

Reference: N.002-080-2019/2R

Date: 12/01/2024

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SANRAL



BUILDING SOUTH AFRICA
THROUGH BETTER ROADS

Dear Tenderers

**CONTRACT SANRAL N.002-080-2019/2R
FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY
(KM 79.75) TO BLOUKRANS RIVER (KM 97.30)**

ADDENDUM NO.1

This Addendum is issued in terms of Clause C.3.2 of the Tender Data and must be read in conjunction with and shall be deemed to form part of the Tender Document.

The following items form part of Addendum no.1.

- **See below detailed amendments.**

Kindly acknowledge receipt of this addendum by completing the ACKNOWLEDGEMENT OF ADDENDUM below. Failure to acknowledge this addendum may invalidate the Tender.

Yours sincerely,

PROCUREMENT OFFICE

SANRAL SOUTHERN REGION

SANRAL CONTRACT N.002-080-2019/2R

CONTRACT NUMBER: N.002-080-2019/2R

**FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY
(KM 79.75) TO BLOUKRANS RIVER (KM 97.30)**

ADDENDUM 1

1. AMENDMENTS TO VOLUME 1 PROJECT DOCUMENT

The following amendments and additions to the Project Document shall apply:

Page	Clause / Item	Amendment / Addition
Part T1: Tendering procedures		
T-4	T1.1	<p>Delete the following:</p> <p>Only tenderers with a B-BBEE contributor status level of 1, 2, 3 or 4 and who are registered on the National Treasury Central Supplier Database and meet the minimum threshold designated for local production and content as stated in the Tender Data C.2.1.1, are eligible to tender.</p> <p>And Replace with</p> <p>Only tenderers who are registered on the National Treasury Central Supplier Database as stated in the Tender Data C.2.1.1, are eligible to tender</p> <p>It is a requirement of this project that the successful tenderer subcontract a minimum of 30 percent (30 %) or higher as tendered of the work by the end of the contract to Targeted Enterprise(s) as defined in the Contract Data.</p>
	T1.1	<p>TENDER DOCUMENTS</p> <p>Delete the following:</p> <p>Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to Friday, 24 March 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive.</p> <p>Replace with the following:</p> <p>Tenderers must submit, via email, the duly completed Form A1.1 Certificate of Intention to Submit a Tender prior to 19 January 2023. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive, if "any material amendment/s" contained in the addenda or additional information is not included in the tender offer/submission.</p>
	T1.1	<p>TENDERER'S MEETING</p> <p>Delete the following:</p> <p>A compulsory clarification briefing meeting will be held at ... on 13 April 2023 at 11h00. Tenderers must pre-book for attendance at the clarification briefing meeting. Due to restrictions on numbers of attendees, only one representative per tenderer/company can attend the briefing meeting. A request to attend the clarification briefing meeting must be sent to procurementSR6@sanral.co.za the contact person listed on this Tender Notice</p> <p>Replace with the following:</p> <p>A tender clarification briefing presentation is available to be downloaded from the SANRAL website by the following link https://www.nra.co.za/sanral-tenders/status?region_id=national . A non- compulsory clarification briefing meeting will be held via a virtual platform on Wednesday, 24 January 2024 at 11:00 where the project will be presented. A link to the clarification briefing meeting will be sent to tenderers who complete and submit a Certificate of Intention to Submit a Tender (Form A1.1).</p>

T-4	T1.1	COMPLETION AND DELIVERY OF TENDERS Delete the following: The closing time for receipt of tenders is 11h00 on Friday, 5 May 2023. Replace with the following: The closing time for receipt of tenders is 11h00 on Friday, 16 February 2024.
	C1.5.3	State: Not applicable
T-8	C.1.6.2.1	Delete the clause in its entirety
T-8	C2.1 Eligibility	Delete the Following: b) Local production and content (Forms A3.5 and A3.6) Delete b) in its entirety. d) Pre-qualification criteria for preferential procurement (Form C1.1) Delete d) in its entirety
T-12	C.2.7	CLARIFICATION MEETING Delete the following: A compulsory clarification briefing meeting will be held at ... on 24 April 2023 at 11h00 . Tenderers must pre-book for attendance at the clarification briefing meeting. Due to restrictions on numbers of attendees, only one representative per tenderer/company can attend the briefing meeting. A request to attend the clarification briefing meeting must be sent to procurementSR6@sanral.co.za the contact person listed on this Tender Notice Replace with the following: A tender clarification briefing presentation is available to be downloaded from the SANRAL website by the following link https://www.nra.co.za/sanral-tenders/status?region_id=national . A non- compulsory clarification briefing meeting will be held via a virtual platform on Wednesday, 24 January 2024 at 11:00 where the project will be presented. A link to the clarification briefing meeting will be sent to tenderers who complete and submit a Certificate of Intention to Submit a Tender (Form A1.1).
T-12	C.2.8	Delete and replace with the following: Request clarifications at least 12 (twelve) working days before the closing date.

SANRAL CONTRACT N.002-080-2019/2R

	C2.13.2	<p>Submitting a tender offer</p> <p>The returnable documents shall be electronically completed in their entirety, submitted on the issued software format or fully compatible format, unless otherwise specified.</p> <p>Submission in the tender box</p> <ul style="list-style-type: none">• Submit the tender offer electronically on a flash drive and printed hard copy of Form of Offer and summary of pricing schedule.• (In the relevant MS Word 2013 and MS Excel 2013 format as issued, and not in .pdf format, except where so specified.)
	C2.13.3	<p>Only the following needs to be submitted:</p> <p>Volume 3 – Scanned on a flash drive</p> <p>The following information has to be submitted on flash drive:</p> <p>The 1st file in pdf format which contains:</p> <ul style="list-style-type: none">• Scanned copy of Form of Offer (pdf) and printed hardcopy of Form of Offer• Scanned copies of all returnable schedules and attachments (pdf) <p>A 2nd file in Excel format</p> <ul style="list-style-type: none">• Completed pricing schedule (scanned copy in .pdf and copy in Excel) and printed hardcopy of Summary of Pricing Schedule <p>Alternative offers will not be considered.</p> <p>In the event of any discrepancy between the contents of the electronically priced schedule and the electronically provided pricing schedule in pdf format, the contents of the provided pdf format shall be taken as the valid contents. For the information provided by the tenderer as part of his submission, e.g. rates, the signed print-out shall be taken as the valid submission.</p>

	C2.13.5	<p>Submitting a tender offer</p> <p>Submission in the tender box</p> <p>Only the following needs to be submitted:</p> <p>a) Main Tender Offer The following information to be submitted electronically on flash drive and marked Main Tender Offer followed by the "Tenderer name", in the following order:</p> <ul style="list-style-type: none"> - Form of Offer (signed and scanned as .pdf) and printed hardcopy of Form of Offer - All returnable schedules and attachments and certificates specific to the tender (signed and scanned as .pdf) - Completed pricing schedule (scanned copy in .pdf and copy in Excel) and printed hardcopy of Summary of Pricing Schedule." <p>b) For alternative offers the tenderer shall submit the following additional documentation, in an electronically on a separate flash drive marked Alternative followed by the "Tenderer name":</p> <ul style="list-style-type: none"> - Form of Offer (signed and scanned as .pdf and state "Alternative Form of Offer") and printed hardcopy of Form of Offer - All returnable schedules and attachments and certificates applicable to the alternative offer (signed and scanned as .pdf) - Alternative Pricing Schedule (scanned copy in .pdf and copy in Excel) and printed hardcopy of Summary of Pricing Schedule." - Other relevant information. <p>In the event of any discrepancy between the contents of the electronically priced schedule in Excel, and the electronically provided pricing schedule in .pdf format, the contents of the electronically pricing schedule in .pdf format shall be taken as the valid contents. For the information provided by the tenderer as part of his submission, e.g. rates, the electronically signed schedule in .pdf shall be taken as the valid submission.</p> <p>Submit the tender offer electronically on a flash drive in a sealed envelope marked with the tenderer's company name, the project number and description.</p>
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SANRAL CONTRACT N.002-080-2019/2R

	C2.15.1	<p>Closing time</p> <p>Submission in tender box</p> <p>The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are: Note to compiler: Insert the relevant data and ensure that it is the same as it appears in the Tender Notice.</p> <p>Location of tender box: Reception area</p> <p>Physical address: The South African National Roads Agency SOC Ltd 20 Shoreward Drive Baywest Gqeberha 6025</p> <p>Identification details: Mark the envelope with the tenderer's company name, the project number and description:</p> <p>Tenders must be submitted during hours (09:00 to 16:00) Monday to Friday at the Employer's address.</p> <p>It is in the tenderer's interest to ensure that the delivery of the tender offer is recorded in the Employer's tenders received register and deposited in the tender box.</p>
	C2.16.2	<p>Add clause C.2.16.2</p> <p>Should the tenderer not accept the validity extension or if the tenderer does not withdraw a condition attached to a conditional acceptance, this shall result in a non-responsive tender or the tender is considered to have made an election to exclude itself from the tender process.</p>
T-16	C.3.1	<p>Delete and replace with the following:</p> <p>The Employer shall respond to clarifications received up to 12 (twelve) working days before tender closing date.</p> <p>The Employer shall respond to any clarifications from the tenderers emanating from the addenda until 3 (three) working days before tender closing date.</p>
T-16	C.3.2	<p>Delete and replace with the following:</p> <p>The employer shall issue addenda until 10 (ten) working days before tender closing date.</p>
T-16	C.3.4.1	<p>Delete the following:</p> <p>Time: 11h00 on Friday, 5 May 2023.</p> <p>Replace with the following:</p> <p>Time: 11h00 on the 16 February 2024.</p>

T-18	C.3.9.4	<p>Add the following:</p> <p>Should the original price not be retained after balancing, the tenderer will be rendered non responsive</p> <p>The above to be added just below:</p> <p>Where there is an omission of a line item, no correction is possible, and the offer may be declared non-responsive.</p> <p>Add the following sentence:</p> <p>During testing of tender responsiveness, clause C.3.8 of CIDB tender conditions will be applicable</p> <p>The above be added below:</p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates.</p> <p>Delete the following:</p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates, and subject the tenderer to the sanction under C.2.</p> <p>Replace with the following:</p> <p>Declare as non-responsive and reject any offer from a tenderer who elects not to accept the proposed correction of the; errors, omissions or imbalanced rates.</p>
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T19

C.3.11

Delete and replace with:

Evaluating price and preference

i.

80/20 preference point system for acquisition of goods and services for Rand value equal to or above R2 000 and up to R50 million

The following formula will be used to calculate the points out of 80 for price:

$$Ps = 80(1 - (Pt - Pm) / Pm)$$

Where:

Ps is the points scored for price of tender under consideration.

Pt is the price of the tender under consideration; and

Pm is the price of the lowest acceptable tender.

ii.

90/10 preference point system for acquisition of goods and services for Rand value above R50 million

The following formula will be used to calculate the points out of 90 for price:

$$Ps = 90(1 - (Pt - Pm) / Pm)$$

Where:

Ps is the points scored for price of tender under consideration.

Pt is the price of the tender under consideration; and

Pm is the price of the lowest acceptable tender.

In the event that the calculated value is negative, the allocated score shall be 0 (zero).

Scoring preference (Specific Goals):

Points for specific goals will be awarded according to the table below:

Specific goals	Criteria	10 points		20 points	
		Point allocation	Maximum points	Point allocation	Maximum points
B-BBEE Level	Level 1	10.00	10.00	20.00	20.00
	Level 2	9.00		18.00	
	Level 3	6.00		14.00	
	Level 4	5.00		12.00	
	Level 5	4.00		8.00	
	Level 6	3.00		6.00	
	Level 7	2.00		4.00	

	Level 8	1.00		2.00	
	Non-compliant contributor	0.00		0.00	

A valid B-BBEE verification certificate or A valid Sworn Affidavit must be submitted.

1. The tenderer's scorecard shall be a B-BBEE Certificate issued in accordance with:

- the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; or
- in the event that the Measured Entity operates in more than one sector or a sub-sector, the scorecard for the sector or sub-sector in which the majority of its core activities (measured in terms of annual revenue) are located will be acceptable. The tenderer must comply with the annual revenue thresholds for EME or QSE or Generic in accordance with the amended Construction Sector Codes; and

i. The scorecard shall be submitted as a certificate attached to Returnable Schedule Form C1; and

ii. The certificate shall:

- be valid at the tender closing date; and
- have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or
- be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million if issued in accordance with the amended Construction Sector Codes published in Notice 931 of 2017 of Government Gazette No. 41287 on 1 December 2017 by the Department of Trade and Industry; and
- have a date of issue less than 12 (twelve) months prior to the original advertised tender closing date (see Tender Data C.2.15); and

iii. A valid BBBEE Certificates shall contain:

- Name of enterprise as per enterprise registration documents issued by CIPC, and enterprise business address.
- Value-Added Tax number, where applicable.
- The B-BBEE Scorecard against which the certificate is issued, indicating all elements and scores achieved for each element. The actual score achieved must be linked to the total points as per the relevant Codes.
- B-BBEE status with corresponding procurement recognition level.
- The relevant Codes used to issue the B-BBEE verification certificate.
- Date of issue and expiry (e.g. 9 June 2018 to 8 June 2019). Where a measured entity was subjected to a re-verification process, due to material change, the B-BBEE Verification Certificate must reflect the initial date of issue, date of re-issue and the initial date of expiry. Re-verification does not extend the lifespan of the B-BBEE Verification Certificate.
- Financial period which was used to issue the B-BBEE Verification Certificate.

iv. A valid Sworn Affidavit shall contain:

- Name/s of deponent as they appear in the identity document and the identity number.
- Designation of the deponent as either the director, owner or member must be indicated in order to know that person is duly authorised to depose of an affidavit.
- Name of enterprise as per enterprise registration documents issued by the CIPC, where applicable, and enterprise business address.
- Percentage black ownership, black female ownership and whether they fall within a designated group.
- Indicate total revenue for the year under review and whether it is based on audited financial statements or management accounts.
- Financial year-end as per the enterprise's registration documents, which was used to determine the total revenue. **The valid format of the Financial Year-End is Day/Month/Year**
- B-BBEE status level. An enterprise can only have one status level.

SANRAL CONTRACT N.002-080-2019/2R

		<ul style="list-style-type: none"> - Date deponent signed and date of Commissioner of Oath must be the same. - Commissioner of Oath cannot be an employee or ex officio of the enterprise because, a person cannot by law, commission a sworn affidavit in which they have an interest, and v. Compliance with any other information requested to be attached to Returnable Schedule Form C1; and vi. In the event of a Joint Venture (JV), a project-specific consolidated (SANRAL project number indicated) valid B-BBEE verification certificate in the name of the JV, issued by a verification agency accredited by the South African National Accreditation System (SANAS) shall be submitted. <p>Sub-contracting</p> <p>If the tender documents indicate that the tenderer intends sub-contracting more than 25% of the value of the contract to any other person not qualifying for at least the status level that the tenderer qualifies for, 0 (zero) points for B-BBEE level (under Specific Goals) shall be awarded, unless the intended sub-contractor is an EME that has the capacity to execute the sub-contract.</p> <p>Criteria for breaking deadlock</p> <p>If two or more tenders score the same number of points and these tenders are also the highest ranked tenders, the tender with the highest preference points will be recommended for award.</p> <p>If functionality is part of the evaluation process and two or more tenders score equal total points and equal preference points, the tender that scored the highest points for functionality will be recommended for award.</p> <p>If two or more tenders score the same number of financial points and preference points and these tenders are also the highest ranked tenders, the tenderer to be recommended for award will be decided by the drawing of lots.</p>
T-21	C.3.13	<p>In the first paragraph replace “C.3.13(g) to (k)” with “C.3.13(g) to (l)”</p> <p>Add the following after k):</p> <ul style="list-style-type: none"> l) Price negotiations. <ol style="list-style-type: none"> 1. If the price offered by a tenderer scoring the highest points is not market related, the Organ of state may not award the tender to that tenderer. 2. The Organs of state may – <ul style="list-style-type: none"> i. Negotiate a market related price with the tenderer scoring the highest points or cancel the tender; ii. If the tenderer does not agree to a market related price, negotiate a market related price with the tenderer scoring the second highest points or cancel the tender; iii. If the tenderer scoring the second highest points does not agree to a market related price, negotiate a market related price with the tenderer scoring the third highest points or cancel the tender; 3. If a market related price is not agreed as envisaged in paragraph 2(iii), the organ of state must cancel the tender.
Part T2: Returnable Schedules		
	FORM A1.1	Replace with attached appendix B1 format
	FORM A3.3	Replace with appendix E

	FORM A3.5	<p>Delete the notes to tenderer 1.</p> <p>Delete the reference to preferential procurement regulations, 2017.</p> <p>Delete clauses 1.1, 1.2, 1.3 and 1.4 and renumber the remaining clauses.</p> <p>In clause 2, in the notes to compiler, delete: and should correspond with the list in the tender data</p> <p>Under local content declaration, delete clause (e).</p> <p>Under local content declaration, delete reference to part c4: appendix 8 and replace with reference to part c4: appendix 7</p>
	FORM A3.6	Delete the notes to tenderer 1
	FORM A8	Replace form A8 with attached appendix F
	FORM A13	<p>Replace form A13 with attached appendix A</p> <p>The title of the forms is not changed.</p>
	FORM A14	Add form A14 by utilizing attached appendix I format
	FORM C1.2	<p>Replace form c1.2 with attached appendix B2</p> <p>AMEND THE TITLE.</p> <p>FORM C1.2 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)</p>
	FORM F1	<p>C1.2 / SBD6.1</p> <p>Replace:</p> <p>“PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017</p> <p>With</p> <p>“PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022 (INCORPORATING SBD6.1)”</p> <p>Add reference to Form C1.3 and C1.4</p>
Part C1: Agreements and Contract Data		
	C1.1.1	<p>Delete Clause 5 and replace with the following:</p> <p style="text-align: center;">5. PREFERENCE CLAIMED</p> <p>I/we claim; a B-BBEE contributor status level (as per Returnable Schedule Form C1: Tenderer's B-BBEE Verification Certificate. In the event of any difference between the above stated B-BBEE contributor status level and the B-BBEE Verification Certificate attached to Form C1, the B-BBEE Verification Certificate shall apply</p>

SANRAL CONTRACT N.002-080-2019/2R

	<p>Part C1.2.1 : Conditions of Contract</p> <p>Clause 15.2</p>	<p>Delete the word “or” at the end of sub-paragraph (g) and add the word “or” at the end of sub-paragraph (h)</p> <p>Add the following after sub-paragraph (h)</p> <p>(i) In the event that its director/s are found guilty by a Court of Law on the counts of fraud charges against them, SANRAL reserves the right to terminate the contract and to assert all legal recourse available to it.</p>												
	<p>C1.2.2 Appendix to Tender: Contract Data – Information provided by the Employer</p>	<p>Replace the data for Clause A4.4, with the following:</p> <p>The percentage of the contract value that may be sublet is dependent on the Minimum Targeted Enterprise subletting targets and shall not exceed the Maximum Subcontracting allowed % as per the following table:</p> <table><tr><th>Minimum Targeted Enterprise (TE) subletting (%)</th><th>Maximum Subcontracting allowed (%)</th></tr><tr><td>≤30</td><td>50</td></tr><tr><td>>30 to ≤40</td><td>60</td></tr><tr><td>>40 to <45</td><td>65</td></tr><tr><td>≥45 to <50</td><td>70</td></tr><tr><td>≥50</td><td>80</td></tr></table>	Minimum Targeted Enterprise (TE) subletting (%)	Maximum Subcontracting allowed (%)	≤30	50	>30 to ≤40	60	>40 to <45	65	≥45 to <50	70	≥50	80
Minimum Targeted Enterprise (TE) subletting (%)	Maximum Subcontracting allowed (%)													
≤30	50													
>30 to ≤40	60													
>40 to <45	65													
≥45 to <50	70													
≥50	80													

Page	Clause / Item	Amendment / Addition
Part C2: Pricing Data		
		None in this addendum
Part C3: Scope of Works		
	Part C3 Scope of Works: Section B: Specification Data: SANRAL Standard Specification Sections: Section D D1003 Target Group Participation: D1003.04 Contract Participation Goal (CPG)	Delete the Specification Data for CPG for Targeted Enterprise (but keep the minimum contribution by target groups unchanged) and replace with: Minimum of 30% of the Final Contract Value by the end of the contract to Targeted Enterprises. The Final Contract Value for purposes of this clause, is defined in clause D1003.04.
	Part C3 Scope of Works: Section B: Specification Data: SANRAL Standard Specification Sections: Section D	Delete D1007 Tender Process for Targeted Enterprise as well as its Sub-Clause and Specification Data. NOTE - This change refers to Section B and not the Actual specification in Section D100
	Part C3 Scope of Works: Section D: Stakeholder and Community Liaison, and Targeted Labour and Targeted Enterprises Utilisation and Development	Delete all references to Preferential Procurement Regulations, 2017.

SANRAL CONTRACT N.002-080-2019/2R

	Part C3 Scope of Works: Section D: Stakeholder and Community Liaison, and Targeted Labour and Targeted Enterprises Utilisation and Development: D1003.05 Contract Participation Performance (CPP)	In (b) CPP Penalties, replace the Penalty for Targeted Enterprises formula with the following: Penalty Targeted Enterprises = 1.0 x ((TE – TGE) + Sum (TE n – TGE n) - 1.2 x TE mv - 1.2 x TE dp)		
Part C4: Site Information				
Page	Item	Amendment / Addition	Unit	Quantity
		None in this addendum		

2. ADDITIONAL INFORMATION

- a. The contract number "N.020-080-2019/2" also means "**N.002-080-2019/2R**" in all documentation in all cases.

APPENDIX A
Form A13
PART A**INVITATION TO BID**

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	N.002-080-2019/2R	CLOSING DATE:	16 February 2024	CLOSING TIME:	11:00
DESCRIPTION	FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY (KM 79.75) TO BLOUKRANS RIVER (KM 97.30)				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
20 Shoreward Drive					
Bay West					
Gqeberha					
6025					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Procurement Office		CONTACT PERSON	Procurement Office	
TELEPHONE NUMBER	N/A		TELEPHONE NUMBER	N/A	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	NO CHANGE REQUIRED	
E-MAIL ADDRESS	ProcurementSR6@sanral.co.za		E-MAIL ADDRESS	ProcurementSR6@sanral.co.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA

SANRAL CONTRACT N.002-080-2019/2R

<p>1.1.1.1 ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p>1.1.1.2 ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES OFFERED?</p>	<p><input type="checkbox"/>Yes <input type="checkbox"/>No</p> <p>[IF YES, ANSWER THE QUESTIONNAIRE BELOW]</p>
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QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

<p>IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE A BRANCH IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?</p>	<p><input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>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.</p>	

PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
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, 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).
2. TAX COMPLIANCE REQUIREMENTS
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-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE 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:

**PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT
REGULATIONS 2022 (SBD 6.1)**

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

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

1. GENERAL CONDITIONS

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

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

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

a) The applicable preference point system for this tender is the 90/10 preference point system.

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

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

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

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	90
SPECIFIC GOALS	10
Total points for Price and Specific Goals	100

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

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

2. DEFINITIONS

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

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. POINTS AWARDED FOR PRICE

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

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

80/20	or	90/10
$Ps = 80 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$	or	$Ps = 90 \left(1 - \frac{Pt - P_{min}}{P_{min}} \right)$

Where

- Ps = Points scored for price of tender under consideration
- Pt = Price of tender under consideration
- Pmin = Price of lowest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

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

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

The specific goals allocated points in terms of this tender	Criteria	Number of points allocated (90/10 system)	Number of points claimed (90/10 system) (To be completed by the tenderer)
B-BBEE level scorecard of the tendering entity.	B-BBEE Level 1	10.00	
	B-BBEE Level 2	9.00	
	B-BBEE Level 3	6.00	
	B-BBEE Level 4	5.00	
	B-BBEE Level 5	4.00	
	B-BBEE Level 6	3.00	
	B-BBEE Level 7	2.00	
	B-BBEE Level 8	1.00	
	Non-compliant contributor	0.00	

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

5. DECLARATION WITH REGARD TO COMPANY/FIRM

5.1. Name of company/firm.....

5.2. Company registration number:

5.3. TYPE OF COMPANY/ FIRM

☐ Partnership/Joint Venture / Consortium

☐ One-person business/sole propriety

☐ Close corporation

☐ Public Company

☐ Personal Liability Company

☐ (Pty) Limited

☐ Non-Profit Company

☐ State Owned Company

[TICK APPLICABLE BOX]

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

SANRAL CONTRACT N.002-080-2019/2R

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;
- iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –
 - (a) disqualify the person from the tendering process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the audi alteram partem (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution, if deemed necessary.

.....	
SIGNATURE(S) OF TENDERER(S)	
SURNAME AND NAME:
DATE:
ADDRESS:

APPENDIX F

FORM A8: TENDERER'S REGISTERED FINANCIAL SERVICE PROVIDER LETTER AND BANK DETAILS

SUBCONTRACT NO.

FOR

UNDER SANRAL CONTRACT: N.002-080-2019/2R

CONTRACT TITLE:

FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY (KM 79.75) TO BLOUKRANS RIVER (KM 97.30)

Notes to tenderer:

- 1. The tenderer shall attach to this form:**
 - 1.1 a letter (dated less than 3 months prior to the tender closing date) from a registered Financial Service Provider (registered with the FSB) which :**
 - 1.1.1 Provides banking details and declares how the entity conducts its account; and**
- 2. The Tenderer (and in the event of a joint venture, the joint venture member's combined) shall have available capital in excess of R 16.72 mil**
- 3. In the event that the tenderer is a joint venture enterprise, details of all the members of the joint venture shall be similarly provided and attached to this form.**

RE: ACCOUNT CONDUCT AND/OR CASHFLOW CONFIRMATION

To Whom It May Concern:

We hereby confirm that (*Insert Tenderer's Name*) has been banking with **xxxx** Bank for a period of **xxxyears** and the account has been conducted in a satisfactory manner.

The (*Insert Tenderer's Name*) has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R..... for contract (*insert contract number*). (*Note to tenderer: if cashflow confirmation is provided by another institution, delete this paragraph*).

- i) Name of Account Holder:.....
- ii) Account number:
- iii) Bank name:
- iv) Branch number:
- v) Bank and branch contact details:

RE: ACCOUNT CONDUCT (Applicable to Grade 1-5, delete for Grade 6-9)

To Whom It May Concern:

We hereby confirm that (*Insert Tenderer's Name*) has been banking with **xxxx** Bank for a period of **xxxyears** and the account has been conducted in a satisfactory manner.

- vi) Name of Account Holder:.....
- vii) Account number:
- viii) Bank name:
- ix) Branch number:
- x) Bank and branch contact details:

Option 2 - Letter to be on the tenderer's independent registered accountant letter head (*Note to compiler, not applicable for CIDB grade 1-5, delete*)

RE: CASHFLOW CONFIRMATION (independent registered accountant)

To Whom It May Concern:

The (*Insert Tenderer's Name*) has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R..... for contract..... (*insert contract number*).

Option 3 - Letter to be on tenderer's financial sponsorship letter head (*Note to compiler, not applicable for CIDB grade 1-5, delete*)

RE: CASHFLOW CONFIRMATION (Financial sponsorship)

To Whom It May Concern:

The (*Insert Tenderer's Name*) has the financial means, net of current commitments, available to meet the construction cash flow requirements to the value of R..... for contract..... (*insert contract number*) through a financial sponsorship from (*Insert Financial Sponsor's Name*).

FORM A 14: DECLARATION OF TENDERER'S FINANCIAL SUBMISSION

CONTRACT SANRAL: N.002-080-2019/2R

CONTRACT TITLE:
FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY (KM 79.75) TO BLOUKRANS RIVER (KM 97.30)

Notes to tenderer:

1. The signatory for the tenderer shall complete and sign this form declaring his/her understanding of the declaration form taking note of the points extracted below as contained in the tender document.
2. I, the undersigned, declare that:

I have submitted a balanced tender and have not tendered any negative rates, besides of Combined Site Laboratory contribution . I accept the risk of doing any work at our own tendered rates. However, I will rebalance my unit rates on request from the Employer where any unduly low or high rates are pointed out. I realise that by balancing my unit rates my tender amount will remain unchanged as prescribed in clause C.3.9 of the tender document.

The above information is to the best of my knowledge true and accurate.

SIGNATURE:

Signed and sworn before me at on the day of 20...

The deponent having:

- (i) acknowledged that he/she knows and understands the contents hereof;
- (ii) confirmed that he/she has no objection to the taking of the prescribed oath;
- (iii) that he/she considered the prescribed oath as bidding upon his/her conscience; and

COMMISSIONER OF OATHS

APPENDIX E

FORM A3.3: DECLARATION OF TENDERER'S PAST
SUPPLY CHAIN MANAGEMENT PRACTICES

CONTRACT SANRAL N.002-080-2019/2R

Notes to tenderer:

1. This declaration:
 - (a) must form part of all tenders submitted.
 - (b) in the case of a joint venture (JV), must be completed and submitted by each member of the JV
2. This form 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 and/or misused the State's procurement of the supply chain management system.
3. The tender of any tenderer may be disregarded if that tenderer or any of its directors have –
 - (a) abused and/or misused the State's procurement and/or supply chain management system;
 - (b) committed fraud, corruption or any other improper conduct in relation to such State system and/or;
 - (c) has been charged with fraud, corruption or any other improper conduct whether of a criminal or civil nature during the course and scope of rendering services to the state or any other party and/or entity; or
 - (d) failed to perform on any previous contract [with the State].
4. In order to give effect to the above, the following questionnaire must be completed and submitted with this tender.

4.1	<p>Is the tenderer 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>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.</p> <p>The Database of Restricted Suppliers now resides on the National Treasury website (www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If Yes, furnish particulars:		
4.2	<p>Is the tenderer or any of its directors listed on the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combatting of Corrupt Activities Act (No. 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If Yes, furnish particulars:		
4.3	<p>Was the tenderer or any of its directors convicted by a court of law (including a court outside the Republic of South Africa) for fraud or corruption during the past five years?</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>

SANRAL CONTRACT N.002-080-2019/2R

4.3.1	If Yes, furnish particulars:		
4.4	Was any contract between the tenderer and any organ of State terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If Yes, furnish particulars:		

CERTIFICATION

I, the undersigned,

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:

Name:

Position:

Date:

Name of tenderer:

APPENDIX B1

FORM A1.1: CERTIFICATE OF INTENTION TO SUBMIT A TENDER

SANRAL CONTRACT: N.002-080-2019/2R

FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY
(KM 79.75) TO BLOUKRANS RIVER (KM 97.30)

Notes to Tenderer:

1. The duly completed certificate of intention to submit a tender must be submitted by whoever intends to tender for this particular tender prior to Friday, 19 January 2024. Failure to submit the certificate of intention to tender within the required period may render the tenderer non-responsive and SANRAL does not accept responsibility for any communication not received by the tenderer timeously.
2. Failure to submit this certificate would result in the tenderer not receiving addenda or additional issued information and may result in the tenderer being non-responsive if "any material amendment/s" contained in the addenda or additional information is not included in the tender offer/submission.
3. Late notification of intention to tender by a prospective tenderer will not necessarily result in the tender closing date being extended.
4. Should you intend to submit a tender for this particular tender please sign the certificate, scan and email the completed document to the email address indicated in T1.1 of this tender document.
5. The Employer shall send all correspondences, including Addenda, only to the Tenderer's email address as provided herein; in addition, the Employer shall upload all correspondences on SANRAL website and National Treasury eTender Portal.

This is to certify that I,

representative of (insert name of tenderer)

of (address)
.....
.....

telephone number

fax number

e-mail

intends to submit a tender in response to the tender notice and invitation for tender this contract.

TENDERER'S REPRESENTATIVE Date
(Signature)

The South African National Roads Agency SOC Limited
P.O. Box 415
Pretoria
0001

SANRAL CONTRACT: N.002-080-2019/2R

**FOR THE PERIODIC MAINTENANCE OF NATIONAL ROUTE N2 SECTION 8 FROM NATURE'S VALLEY
(KM 79.75) TO BLOUKRANS RIVER (KM 97.30)**

ACKNOWLEDGEMENT OF ADDENDUM NO. 1

I _____

Representing _____

Hereby acknowledge that I have received the above Addendum and that I am conversant with the contents thereof.

SIGNATURE: _____

DATE: _____

This Addendum is to be read in conjunction with and shall be deemed to form part of the Contract Documents.

You must therefore acknowledge receipt of this addendum by emailing this form to the South African National Roads Agency SOC Limited at ProcurementSR6@sanral.co.za and the original must be attached to the Returnable Schedules.

Failure to acknowledge receipt of this addendum` may invalidate the Tender.
