on the earlier of
  - the date that the Surety receives a notice from the *Project Manager* stating that the last Defects Certificate has been issued, that all amounts due from the *Contractor* as certified in terms of the contract have been received by the *Employer* and that the *Contractor* has fulfilled all his obligations
  - the date that the Surety issues a replacement Performance Bond for such lesser or higher amount as may be required by the *Project Manager*.
- 5 the *Employer's* intention to institute claims and the particulars thereof, in which event this bond shall
- 6 The amount of the bond shall be payable to the *Employer* upon the *Employer's* demand and no later than
- 7 Our total liability hereunder shall not exceed the sum of:
 

(say) \_\_\_\_\_ Rand (in words)

R \_\_\_\_\_ (in figures)
- 8 This Performance Bond is neither negotiable nor transferable and is governed by the laws of the Republic of South Africa, subject to the jurisdiction of the courts of the Republic of South Africa.

Signed at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_ 201 \_\_\_\_\_

Signature(s) \_\_\_\_\_  
 Name(s) (printed) \_\_\_\_\_  
 Position in Surety company \_\_\_\_\_  
 Signature of Witness(s) \_\_\_\_\_  
 Name(s) (printed) \_\_\_\_\_

## DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state<sup>1</sup>, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes a price quotation, advertised competitive bid, limited bid or proposal). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or

- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative: .....

2.2 Identity Number: .....

2.3 Position occupied in the Company (director, trustee, shareholder<sup>2</sup>): .....

2.4 Company Registration Number: .....

2.5 Tax Reference Number: .....

2.6 VAT Registration Number: .....

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers

<sup>1</sup>"State" means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

<sup>2</sup>"Shareholder" means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

- 2.7 Are you or any person connected with the bidder presently employed by the state? YES / NO
- 2.7.1 If so, furnish the following particulars:
- Name of person / director / trustee / shareholder/ member: .....
- Name of state institution at which you or the person connected to the bidder is employed : .....
- Position occupied in the state institution: .....
- Any other particulars:
- .....
- .....
- .....
- 2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? YES / NO
- 2.7.2.1 If yes, did you attached proof of such authority to the bid document? YES / NO
- (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.
- 2.7.2.2 If no, furnish reasons for non-submission of such proof:
- .....
- .....
- .....
- 2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? YES / NO
- 2.8.1 If so, furnish particulars:
- .....
- .....
- .....
- 2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? YES / NO
- 2.9.1 If so, furnish particulars.
- .....
- .....
- .....
- 2.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between any other bidder and any person employed by the state who may be involved with the evaluation and or adjudication of this bid? YES/NO

2.10.1 If so, furnish particulars.

.....  
.....  
.....

2.11 Do you or any of the directors / trustees / shareholders / members  
of the company have any interest in any other related companies  
whether or not they are bidding for this contract?

YES/NO

2.11.1 If so, furnish particulars:

.....  
.....  
.....

**3 Full details of directors / trustees / members / shareholders.**

Full Name	Identity Number	Personal Tax Reference Number	State Employee Number / Persal Number

**4 DECLARATION**

I, THE UNDERSIGNED (NAME).....

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 23 OF THE  
GENERAL CONDITIONS OF CONTRACT SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....  
Signature

.....  
Date

.....  
Position

.....  
Name of bidder



**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT  
REGULATIONS 2017**

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution

**NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS,**

**1. GENERAL CONDITIONS**

1.1 The following preference point systems are applicable to all bids:

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

1.2

- a) The value of this bid is estimated below R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable; or
- b) The 80/20 preference point system will be applicable to this tender

1.3 Points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contributor.

1.4 The maximum points for this bid are allocated as follows:

	POINTS
PRICE	80
B-BBEE STATUS LEVEL OF CONTRIBUTOR	20
<b>Total points for Price and B-BBEE must not exceed</b>	<b>100</b>

1.5 Failure on the part of a bidder to submit proof of B-BBEE Status level of contributor together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

**2. DEFINITIONS**

(a) **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

(b) **“B-BBEE status level of contributor”** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;

(c) **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;

(d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);

(e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.

(g) **“prices”** includes all applicable taxes less all unconditional discounts;

(h) **“proof of B-BBEE status level of contributor”** means:

- 1) B-BBEE Status level certificate issued by an authorized body or person;
- 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
- 3) Any other requirement prescribed in terms of the B-BBEE Act;

(i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;

(j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

### 3. POINTS AWARDED FOR PRICE

#### 3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

**80/20**

or

$$P_s = 80 - 1 \left\{ \frac{P_t - P_{min}}{P_{min}} \right\}$$

Where

$P_s$  = Points scored for price of bid under consideration  
 $P_t$  = Price of bid under consideration  
 $P_{min}$  = Price of lowest acceptable bid

### 4. POINTS AWARDED FOR B-BBEE STATUS LEVEL OF CONTRIBUTOR

4.1 In terms of Regulation 6 (2) and 7 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the B-BBEE status level of contribution in accordance with the table below:

B-BBEE Status Level of Contributor	Number of points (80/20 system)
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

## 5. BID DECLARATION

5.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

6. **B-BBEE STATUS LEVEL OF CONTRIBUTOR CLAIMED IN TERMS OF PARAGRAPHS 1.4 AND 4.1**

6.1 B-BBEE Status Level of Contributor: ..... = .....(maximum of 20 points)  
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.

## 7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?  
(Tick applicable box)

YES		NO	
-----	--	----	--

7.1.1 If yes, indicate:

- i) What percentage of the contract will be subcontracted.....%
- ii) The name of the sub-contractor.....
- .....
- .....
- .....
- .....
- .....
- .....
- iii) The B-BBEE status level of the sub-contractor.....
- iv) Whether the sub-contractor is an EME or QSE

**(Tick applicable box)**

YES		NO	
-----	--	----	--

v) Specify, by ticking the appropriate box, if subcontracting with an enterprise in terms of Preferential Procurement Regulations, 2017:

Designated Group: An EME or QSE which is at least 51% owned by:	EME	QSE
	√	√
Black people		
Black people who are youth		
Black people who are women		
Black people with disabilities		
Black people living in rural or underdeveloped areas or townships		
Cooperative owned by black people		
Black people who are military veterans		
<b>OR</b>		
Any EME		
Any QSE		

**8. DECLARATION WITH REGARD TO COMPANY/FIRM**

8.1 Name of company/firm:.....

8.2 VAT registration number:.....

8.3 Company registration number:.....

**8.4 TYPE OF COMPANY/ FIRM**

- ☐ Partnership/Joint Venture / Consortium  
☐ One person business/sole propriety  
☐ Close corporation  
☐ Company  
☐ (Pty) Limited

[Tick applicable box]

**8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES**

.....  
.....  
.....  
.....

**8.6 COMPANY CLASSIFICATION**

- ☐ Manufacturer  
☐ Supplier  
☐ Professional service provider  
☐ Other service providers, e.g. transporter, etc.

[Tick applicable box]

8.7 Total number of years the company/firm has been in business:.....

8.8 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we 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 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;  
iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –  
(a) disqualify the person from the bidding 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;  
recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be  
(d) restricted by the National Treasury 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.

**WITNESSES**

1. ....

2. ....

.....  
SIGNATURE(S) OF BIDDERS(S)

DATE:

## DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.

- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-

- a. abused the institution's supply chain management system;
- b. committed fraud or any other improper conduct in relation to such system; or
- c. failed to perform on any previous contract.

4. In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	<p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p><b>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</b></p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) and can be accessed by clicking on its link at the bottom of the home page.</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>

4.1.1	If so, furnish particulars:		
4.2	<p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p><b>The Register for Tender Defaulters can be accessed on the National Treasury's website (<a href="http://www.treasury.gov.za">www.treasury.gov.za</a>) by clicking on its link at the bottom of the home page.</b></p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	<p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	<p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p>	<p>Yes</p> <input type="checkbox"/>	<p>No</p> <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

**CERTIFICATION**

**I, THE UNDERSIGNED (FULL NAME).....  
CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS  
TRUE AND CORRECT.**

**I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE  
TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.**

.....

**Signature**

.....

**Date**

.....

**Position**

.....

**Name of Bidder**

## CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids<sup>1</sup> invited.  
 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).<sup>2</sup> Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 2
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
  - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
  - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

<sup>1</sup> Includes price quotations, advertised competitive bids, limited bids and proposals.

<sup>2</sup> Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.



**CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

---

(Bid Number and Description)

in response to the invitation for the bid made by:

---

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: \_\_\_\_\_ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
  - (a) has been requested to submit a bid in response to this bid invitation;
  - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
  - (c) provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. 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 consortium<sup>3</sup> will not be construed as collusive bidding.

7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
- (a) prices;
  - (b) geographical area where product or service will be rendered (market allocation)
  - (c) methods, factors or formulas used to calculate prices;
  - (d) the intention or decision to submit or not to submit, a bid;
  - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
  - (f) bidding with the intention not to win the bid.

8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.

9. 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.

10. 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.

.....

Signature

.....

Date

.....

Position

.....

Name of Bidder

<sup>3</sup> 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.



**GAUTENG PROVINCE**  
 INFRASTRUCTURE DEVELOPMENT  
 REPUBLIC OF SOUTH AFRICA

**TENDER NO DIDM14/10/2021**

**MAINTENANCE TERM CONTRACT PANEL OF SERVICE PROVIDERS FOR A PERIOD OF 36 MONTHS: AUTOCLAVES**

## **Part C4.1 Site Information**

### **C4.1 THE SITE**

*The site is at Various institutions in the Westhoven Region, Johannesburg*

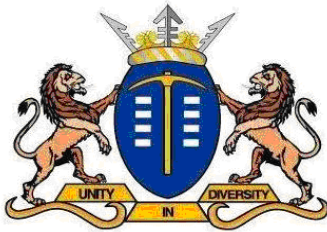
### **C4.2 WORK AREA**

*The working area will be the ducting to all building maintenance in the hospital. All areas of the hospital will be affected. These include theatres, wards, laboratories, offices, kitchens, mortuaries, passages and workshops*

*The works undertaken will affect operations in the hospital and as such the contractor will be required to provide equipment to isolate areas been worked on so that operations in the hospitals continue during the project implementation.*

### **C4.3 ACCESS**

*accessing or exiting sites. The contractor must arrange temporary access cards for all his/her employees during the project implemetations as access may be denied for unauthorised personnel. The Client reserves the right of admission to the premises.*



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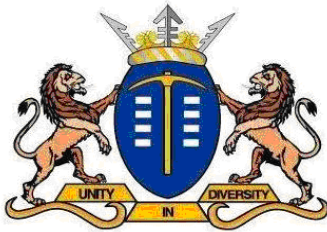
**CALCULATION OF PENALTIES**

**CALCULATION OF PENALTY PER DAY (EXCLUDING VAT)**

CONTRACT PERIOD	RATE PER R100 OF ESTIMATE
1 month	27,5 cents
1,5 months	22 cents
2 months	16,5 cents
2,5 months	13,5 cents
3 months	11 cents
3,5 months	9,5 cents
4 months	8,5 cents
4,5 months	7,5 cents
5 months	6,25 cents
6 months	5,75 cents
7 months	4,75 cents
8 months	4 cents
9 months	3,75 cents
10 months	3,5 cents
11 months	3 cents
12 months	2,75 cents
14 months	2,5 cents
15 months	2,25 cents
16 months	2 cents
18 months	1,75 cents
20 months	1,5 cents
21 months	1,5 cents
24 months	1,25 cents
30 months	1 cent
36 months	1 cent
42 months	1 cent

**PENALTY PER DAY ROUNDED OFF AS FOLLOWS:**

R0	-	R500	nearest	R5
R501	-	R1 000	nearest	R10
R1 001	-	R5 000	nearest	R50
R5 001	-	and above	nearest	R100



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**EXAMPLE**

Estimated contract value	=	R2 500 000 (excluding VAT)
Contract period	=	12 months
		$R2\ 500\ 000 \times \frac{0,0275}{100}$
	=	R687,50/day

Therefore rounded off to the nearest R10.00

	=	R690,00/day
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**PENALTIES ON CONTRACTS IN PHASES**

Penalties must be calculated proportionally on the estimated contract value of each phase