

**MANDELA BAY DEVELOPMENT AGENCY**

**TENDER NO. MBDA TSP 07/22**

**CONSTRUCTION OF HELENVALE PLAY PARK**

<p><b>TENDER</b> <b>PART 2 (OF 2) : RETURNABLE DOCUMENTS</b></p>
--

**CONTENTS**

<b>T2.1</b>	<b>Returnable Schedules</b>	<b>White</b>
<b>T2.2</b>	<b>Additional Returnable Schedules</b>	<b>White</b>

## T2.1 : RETURNABLE SCHEDULES

The following documents are to be completed and returned, as they constitute the tender. Whilst many of the returnable documents are required for the purpose of evaluating the tenders, some will form part of the subsequent contract, as they form the basis of the tender offer. For this reason, it is very important that tenderers return **all information requested**.

<b>1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES</b> <b>Failure to COMPLETE IN FULL AND SIGN these applicable documents will result in the tender offer being disqualified from further consideration.</b>		
T 2.1.1	Authority of Signatory	Tick if completed and submitted
T 2.1.4	Proof of registration with the National Treasury Central Supplier Data base	Tick if completed and submitted
T 2.1.5	Proof of registration with the Nelson Mandela Bay Municipality Supplier Data base	Tick if completed and submitted
T 2.1.6	Business Registration Documents	Tick if completed and submitted
T 2.1.8	Broad Based Black Economic Empowerment (BBBEE) Certificate	Tick if completed and submitted
T 2.1.9	Joint Venture (JV) Agreement	Tick if completed and submitted
T 2.1.10	Preference Points Claim Form in terms of the Preferential Procurement Regulations 2017	Tick if completed and submitted
T 2.1.12	Status of Concern Submitting Tender	Tick if completed and submitted
T 2.1.13	Proof of Registration with the Construction Industry Development Board ( <i>in the applicable category or higher</i> )	Tick if completed and submitted
T 2.1.14	Declaration of Interest in Tender of Persons in Service of the State	Tick if completed and submitted
T 2.1.15	Compulsory Enterprise Questionnaire	Tick if completed and submitted
T 2.1.16	Declaration of Tenderer's Past Supply Chain Management (SCM) Practices	Tick if completed and submitted
T 2.1.17	Declaration Concerning Fulfillment of the Construction Regulations, 2014	Tick if completed and submitted
T 2.1.18	Certificate of Independent Bid Determination	Tick if completed and submitted
T 2.1.19	Declaration of Indemnity	Tick if completed and submitted
T 2.1.21	Record of Addenda to Tender Documents	Tick if completed and submitted
T 2.1.22	Proposed Amendments	Tick if completed and submitted
T 2.1.23	Schedule of Work Satisfactorily Carried out by the Tenderer for Private Clients or Organs of State	Tick if completed and submitted
T 2.1.24	Schedule of Plant and Equipment Available for the Contract	Tick if completed and submitted
T 2.1.31	Schedule of Proposed Subcontractors	Tick if completed and submitted
T 2.1.35	Certificate of Attendance at Compulsory Clarification Meeting	Tick if completed and submitted
T 2.2.5	Strategy and Methodology for Specialized Security Services	Tick if completed and submitted

<b>RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES (CONTINUED)</b>		
<b>Failure to COMPLETE IN FULL AND SIGN these applicable documents will result in the tender offer being disqualified from further consideration.</b>		
T 2.2.2	Financial standing letter	Tick if completed and submitted
C1.1	Form of Offer and Acceptance	Tick if completed and submitted
C1.2b	Contract Data (Part 2) – Specified by the Contractor	Tick if completed and submitted

<b>2.</b>	<b>ADDITIONAL RETURNABLE DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES THAT WILL BE INCORPORATED INTO THE CONTRACT</b> <b>Failure to submit this applicable document will result in the Tenderer having to submit same upon request within 7 calendar days and if not complied with, will result to the tender offer being disqualified from further consideration [See also clause 2.18 of the Standard Conditions of Tender]</b>	
T 2.1.2	Payments of Municipal Accounts	Tick if completed and submitted
T 2.1.3	Valid Tax Clearance Certificate or active Pin	Tick if completed and submitted
T 2.1.7	VAT Registration Certificate	Tick if completed and submitted
T 2.2.1	Municipal declaration and returnable documents	Tick if completed and submitted
T 2.2.3	Estimated Monthly Cash flow	Tick if completed and submitted
T 2.2.4	Personnel Schedule	Tick if completed and submitted
T 2.2.6	Preliminary Program of the Works	Tick if completed and submitted
T 2.2.7	Company Profile (if applicable, delete if not)	Tick if completed and submitted
T 2.2.8	Contract Organogram	Tick if completed and submitted
T 2.2.9	Key Personnel Assigned to the Contract	Tick if completed and submitted
T2.2.10	Curriculum Vitae of Contracts Manager	Tick if completed and submitted
T2.2.11	Curriculum Vitae of Construction Manager	Tick if completed and submitted
T2.2.12	Curriculum Vitae of Construction Mentor	Tick if completed and submitted
T2.2.13	Curriculum Vitae of Registered Health and Safety Officer	Tick if completed and submitted
C 1.2a :	Contract Data (Part 1) – Specified by the Employer	Tick if completed and submitted
C 1.4 :	Occupational Health and Safety Mandatory Agreement	Tick if completed and submitted
C 1.5 :	Disclosure Statement	Tick if completed and submitted
C 2.1	Pricing Instructions	Tick if completed and submitted
C 2.2 :	Bill of Quantities	Tick if completed and submitted
T 2.1.21	Record of Addenda to Tender Documents	Tick if completed and submitted
T 2.1.22	Proposed Amendments	Tick if completed and submitted

### T2.1.1 : AUTHORITY OF SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category.

A Company	B Partnership	C Joint Venture	D Sole Proprietor	E Close Corporation
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### A. Certificate for Company

I, ....., chairperson of the board of directors of ....., hereby confirm that by resolution of the board (copy attached) taken on ..... 20..., \*Mr/Ms ..... acting in the capacity of ..... (Position in the Enterprise), and who will sign as follows: ..... be, and is hereby, authorized to sign the Bid/Tender, and any and all documents and/or correspondence in connection with this tender and any contract resulting from it on behalf of the company.

#### As witnesses :

- |         |            |       |
|---------|------------|-------|
| 1. .... | Chairman : | ..... |
| 2. .... | Date :     | ..... |

	NAME	CAPACITY	SIGNATURE
1			
2			
3			
4			
5			

#### NOTE:

1. \*Delete which is not applicable
2. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
3. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**B. Certificate for Partnership**

We, the undersigned, being the key partners in the business trading as .....  
..... hereby authorize \*Mr/Ms, .....  
acting in the capacity of ..... (Position in the Enterprise), and who will  
sign as follows: .....be, and is hereby, authorized to sign the  
Bid/Tender, and any and all documents and/or correspondence in connection with this tender  
and any contract resulting from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE:**

4. \*Delete which is not applicable
5. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
6. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**C. Certificate for Joint Venture and Consortia**

We, the undersigned, are submitting this tender offer in a Joint Venture / Consortium and hereby  
authorize \*Mr/Ms, .....acting in the capacity of lead partner,  
and who will sign as follows: .....be, and is hereby, authorized to sign  
the Bid/Tender, and any and all documents and/or correspondence in connection with this tender  
and any contract resulting from it on behalf of the company.

This authorization is evidenced by the attached power of attorney signed by legally authorized  
signatories of all the partners to the Joint Venture / Consortium.

NAME OF FIRM	Lead Partner (X)	ADDRESS	% of Contract Value	AUTHORISING SIGNATURE, NAME & CAPACITY

**D. Certificate for Sole Proprietor**

I, ..... hereby confirm that I am the sole owner of the business  
trading as .....

**As witnesses :**

1. \_\_\_\_\_ Signature : Sole owner : \_\_\_\_\_  
2. \_\_\_\_\_ Date : \_\_\_\_\_

**E. Certificate for Close Corporation**

We, the undersigned, being the key members in the business trading as .....  
..... hereby authorize \*Mr/Mrs .....  
acting in the capacity of ..... , (Position in the Enterprise), and who will sign as follows:  
.....be, and is hereby, authorized to sign the Bid/Tender, and any and  
all documents and/or correspondence in connection with this tender and any contract resulting  
from it on behalf of the company.

NAME	ADDRESS	SIGNATURE	DATE

**NOTE:**

7. \* Delete which is not applicable
8. NB: This resolution must be signed by all the Directors/Members/Partners of the Bidding Enterprise
9. Should the number of Directors/Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

## **T2.1.2 : PAYMENT OF MUNICIPAL ACCOUNTS**

In terms of Clause 14(1(d) of the Municipal Supply Chain Management Policy, tenderers must ensure that they are up-to-date with their payments of municipal accounts.

The tenderer shall attach to this page, a Municipal Accounts Tender Clearance Certificate, which provides proof that his payment of Municipal accounts is up-to-date. Failure to attach the clearance certificate will deem your tender submission non-responsive.

These certificates are obtainable from the Supply Chain Management Offices corner of Buxton Avenue and Harrower Road, Port Elizabeth.

Billing clearance contact number : 041 506 3136

Fax number : 086 577 3809

Email address : billclear@mandelametro.gov.za

Should the tenderer not be based in the Nelson Mandela Bay Municipality, he must submit a Rates Clearance Certificate issued by the municipality in which he is based.

### **The tenderer is referred to the added Clause F2.31 of the Conditions of tender:**

Accept that no contract will be awarded to a tenderer who is in arrears for more than three months (or who fails to make suitable arrangements to settle the arrears) in respect of municipal rates and other charges due to any municipality.

### T2.1.3 :VALID TAX CLEARANCE CERTIFICATE

In terms of Clause 14(1)(b) of the Municipal Supply Chain Management Policy, tenderers must ensure that they are up-to-date with their payments of taxes.

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet with the bidder's tax obligations.

1. In order to meet this requirement bidders are required to complete in full the TCC 001 form, Application for a Valid Tax Clearance Certificate (TCC)" and submit it to any SARS branch office nationally. The TCC requirements are also applicable top foreign bidders / individuals who wish to submit bids.
2. SARS will then furnish the bidder with a TCC that will be valid for a period of one (1) year from the date of approval.
3. The tenderer must attach to this page a **valid** TCC issued by SARS in respect of his/her company, close corporation or partnership.

Alternatively, the tenderer must submit a Valid Tax Compliance Status PIN to allow Supply Chain Management to verify the real-time compliance status.

Tax Compliance Status PIN	.....
---------------------------	-------

4. In the case of a joint venture between two or more firms, the tenderer shall attach the TCC for each of the joint venture partners.
5. Copies of the TCC 001 form are available from any SARS branch office nationally or on the website, [www.sars.gov.za](http://www.sars.gov.za)
6. Applications for the TCC may also be made via e Filing. In order to use this provision, taxpayers will need to register with SARS as e Filers through the website, [www.sars.gov.za](http://www.sars.gov.za).

Signed ..... Date .....

Name ..... Position .....

Tenderer .....



<b>T2.1.4 : PROOF OF REGISTRATION WITH THE NATIONAL TREASURY SUPPLIER DATA BASE</b>
---

All businesses and suppliers wishing to conduct business with the Mandela Bay Development Agency must register on the National Treasury Central Supplier Database.

The database is administered by National Treasury and the tenderers must attach to this page a copy of their confirmation of registration on the Central Supplier Database.

Available: [www.csd.gov.za](http://www.csd.gov.za)

<p><b>T2.1.5 : PROOF OF REGISTRATION WITH THE NELSON MANDELA BAY SUPPLIER DATA BASE</b></p>
---

All businesses and suppliers wishing to conduct business with the Mandela Bay Development Agency must register on the **NELSON MANDELA BAY** Supplier Database.

The database is administered by **NELSON MANDELA BAY** and the tenderers must attach to this page a copy of their confirmation of registration.

### **T2.1.6 : BUSINESS REGISTRATION DOCUMENTS**

Attach as part of your tender submission proof of valid registration to the companies and intellectual property commission documents of incorporation of company, close corporation, partnership, sole proprietor or a joint venture.

In the case of a joint venture, the tenderer shall include all the documents of all the entities involved in the joint venture.

Sole proprietors are exempted and are only required to submit a copy of their identification document and bidders tax clearance certificate.

### **T2.1.7 : VAT REGISTRATION CERTIFICATE**

Tenderers must attach hereto a copy of their VAT registration as proof that they are a VAT vendor. In the case of a joint venture a VAT registration certificate must be submitted for the registered joint venture.

### **T2.1.8 : BROAD BASED BLACK ECONOMIC EMPOWERMENT (BBBEE) CERTIFICATE**

1. Valuation of preference points is based on tenderers' scorecards in accordance with the Construction Sector Codes of Practice promulgated in Gazette 32305 on 5 June 2009. In terms of Government Notice 810 of 31 July 2009, only BBBEE Verification Certificates issued by Accredited Verification Agencies or Verification Agencies that are in possession of a valid pre-assessment letter from the South African National Accreditation System (SANSAS) will be valid.
2. However, despite the above, all Verification Certificates issued by non-accredited Verification Agencies before 1 February 2010 will be valid for 12 (twelve) months from the date of issue on condition that the Verification Agency is registered with ABVA (see [www.abva.co.za](http://www.abva.co.za) for details)
3. Tenderers shall therefore submit their company's scorecard by attaching to this page a BBBEE Verification Certificate. The BBBEE Verification Certificate must indicate the OWNERSHIP (Bo) details.
4. The Verification Certificate must be current, meaning that it must have been issued more recently than 12 (twelve) months prior to the tender closing date.
5. In the event of a Joint Venture (JV), a consolidated BBBEE Verification Certificates must be submitted for the JV or a score of zero points will be applied.

Signed ..... Date .....

Name ..... Position .....

Tenderer .....

### **T2.1.9 : JOINT VENTURE (JV) AGREEMENT (If Applicable)**

In the case of a joint venture, Tenderers must attach hereto a signed copy of the joint venture agreement.

## 2.1.10 : FORM MBD6.1: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2017

### 80/20 VERSION

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, 2017.**

#### 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 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. a) The value of this bid is estimated do not exceed R50 000 000 (all applicable taxes included) and therefore the 80/20 preference point system shall be applicable.

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 CONTRIUTOR	20
Total points for Price and B-BBEE must not exceed	100

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 OR 90/10 PREFERENCE POINT SYSTEMS

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

<b>80/20</b>	<b>or</b>	<b>90/10</b>
$Ps = 80 \left[ 1 - \frac{Pt - P_{min}}{P_{min}} \right]$	<b>or</b>	$Ps = 90 \left[ 1 - \frac{Pt - P_{min}}{P_{min}} \right]$

Where:

Ps = Points scored for price of bid under consideration

Pt = 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 (90/10 system)	Number of points (80/20 system)
1	10	20
2	9	18
3	6	14
4	5	12
5	4	8
6	3	6
7	2	4
8	1	2
Non-compliant contributor	0	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 10 or 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. DECLARATION WITH REGARD TO COMPANY/FIRM**

7.1 Name of company/firm:.....

7.2 VAT registration number:.....

7.3 Company registration number:.....

7.4 TYPE OF COMPANY/ FIRM

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

**[TICK APPLICABLE BOX]**

7.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

7.6 COMPANY CLASSIFICATION

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

**[TICK APPLICABLE BOX]**

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

7.8 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;

(d) recommend that the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be 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

WITNESS: .....

DATE: .....

SIGNATURE OF BIDDERS

ADDRESS .....

DATE: .....

ADDRESS.....

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

8.1 Name of firm: .....

8.2 VAT registration number: .....

8.3 Company registration number: .....

8.4 TYPE OF COMPANY/ FIRM **[Tick applicable box]**

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

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

8.6 COMPANY CLASSIFICATION **[Tick applicable box]**

- ☐ Manufacturer
- ☐ Supplier

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

## 8.7 MUNICIPAL INFORMATION

Municipality where business is situated: .....

Registered Account Number: .....

Stand Number: .....

## 8.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS? .....

8.9 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-BBEE status level of contribution indicated in paragraph 7 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 paragraph 7, 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 contribution 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;
  - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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 BIDDER(S)

.....

Date: .....

Address :.....

.....

.....

.....

## T2.1.12 : STATUS OF CONCERN SUBMITTING TENDER

### 1. General

State whether the tenderer is a company, a closed corporation, a partnership, a sole practitioner, a joint venture or a co-operative:

(Mark the appropriate option below)

Public Company

Private Company

Closed Corporation

Partnership

Sole Proprietary

Joint Venture

Co-operative


### 2. Information To Be Provided

If the Tendering Entity is a:		Documentation to be submitted with the tender
1	<u>Closed Corporation</u> , incorporated under the Close Corporation Act, 1984, Act 69 of 1984.	CIPRO CK1 or CK2 (Copies of the founding statement) and list of members.
2	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973. (Including Companies incorporated under Art 53 (b)).	Copies of: a) CIPRO CM 1 - Certificate of Incorporation b) CIPRO CM 29 – Contents of Register of Directors, Auditors and Officers c) Shareholders Certificates of all Members of the Company.
3	<u>Private Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 in which any, or all, <u>shares are held by another</u> Closed Corporation or company with, or without, share capital.	Copies of documents referred to in 1 and/or 2 above in respect of all such Closed Corporations and/or Companies.
4	<u>Public Company</u> incorporated with share capital, under the companies Act, 1973, Act 61 of 1973 (Including Companies incorporated under Art 21)	A signed statement of the Company's Secretary confirming that the Company is a public Company.  Copy of CM 29.
5	Sole Proprietary or a Partnership	<u>Copy of the Identity Document of:</u> a) Such Sole Proprietary, or

If the Tendering Entity is a:		Documentation to be submitted with the tender
		b) Each of the Partners in the Partnership Copy of the Partnership agreement.
6	Co-operative	CIPRO CR2 - Copies of Company registration document. (The percentage of work to be done by each partner must clearly be indicated on Form RDB1 (or RDB2 as applicable) of the tender document: MBD6.1 Preference Points Claim Form in terms of the Preferential Procurement Regulations 2001).
7	Joint Venture	All the documents (as described above) as applicable to each partner in the JV as well as a copy of the Joint Venture agreement. (The percentage of work to be done by each partner of the joint venture must clearly be indicated in the Joint Venture Agreement).

**Note:**

1. If the shares are held in trust provide a copy of the Deed of Trust (only the front page and pages listing the trustees and beneficiaries are required) as well as the Letter of Authority as issued by the Master of the Supreme Court, wherein trustees have been duly appointed and authorised, must be provided.
2. Include a copy of the Certificate of Change of Name (CM9) if applicable.

**3. Registered for Vat Purposes in Terms of the Value-Added Tax Act, (Act No. 89 of 1991)**

(Make an X in the appropriate space below)

Yes

☐

No

☐

Registration number:

.....

**T2.1.13 : PROOF OF REGISTRATION WITH THE CONSTRUCTION INDUSTRY  
DEVELOPMENT BOARD (CIDB)**

Tenderers shall attach to this page, proof of Registration with the Construction Industry Development Board, or other such documentation which records the Tenderer's name, CIDB grading and CRS number for verification by the municipality.

CRS number	.....
------------	-------

Signed..... Date .....

Name ..... Position .....

Tenderer .....

## T2.1.14 : DECLARATION OF INTEREST IN TENDER OF PERSONS IN SERVICE OF STATE

1. Where the tenderer is a natural person, state / declare whether the tenderer or an employee of the tenderer is in the service of the state, or has been in the service of the state during the past twelve months.

(Tick)

<b>YES</b>	
<b>NO</b>	

If so, state particulars:

.....

If so and where applicable, state the date of resignation:

.....

2. Where the tenderer is not a natural person, state / declare whether any of its directors, managers, principal shareholders or stakeholders is in the service of the state, or have been in the service of the state during the past twelve months.

(Tick)

<b>YES</b>	
<b>NO</b>	

If so, state particulars:

.....

3. State / declare whether a spouse, child or parent of the tenderer or any of its directors, managers, shareholders or stakeholders referred to in subparagraph 2 is in the service of the state, or have been in the service of the state during the past twelve months.

(Tick)

<b>YES</b>	
<b>NO</b>	

If so, state particulars:

.....

4. State / declare whether the tenderer or any of its directors, managers, shareholders, stakeholders or employees referred to in subparagraph 2 is a person who is an advisor or consultant contracted with the municipality or municipal entity.

(Tick)

<b>YES</b>	
<b>NO</b>	

If so, state particulars:

.....

5. State / declare whether the tenderer or any of its directors, managers, shareholders, stakeholders or employees referred to in subparagraph 2 is involved in another entity for this particular tender.

(Tick)

<b>YES</b>	
<b>NO</b>	

If so, state particulars:

.....

*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 .....

Tenderer .....



## T2.1.15 : COMPULSORY DECLARATION

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

### Section 1: Enterprise Details

<b>Name of enterprise:</b>	
<b>Contact person:</b>	
<b>Email:</b>	
<b>Telephone:</b>	
<b>Cell no</b>	
<b>Fax:</b>	
<b>Physical address</b>	
<b>Postal address</b>	

### Section 2: Particulars of companies and close corporations

<b>Company / Close Corporation registration number</b>	
--	--

### Section 3: SARS Information

<b>Tax reference number</b>	
<b>VAT registration number:</b>	<i>State Not Registered if not registered for VAT</i>

### Section 4: CIDB registration number

<b>CIDB Registration number (if applicable)</b>	
---	--

### Section 5: National Treasury Central Supplier Database

<b>Supplier number</b>	
<b>Unique registration reference number</b>	

### Section 6: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

Attach separate page if necessary

**Section 7: Record in the service of the state**

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

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

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

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

\*insert separate page if necessary

**Section 8: Record of family member in the service of the state**

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

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months 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 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 the National Assembly or the National Council of Province | <input type="checkbox"/> a member of an accounting authority of any national or provincial public entity  |
| <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 family member	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

\*insert separate page if necessary

**Section 9: Record of termination of previous contracts with an organ of state**

Was any contract between the tendering entity including any of its joint venture partners terminated during the past 5 years for reasons other than the employer no longer requiring such works or the employer failing to make payment in terms of the contract.

☐ Yes ☐ No (Tick appropriate box)

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

#### Section 10: Declaration

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

- i) neither the name of the tendering entity or any of its principals appears on:
  - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
  - b) National Treasury's Database of Restricted Suppliers (see [www.treasury.gov.za](http://www.treasury.gov.za))
- ii) neither the tendering entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc) or intention to not win a tender;
- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

Signed

Date

Name

Position

Enterprise name

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

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. organs of state and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in organs of state from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding 5 years or both. It is also a serious misconduct which may result in the termination of employment by the employer.

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the

state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

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

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

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

## T2.1.16 : DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

1. This form serves as a declaration to be used by the Employer 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.
2. The tender of any Tenderer may be rejected if that Tenderer, or any of its directors have:
  - a. abused the Municipality's / Municipal entity's supply chain management system or been guilty of any improper conduct in relation to such system;
  - b. been convicted for fraud or corruption during the past five years;
  - c. wilfully neglected, reneged on or failed to comply with any government, Municipal or other public sector contract during the past five years; or
  - d. been listed in the Register for Tender Defaulters in terms of Section 29 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act 12 of 2004).
3. In order to give effect to the above, this form and the questionnaire must be completed in full and signed. Failure to comply will result in the tender being disqualified.

ITEM	QUESTION	RESPONSE (TICK)	
	<b>Is the Tenderer or any of its directors listed on the National Treasurer's database as a company or persons prohibited from doing business with the public sector?</b>  (Companies for persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied)	Yes	
		No	
	If so, furnish particulars:		
4.2	<b>Is the Tenderer 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, 2004 (Act 12 of 2004)?</b>  (To access this Register enter the National Treasury's website, <a href="http://www.treasury.gov.za">www.treasury.gov.za</a> , click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number 012-326-5445)	Yes	
		No	
	If so, furnish particulars:		

4.3	Was the Tenderer or any of its directors convicted by a court of law (including a court of law outside the Republic of South Africa) for fraud or corruption during the past five years?	Yes	
		No	
If so, furnish particulars:			
4.4	Was any contract between the Tenderer and the Municipality / Municipal entity or any other organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes	
		No	
If so, furnish particulars:			
4.5	Does the tenderer or any of its directors owe any Municipal rates and taxes or Municipal charges to the Municipality/Municipal entity, or to any other Municipality/Municipal entity, that is in arrears for more than three months?	Yes	
		No	
If so, furnish particulars:			

*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 .....

Tenderer .....

## T2.1.17 : DECLARATION CONCERNING FULFILMENT OF THE CONSTRUCTION REGULATIONS, 2014

In terms of the Construction Regulations, 2014 (hereinafter referred to as the Regulations), promulgated on 07 February 2014 in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993) the Employer shall not appoint a contractor to perform construction work unless the Contractor can satisfy the Employer that his/her firm has the necessary competencies and resources to carry out the work safely and has allowed adequately in his/her tender for the due fulfilment of all the applicable requirements of the Act and the Regulations.

Tenderers shall answer the questions below:

1. I confirm that I am fully conversant with the Regulations and that my company has (or will acquire/procure) the necessary competencies and resources to timeously, safely and successfully comply with all of the requirements of the Regulations.

(Tick)

<b>YES</b>	
<b>NO</b>	

2. Indicate which approach shall be employed to achieve compliance with the Regulations.

(Tick)

Own resources, competent in terms of the Regulations (refer to 3 below)	
Own resources, still to be hired and/or trained (until competency is achieved)	
Specialist subcontract resources (competent) - Specify:	
.....	
.....	
.....	
.....	
.....	
.....	
.....	

3. Provide details of proposed key persons, competent in terms of the Regulations, who will form part of the Contract team as specified in the Regulations (CVs to be attached):

.....

.....

.....

.....

4. Provide details of proposed training (if any) that will be undergone:

.....

.....

.....

5. List potential key risks identified and measures for addressing risks:

.....

.....

.....

.....

.....

.....

6. I have fully included in my tendered rates and prices (in the appropriate payment items provided in the Schedule of Quantities) for all resources, actions, training and any other costs required for the due fulfilment of the Regulations for the duration of the construction and defects repair period

(Tick)

YES	
NO	

**SIGNATURE OF PERSON(S) AUTHORISED TO SIGN THIS TENDER:**

1. ....

ID NO: .....

(Name in Print): .....

2. ....

ID NO: .....

(Name in Print): .....



### **T2.1.18 : CERTIFICATE OF INDEPENDENT BID DETERMINATION**

I, the undersigned, in submitting the accompanying bid:

.....  
(Contract number and title)

In response to the invitation for the bid made by:

.....  
(Name of Municipality)

Do hereby make the following statement 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 consortium \* 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.
- \*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.
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.

Signed ..... Date .....

Name ..... Position .....

Tenderer.....

### T2.1.19 : DECLARATION OF INDEMNITY

I, ....., the undersigned for an on behalf of ..... (herein referred to as "the Contractor") indemnify and safeguard the Mandela Bay Development Agency and its Employees against all action, suits, proceedings, claims, demands, costs and expenses whatsoever which may be instituted, brought or sent, or may be incurred or be payable by the Council arising out of or in connection with any damage, death or injury caused or alleged to have been caused by or as a result of any act, omission by the contractor and/or the Contractors Employees or Employees arising out of work done in connection with or arising out of the following contract.

Contract number : .....  
Contract description : .....  
: .....  
: .....  
: .....

Full name and Surname: ..... Signature: .....

Place: ..... Date: .....

Capacity: .....

For and on behalf of: .....

To completed by a Commissioner of Oath:

I hereby declare that the above Declaration was made before me.

Full Name and Surname of Commissioner of Oath: .....

ID number: .....

Signature: .....

## T2.1.21 : RECORD OF ADDENDA TO TENDER DOCUMENTS

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

No.	Date	Title or Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Attach additional pages if more space is required.

*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 .....

Tenderer .....

## T2.1.22 : PROPOSED AMENDMENTS

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

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

Page	Clause or item	Proposal

*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 .....

Tenderer .....

**T2.1.23 : SCHEDULE OF WORK SATISFACTORILY CARRIED OUT BY THE TENDERER FOR  
PRIVATE CLIENTS OR ORGANS OF STATE**

*(Organs of State include any Local, Provincial or National Government Authority)*

The following is a statement of similar work successfully executed by myself/ourselves:

<b>Employer, contact person and telephone number</b>	<b>Description of Contract</b>	<b>Value of Work Inclusive of VAT (Rand)</b>	<b>Date Completed</b>

*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 .....

Tenderer .....

## T2.1.24 : SCHEDULE OF PLANT AND EQUIPMENT

The tenderer must state below which construction plant of his own will be available to the project and which construction plant will be hired. This information shall be material to the adjudication of the Contract. **Copies of the Registration Papers** for plant that must be licensed must accompany this Bid in order to be considered for Functionality points.

### a) CONTRACTOR'S OWN PLANT FOR IRM

DESCRIPTION, SIZE, CAPACITY	DESCRIPTION/SIZE/CAPA CITY	YEAR MODEL	REGISTRATION #
<b><u>Motorized Graders</u></b>			
1)			
<b><u>Water bowser</u></b> (10kl or larger)			
1)			
2)			
<b><u>Roller (14 Ton)</u></b>			
1)			
2)			
<b><u>TLB – ( minimum of two)</u></b>			
1)			
2)			
<b><u>Excavator ( 20 Ton minimum)</u></b>			
1)			
2)			
<b><u>Tipper (10m<sup>3</sup> minimum)</u></b>			
1)			
2)			
3)			
4)			
<b><u>Roller (4 Ton)</u></b>			
1)			
2)			

Signed: .....

Date: .....

Name: .....

Position: .....

Tenderer: .....

**b) CONSTRUCTIONAL PLANT TO BE HIRED**

A letter of intent from a Plant hire company registered with the CPHA (which guarantees the plant is available) shall be attached to this page indicating what construction plant will be hired for the full duration of the project.

DESCRIPTION, SIZE, CAPACITY	DESCRIPTION/SIZE/CAPA CITY	YEAR MODEL	REGISTRATION #
<b><u>Motorized Graders</u></b>			
1)			
<b><u>Water bowser (10kl or larger)</u></b>			
1)			
2)			
<b><u>Roller (14 Ton)</u></b>			
1)			
2)			
<b><u>TLB – ( minimum of two)</u></b>			
1)			
2)			
<b><u>Excavator ( 20 Ton minimum)</u></b>			
1)			
2)			
<b><u>Tipper (10m<sup>3</sup> minimum)</u></b>			
1)			
2)			
3)			
4)			
<b><u>Roller (4 Ton)</u></b>			
1)			
2)			

Signed: .....

Date: .....

Name: .....

Position: .....

Tenderer: .....

*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.*



### **T2.1.31 : SCHEDULE OF PROPOSED SUBCONTRACTORS**

If we are awarded the contract we agree to the requirement for us to submit the names of proposed subcontractors who reside in Helenvale and proof will be submitted, in accordance with requirements in the contract for such appointments.

We will ensure that the Work Packages identified to be summarised and agreements signed with respective SMMEs from Helenvale.

*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 .....

Tenderer .....

<b>T2.1.35 : CERTIFICATE OF ATTENDANCE AT COMPULSORY CLARIFICATION MEETING</b>
--

**Please attach a copy of the compulsory briefing session attendance register.**

Particulars of person(s) who attended the meeting:

Name .....

Signature .....

Capacity .....

Name .....

Signature .....

Capacity .....

## T2.2.1 : MUNICIPAL DECLARATION AND RETURNABLE DOCUMENTS

The following particulars must be furnished in relation to tenders for municipalities and municipal entities where:

- a) consultancy services are required; and
- b) goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT.

In the case of a joint venture, separate municipal declarations and returnable documents shall be submitted in respect of each partner.

### Section 1: Enterprise Details

<b>Name of enterprise:</b>	
<b>Contact person:</b>	
<b>Email:</b>	
<b>Telephone:</b>	
<b>Cell no</b>	
<b>Fax:</b>	
<b>Physical address</b>	
<b>Postal address</b>	

### Section 2: Declaration for consultancy services:

The enterprise has been awarded the following consultancy services by an organ of state during the last five years.

Name of organ of state	Estimated number of contracts	Nature of service, e.g., quantity surveying	Service similar to required service (yes / no) ?

Attach separate page as necessary

### Section 3 Goods, services or a combination thereof where the estimated total of the prices exceeds R 10 million including VAT

I / we certify that

1) *(tick one of the boxes):*

☐ the enterprise **is not** required by law to prepare annual financial statements for auditing

- ☐ the enterprise **is** required by law to have audited annual financial statements and attached the audited financial statements for the past three financial years, or since the establishment as the enterprise was established within the past three years

2) the enterprise and its directors has / have no undisputed commitments for municipal services towards a municipality or other service provider in respect of which payment is overdue for more than 30 days (*i.e.: all municipal accounts are paid up to date*);

3) source of goods and / or services :

(tick one of the boxes and insert percentages if applicable):

- ☐ goods and / or services are sourced only from within the Republic of South Africa
- ☐  % of the total cost of goods and / or services will be sourced from outside the Republic of South Africa and the percentage of payment from the municipality or municipal entity which is expected to be transferred out of the Republic is

I furthermore confirm that the following contracts were awarded to the enterprise by an organ of state during the last five years and attached particulars of any material non-compliance or dispute concerning the execution of such contracts:

Name of organ of state	Estimated number of contracts	Nature of contracts

Attach separate page as necessary

I, the undersigned who warrants that I am duly authorised on behalf of the tendering entity, hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct

### T2.2.2 : Financial Standing Letter

The tenderer shall attach to this form a letter from the bank at which he/she declares he/she conducts his/her account. The contents of the bank's letter must state the **Bank Rating C**, in addition to the information required below, accords to the tenderer for the business envisaged by this tender. Failure to provide the required letter **Bank Rating C** with the submission will render the tenderer's offer unresponsive in terms of the tender condition F3.8.1.

The tenderers banking details as they appear below shall be completed.

In the event that the tenderer is a joint venture enterprise, details of all members of the joint venture shall be similarly provided and attached to this form.

If the tenderer cannot submit the Bank rating C letter, the tenderer shall attach to this form a letter from his/her registered auditor or accountant confirming that the tendering entity has the financial capacity to carry out the implementation of this tender.

Failure to provide the required letter with the submission will render the tenderer's offer unresponsive in terms of the tender condition F3.8.1.

The tenderers banking details as they appear below shall be completed.

In the event that the tenderer is a joint venture enterprise, details of all members of the joint venture shall be similarly provided and attached to this form.

Description	Details
Name of account holder	
Account number	
Name of bank	
Branch name	
Branch code	
Bank rating (current rating, attach letter from bank must be rating "C")	
Bank and branch details	

*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 .....

Tenderer .....

### T2.2.3 : ESTIMATED MONTHLY CASH-FLOW

The Tenderer shall state below the estimated value of work to be completed every month, based on his preliminary programme, his tendered unit rates and submission of his Payment certificate to the Employer. The amounts for Contingencies and Contract Price Adjustment must not be included. The Tenderer must make note of any cash-flow restrictions.

Payment Certificate No.	Amount (VAT Included)					
	a	b	a-b			Cumulative cash flow
	Payments Received	Expenditure		Net cash flow		
1	None		d		j=d	
2			e		k=j+e	
3			f		l=k+f	
4			g		m=l+g	
5			h		n=m+h	
6			etc		etc	
7						
8						
9						
10						
11						
12						
13						
etc						
Maximum negative cash flow: take the largest negative number in the last column and write it here						

From what sources will you fund the above amount (e.g. funds internally available, bank overdraft, loan, partner (his source), etc.) .....

*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 .....

Tenderer .....

## T2.2.4 : PERSONNEL SCHEDULE

Tenderer to insert number of personnel he proposes employing on this contract

Job Description	Permanent Staff	Temporary staff from local community
Contract Manager		
Site Agent		
Quantity Surveyor		
Surveyors		
General Foreman		
Foremen		
Health and Safety Officer		
Community Officers		
Clerks		
Operators		
Bricklayers		
Learner Bricklayers		
Steel fixers		
Watchmen		
Gang Bosses		
Labourers		
* Other		
* Other		
* Other		
* Other		
* Other		

\* To be filled in by Tenderer

Signed .....

Date .....

Name .....

Position .....

Tenderer .....

**T2.2.5: A STRATEGY AND METHODOLOGY FOR THE PROVISION OF SPECIALISED SECURITY SERVICES TO NEGATE THE EFFECTS OF GANGSTERISM AND RELATED ACTIVITIES ON THE PROJECT**

The Contractor **must** submit a detailed strategy and methodology as an addendum to this form on how gangsterism and related activities will be addressed to ensure there is no negative impact on the project. **Failure to submit this strategy and methodology will render the bid Non-Responsive.**

Summary of Safety & Security Resources

Resources & Accreditation	Internal	External	Name of responsible Company /or Person (In case of Person give years' experience and qualification)
Human Resource, Manpower			
Accredited company(ies) for some of the Equipment, Tools and Training			
Vehicles, equipment, tools and other necessary resources			

Signed .....

Date .....

Name .....

Position .....

Tenderer .....



### **T2.2.6 : PRELIMINARY PROGRAM OF THE WORKS**

The tenderer must attach to this page the preliminary program of the works.

### **T2.2.7 : COMPANY PROFILE**

The tenderer must attach to this page the company profile.

## **T2.2.8 : CONTRACT ORGANOGRAM**

The tenderer must attach to this page the organogram for the contract of the personnel he intends using.

### T2.2.9 : KEY PERSONNEL ASSIGNED TO THE CONTRACT

Curriculum vitae (CV) and certified qualifications must be submitted for each of the key personnel proposed in the table below. The CV must specifically include the qualifications, years of experience, courses completed and experience in construction contracts of a similar value and higher and nature. Contactable referees must also be provided.

Each key person shall be cross referenced to and labelled to correspond to the organogram as per schedule T2.2.8 so as to indicate which role the person in question is proposed to fulfil in the Contract.

Job Description	Full Name	Qualification	Years of Experience
Contracts Manager			
Construction Manager			
Construction Mentor			
Health and Safety Officer			
*			
*			
*			
*			
*			
*			

\* - To be filled in by Tenderer

Signed ..... Date .....

Name ..... Position .....

Tenderer .....

#### **T2.2.10 : CURRICULUM VITAE OF CONTRACTS MANAGER**

The tenderer shall attach to page the Curriculum vitae (CV) and certified qualifications as stipulated in the Tender Data for the Contracts Manager.

### **T2.2.11 : CURRICULUM VITAE OF CONSTRUCTION MANAGER**

The tenderer shall attach to page the Curriculum vitae (CV) and certified qualifications as stipulated in the Tender Data for the Construction Manager.

#### **T2.2.12 : CURRICULUM VITAE OF CONSTRUCTION MENTOR**

The tenderer shall attach to page the Curriculum vitae (CV) and certified qualifications as stipulated in the Tender Data for the Civil Works Foreman.

### **T2.2.13 : CURRICULUM VITAE OF HEALTH AND SAFETY OFFICER**

The tenderer shall attach to page the Curriculum vitae (CV) and certified qualifications as stipulated in the Tender Data for the Health and Safety Officer.