



public works  
& infrastructure

Department:  
Public Works and Infrastructure  
REPUBLIC OF SOUTH AFRICA

# Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa & Goven Mbeki Municipalities.

**TENDER NO: NST23/033**

TENDER DOCUMENT

JULY 2023

NATIONAL DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

Nelspruit Regional Office

30 Brown Street

NEDBANK BUILDING 9TH Floor

NELSPRUIT

1200

NAME OF TENDERER.....

BID AMOUNT.....

## PA 32: INVITATION TO BID PART A

|                                                                                                                                   |                                                                                                                                   |               |            |               |
|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------|------------|---------------|
| <b>YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)</b>                                  |                                                                                                                                   |               |            |               |
| BID NUMBER:                                                                                                                       | NST23/033                                                                                                                         | CLOSING DATE: | 07/08/2023 | CLOSING TIME: |
|                                                                                                                                   |                                                                                                                                   |               |            | 11:00         |
| DESCRIPTION                                                                                                                       | Standby Generator scheduled and unscheduled maintenance contract for 24 Months-<br>Dipaleseng, Lekwa & Goven Mbeki Municipalities |               |            |               |
| <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (DPW04.1 GS or DPW04.2 GS).</b>             |                                                                                                                                   |               |            |               |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID<br>BOX SITUATED AT (STREET ADDRESS)                                            |                                                                                                                                   |               |            |               |
| Nedbank Building, 9th floor, 30 Brown Street                                                                                      |                                                                                                                                   |               |            |               |
| Mbombela, 120                                                                                                                     |                                                                                                                                   |               |            |               |
| <b>OR POSTED TO:</b>                                                                                                              |                                                                                                                                   |               |            |               |
| Private Bag X1180                                                                                                                 |                                                                                                                                   |               |            |               |
| Mbombela 120                                                                                                                      |                                                                                                                                   |               |            |               |
| <b>SUPPLIER INFORMATION</b>                                                                                                       |                                                                                                                                   |               |            |               |
| NAME OF BIDDER                                                                                                                    |                                                                                                                                   |               |            |               |
| POSTAL ADDRESS                                                                                                                    |                                                                                                                                   |               |            |               |
| STREET ADDRESS                                                                                                                    |                                                                                                                                   |               |            |               |
| TELEPHONE NUMBER                                                                                                                  | CODE                                                                                                                              |               | NUMBER     |               |
| CELLPHONE NUMBER                                                                                                                  |                                                                                                                                   |               |            |               |
| FACSIMILE NUMBER                                                                                                                  | CODE                                                                                                                              |               | NUMBER     |               |
| E-MAIL ADDRESS                                                                                                                    |                                                                                                                                   |               |            |               |
| VAT REGISTRATION NUMBER                                                                                                           |                                                                                                                                   |               |            |               |
|                                                                                                                                   | TCS PIN:                                                                                                                          |               | OR         | CSD No:       |
|                                                                                                                                   |                                                                                                                                   |               |            |               |
| SIGNATURE OF BIDDER                                                                                                               |                                                                                                                                   |               | DATE       |               |
| CAPACITY UNDER WHICH THIS BID IS<br>SIGNED (Attach proof of authority to<br>sign this bid; e.g. resolution of<br>directors, etc.) |                                                                                                                                   |               |            |               |

|                                                        |  |                                                  |   |
|--------------------------------------------------------|--|--------------------------------------------------|---|
| TOTAL NUMBER OF ITEMS OFFERED                          |  | TOTAL BID PRICE (ALL<br>APPLICABLE TAXES)        | R |
| <b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</b> |  | <b>TECHNICAL INFORMATION MAY BE DIRECTED TO:</b> |   |
| DEPARTMENT/ PUBLIC ENTITY                              |  | CONTACT PERSON                                   |   |
| CONTACT PERSON                                         |  | TELEPHONE NUMBER                                 |   |
| TELEPHONE NUMBER                                       |  | FACSIMILE NUMBER                                 |   |
| FACSIMILE NUMBER                                       |  | E-MAIL ADDRESS                                   |   |
| E-MAIL ADDRESS                                         |  |                                                  |   |

## PART B TERMS AND CONDITIONS FOR BIDDING

|                                                                                                                                                                                                                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1. BID SUBMISSION:</b>                                                                                                                                                                                                                                |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.                                                                                                                             |
| 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR ONLINE                                                                                                                                                            |
| 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: ( BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). |
| 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID                                               |

## DOCUMENTATION.

- 1.5. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

## 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 VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN 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.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

## 3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? ☐ YES ☐ NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? ☐ YES ☐ NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA? ☐ YES ☐ NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA? ☐ YES ☐ NO
- IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN, IT IS NOT A REQUIREMENT TO OBTAIN A TAX COMPLIANCE STATUS / TAX COMPLIANCE SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 ABOVE.**

**NB: FAILURE TO PROVIDE ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.**

**Note Well:**

- a) In respect of non VAT vendors the bidders may not increase the bid price under Section 67(1) of the Value Added Tax Act of 1991 where the relevant transaction would become subject to VAT by reason of the turnover threshold being exceeded and the bidder becomes liable for VAT.
- b) **All delivery costs must be included in the bid price, for delivery at the prescribed destination.**
- c) The price that appears on this form is the one that will be considered for acceptance as **a firm and final offer**.
- d) The grand total in the pricing schedule(s), inclusive of VAT, attached to the bid offer must correlate and be transferred to this form (PA32).
- e) Where there are inconsistencies between the grand total price offer in the pricing schedule(s) and the PA32 price offer, the price offer on the PA32 shall prevail and deemed to be firm and final. No further correspondence shall be entered into in this regard.

<sup>1</sup> All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies

# PA-04 (EC): NOTICE AND INVITATION TO TENDER

THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE INVITES TENDERS FOR:

|                       |                                                                                                                                |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Project title:</b> | Standby Generator scheduled and unscheduled maintenance contract for 24 Months-Dipaleseng, Lekwa & Goven Mbeki Municipalities. |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------|

|                          |            |                         |                  |
|--------------------------|------------|-------------------------|------------------|
| <b>Tender no:</b>        | NST23/033  | <b>Reference no:</b>    |                  |
| <b>Advertising date:</b> | 17/07/2023 | <b>Closing date:</b>    | 07/08/2023       |
| <b>Closing time:</b>     | 11:00      | <b>Validity period:</b> | 84 Calendar days |

## 1. REQUIRED CIDB GRADING

It is estimated that tenderers should have a CIDB contractor grading designation of **3 EB** or **select tender value range select class of construction works\*** or higher.

*\* Delete "or select tender value range select class of construction works" where only one class of construction works is applicable*

It is estimated that potentially emerging enterprises should have a CIDB contractor grading designation of **2 EB PE** or **select tender value range select class of construction works PE\*** or higher.

*\* Delete "or select tender value range select class of construction works PE" where only one class of construction works is applicable*

## 2. RESPONSIVENESS CRITERIA

### 2.1 Substantive responsiveness criteria

Only tenderers who are responsive to the following substantive responsiveness criteria are eligible to submit tenders. Failure to comply with the criteria stated hereunder shall result in the tender offer being disqualified from further consideration:

|    |                                     |                                                                                                                                                                                                                                                                        |
|----|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <input checked="" type="checkbox"/> | Only those tenderers who satisfy the eligibility criteria stated in the Tender Data may submit tenders.                                                                                                                                                                |
| 2  | <input checked="" type="checkbox"/> | Tender offer must be properly received on the tender closing date and time specified on the invitation, fully completed either electronically (if issued in electronic format), or by writing legibly in non-erasable ink. (All as per Standard Conditions of Tender). |
| 3  | <input checked="" type="checkbox"/> | Use of correction fluid is prohibited.                                                                                                                                                                                                                                 |
| 4  | <input type="checkbox"/>            | Registration on National Treasury's Central Supplier Database.                                                                                                                                                                                                         |
| 5  | <input checked="" type="checkbox"/> | Submission of (DPW-07 EC): Form of Offer and Acceptance.                                                                                                                                                                                                               |
| 6  | <input type="checkbox"/>            | Submission of DPW-09 (EC): Particulars of Tenderer's Projects.                                                                                                                                                                                                         |
| 7  | <input type="checkbox"/>            | Submission of DPW-16 (EC): Site Inspection Meeting Certificate                                                                                                                                                                                                         |
| 8  | <input checked="" type="checkbox"/> | Submission of record of attending compulsory virtual bid clarification / site inspection meeting.                                                                                                                                                                      |
| 9  | <input type="checkbox"/>            | Submission of DPW-21 (EC): Record of Addenda to tender documents                                                                                                                                                                                                       |
| 10 | <input type="checkbox"/>            | The tenderer shall submit his fully priced Bills of Quantities / Lump Sum Document (complete document inclusive of all parts) together with his tender.                                                                                                                |

**Tender no: NST23/033**

|    |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11 | <input type="checkbox"/>            | The tenderer shall submit his fully priced and completed sectional summary- and final summary pages with the tender.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 12 | <input checked="" type="checkbox"/> | All parts of tender documents submitted must be fully completed in ink and signed where required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| 13 | <input checked="" type="checkbox"/> | <p>EB registered Contractor to submit an originally certified letter of registration as a Contractor from the Department Of Labour on one of the Directors of the Company or Employee of the Company. Attach CV should the letter be registered under the Employee</p> <p>The contractor must provide trade test original certified copies certificates 1x Installation Rules (Wiremans Licence) and 1x Electrician registered under the Director of the Company or an Employee of the Company. Attach CV should the letter be registered under the Employee.</p> <p>Bidder must submit CSD recent report.</p> |

**2.2 Administrative responsiveness criteria**

The Employer reserves the right to request further information regarding the undermentioned criteria. Failing to submit further clarification and/or documentation within seven (7) calendar days from request or as specifically indicated, will disqualify the tender offer from further consideration.

|    |                                     |                                                                                                                                                                                                                                                        |
|----|-------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <input checked="" type="checkbox"/> | Any correction to be initialled by the person authorised to sign the tender documentation as per PA 15.1 or PA 15.2 resolution of board/s of directors / or PA15.3 Special Resolution of Consortia or JV's .                                           |
| 2  | <input checked="" type="checkbox"/> | Submission of applicable (PA-15.1, PA-15.2, PA-15.3): Resolution by the legal entity, or consortium / joint venture, authorising a dedicated person(s) to sign documents on behalf of the firm / consortium / joint venture.                           |
| 3  | <input checked="" type="checkbox"/> | Submission of (PA-09 (EC)): List of Returnable Documents                                                                                                                                                                                               |
| 4  | <input checked="" type="checkbox"/> | Submission of (PA-11): Bidder's disclosure.                                                                                                                                                                                                            |
| 5  | <input checked="" type="checkbox"/> | Submission of (PA-16): Preference Points Claim Form in terms of the Preferential Procurement Regulations 2022                                                                                                                                          |
| 6  | <input checked="" type="checkbox"/> | Submission of (PA 40): Declaration of Designated Groups for Preferential Procurement.                                                                                                                                                                  |
| 7  | <input checked="" type="checkbox"/> | Submission of proof of Registration on National Treasury's Central Supplier Database (CSD).                                                                                                                                                            |
| 8  | <input checked="" type="checkbox"/> | Submission of DPW-15 (EC): Schedule of proposed sub-contractors                                                                                                                                                                                        |
| 9  | <input checked="" type="checkbox"/> | The tenderer shall submit his fully priced Bills of Quantities (complete document inclusive of all parts) within 14 days from request.                                                                                                                 |
| 10 | <input checked="" type="checkbox"/> | Upon request, submission of fingerprints obtainable from local SAPS including any other additional documentation and information required for vetting purposes.                                                                                        |
| 11 | <input checked="" type="checkbox"/> | Upon request, submission of a fully completed security clearance application form with supporting documentation and information as required. The security clearance form will be provided by the Employer for projects requiring a security clearance. |
| 12 | <input checked="" type="checkbox"/> | The contractor is to submit a letter of good standing (COIDA), from the Department of Labour.                                                                                                                                                          |

**3. Method to be used to calculate points for specific goals**

|                          |                                                                                                                                                                                            |                |                                       |                                                                  |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------------------------------|------------------------------------------------------------------|
| <input type="checkbox"/> | <b><u>For procurement transaction with rand value greater than R2 000, 00 and up to R1 Million (Inclusive of all applicable taxes) the specific goals listed below are applicable.</u></b> |                |                                       |                                                                  |
|                          | Serial No                                                                                                                                                                                  | Specific Goals | Preference Points Allocated out of 20 | Documentation to be submitted by bidders to validate their claim |

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

|   |                                                                                                                                                                                             |                                                                                                                                                          |                                       |                                                                                                                                                                                             |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|   | 1.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by black people.                                                                                               | 10                                    | ID Copy.<br>or<br>SANAS Accredited BBBEE Certificate/<br>Sworn Affidavit.<br>or<br>CSD Report.<br>or<br>CIPC (Company registration)                                                         |
|   | 2.                                                                                                                                                                                          | Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area. | 2                                     | Office Municipal Rates Statement.<br>or<br>Permission to occupy from local chief in case of rural areas (PTO).<br>or<br>Lease Agreement                                                     |
|   | 3.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by women                                                                                                       | 4                                     | ID Copy<br>or<br>CSD Report<br>or<br>CIPC (Company Registrations)                                                                                                                           |
|   | 4.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by people with disability.                                                                                     | 2                                     | Medical Certificate<br>or<br>South African Social Security Agency (SASSA) Registration<br>or<br>National Council for Persons with Physical Disability in South Africa registration (NCPDPA) |
|   | 5.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by youth.                                                                                                      | 2                                     | ID Copy<br>or<br>CSD Report<br>Or<br>CIPC                                                                                                                                                   |
| ☒ | <b><u>For procurement transaction with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals listed below are applicable.</u></b> |                                                                                                                                                          |                                       |                                                                                                                                                                                             |
|   | Serial No                                                                                                                                                                                   | Specific Goals                                                                                                                                           | Preference Points Allocated out of 20 | Documentation to be submitted by bidders to validate their claim                                                                                                                            |
|   | 1.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by black people.                                                                                               | 10                                    | ID Copy.<br>or<br>SANAS Accredited BBBEE Certificate/<br>Sworn Affidavit.<br>or<br>CSD Report.<br>or<br>CIPC (Company registration)                                                         |
|   | 2.                                                                                                                                                                                          | Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area. | 2                                     | Office Municipal Rates Statement.<br>or<br>Permission to occupy from local chief in case of rural areas (PTO).<br>or<br>Lease Agreement                                                     |
|   | 3.                                                                                                                                                                                          | An EME or QSE which is at least 51% owned by women                                                                                                       | 4                                     | ID Copy<br>or                                                                                                                                                                               |

Any reference to words "Bid" or Bidder herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

Page 3 of

|                          |                                                                                                                                                                        |                                                                      |   |                                                                                                                                                                                              |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> |                                                                                                                                                                        |                                                                      |   | CSD Report<br>or<br>CIPC (Company Registrations)                                                                                                                                             |
|                          | 4.                                                                                                                                                                     | An EME or QSE which is at least 51% owned by people with disability. | 2 | Medical Certificate<br>or<br>South African Social Security Agency (SASSA) Registration<br>or<br>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA) |
|                          | 5.                                                                                                                                                                     | An EME or QSE which is at least 51% owned by youth (Mandatory)       | 2 | ID Copy<br>or<br>CSD Report<br>Or<br>CIPC                                                                                                                                                    |
|                          | <b><u>For procurement transaction with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals listed below are applicable.</u></b> |                                                                      |   |                                                                                                                                                                                              |
|                          |                                                                                                                                                                        |                                                                      |   |                                                                                                                                                                                              |

| Serial No                   | Specific Goals                                                                                                                                           | Preference Points Allocated out of 10 | Documentation to be submitted by bidders to validate their claim                                                                                                                             |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                          | An EME or QSE which is at least 51% owned by black people.                                                                                               | 4                                     | ID Copy.<br>or<br>SANAS Accredited BBBEE Certificate/<br>Sworn Affidavit.<br>or<br>CSD Report.<br>or<br>CIPC (Company registration)                                                          |
| 2.                          | Located in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area. | 2                                     | Office Municipal Rates Statement.<br>or<br>Permission to occupy from local chief in case of rural areas (PTO).<br>or<br>Lease Agreement                                                      |
| 3.                          | An EME or QSE which is at least 51% owned by women                                                                                                       | 2                                     | ID Copy<br>or<br>CSD Report<br>or<br>CIPC (Company Registrations)                                                                                                                            |
| 4. <input type="checkbox"/> | An EME or QSE which is at least 51% owned by people with disability (Mandatory)<br><br><b>OR</b>                                                         | 2                                     | Medical Certificate<br>or<br>South African Social Security Agency (SASSA) Registration<br>or<br>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA) |
| 5. <input type="checkbox"/> |                                                                                                                                                          | 2                                     | ID Copy<br>or                                                                                                                                                                                |

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

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For Internal & External Use

Effective date: March 2023

Version: 2023/03

|  |  |                                                                                                               |  |                          |
|--|--|---------------------------------------------------------------------------------------------------------------|--|--------------------------|
|  |  | An EME or QSE which is at least 51% owned by youth (Mandatory)                                                |  | CSD Report<br>Or<br>CIPC |
|  |  | <b>NB. (The use of this goal is mandatory however the BSC must select either one of the two and not both)</b> |  |                          |

#### 4. Functionality criteria:

**Note:** All bids involving the acquisition of engineering and construction works from cidb Grade 3 and above are subjected to functionality.

**Note:** Functionality will be applied as a prequalification criterion. Such criteria are used to establish minimum requirements where after bids will be evaluated solely on the basis of price and preference.

| Functionality criteria:                                                                                                                                                                                                                                                                                                                                                                                                                                    | Weighting factor: |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <p>1. QUALIFICATION- The contractor must provide trade test original certified copies certificates 1x Installation Rules (Wiremans Licence) and 1 Electrician registered under the Director of the Company or an Employee of the Company. Attach CV should the letter be registered under the Employee.</p> <p>2 Certificates (1x Installation Rules(Wiremans Licence) and 1 x Electrician) or more=5<br/>1 Certificate (Electrician)= 3<br/>0 trade=0</p> | 25                |
| <p>2. EXPERIENCE<br/>Completed Projects<br/>Contractor to provide appointment and completion certificate/Job Cards of Standby Generator related projects. Ensure completion of the project on DPW 09(EC) in the Tender Document.</p> <p>5 Projects and above=5<br/>4 Projects=4<br/>3 Projects=3<br/>2 Projects= 2<br/>1 Project =1<br/>0 Project =0</p>                                                                                                   | 20                |
| <p>3. FINANCIAL CREDIBILITY-Contractor must provide bank rating letter from the banking institution to justify credit risk in the company's name, bank rating must be based on request value of R 100,000.00 (one hundred thousand rands):<br/>Grade A=5<br/>Grade B=4<br/>Grade C=3<br/>Grade D=2<br/>Grade E/bank confirmation=1</p>                                                                                                                     | 20                |
| <p>4. LOCALITY<br/>The bidder to submit proof of residence, it can be lease agreement between the Company and Landlord, utility bill of the Company or one of the Directors, letter from Local Tribal Authority Ehlanzeni District=5<br/>Nkangala and Gert Sibande District=3<br/>Outside Mpumalanga Province=1<br/>No proof=0</p>                                                                                                                         | 25                |

|                                                                                                                                                                                                   |                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>5. TRANSPORT</b><br>Contractor to submit proof of vehicle owned to execute the project. Vehicle should be in Company name or one of the Director/s.<br><br>1 LDV or more= 5 points<br>No LDV=0 | 10                |
|                                                                                                                                                                                                   |                   |
|                                                                                                                                                                                                   |                   |
|                                                                                                                                                                                                   |                   |
|                                                                                                                                                                                                   |                   |
|                                                                                                                                                                                                   |                   |
| <b>Total</b>                                                                                                                                                                                      | <b>100 Points</b> |

(Weights for functionality must add up to 100. Weightings will be multiplied by the scores allocated during the evaluation process to arrive at the total functionality points)

|                                                                       |    |
|-----------------------------------------------------------------------|----|
| <b>Minimum functionality score to qualify for further evaluation:</b> | 75 |
|-----------------------------------------------------------------------|----|

(Total minimum qualifying score for functionality is 50 Percent, any deviation below or above the 50 Percent, provide motivation below)

## 5. BID EVALUATION METHOD

This bid will be evaluated according to the preferential procurement model in the PPPFA: (Tick applicable preference point scoring system)

|                                                                                      |                                                                           |                                                                                           |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> <b>80/20</b><br>Preference points scoring system | <input type="checkbox"/> <b>90/10</b><br>Preference points scoring system | <input type="checkbox"/> <b>Either 80/20 or 90/10</b><br>Preference points scoring system |
|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|

In case where below/above R 50 000 000 is selected, the lowest acceptable tender will be used to determine the applicable preference point system.

## 6. ELIGIBILITY IN RESPECT OF RISK TO THE EMPLOYER:

**Standard risk management assessment criteria in respect of tenders received for routine projects in the engineering and construction works environments:**

Tender offers will be evaluated by an Evaluation Committee based on the technical and commercial risk criteria listed hereunder. Each criterion carries the same weight / importance and will be evaluated individually based on reports presented to the Bid Evaluation Committee by the Professional Team appointed on the project. A tender offer will be declared non-responsive and removed from any further evaluation if any one criterion is found to present an unacceptable risk to the Employer.

In order for the evaluation reports to be prepared by the Professional Team, the Tenderer is obliged to provide comprehensive information on form DPW-09 (EC). Failure to complete the said form will cause the tender to be declared non-responsive and removed from any further consideration. The Employer reserves the right to request additional information over and above that which is provided by the Tenderer on said form. The information must be provided by the Tenderer within the stipulated time as determined by the Bid Evaluation Committee, failing which the tender offer will *mutatis mutandis* be declared non-responsive.

### 6.1 Technical risks:

**Criterion 1: Experience on comparable projects during the past specify period between 5 and 10 years.**

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

The tendering Service Provider's experience on comparable projects during the past specify period between 5 and 10 years. The number of current and previous comparable projects performed by the Tenderer as per the evaluation report prepared by the Consultant Team, based on its research and inspection of a representative sample of the Tenderer's current and previous work as reflected on form DPW-09 (EC), as well as, if necessary, of any additional work executed by the Tenderer, not reflected on form DPW-09 (EC). Failing to provide contactable references will result in the tender offer will be *mutatis mutandis* declared non-responsive.

Aspects to be regarded as "comparable" includes (but may be extended according to circumstances): size of projects (measured against monetary value or other project quantifying parameters), nature of projects (building, engineering, high/low rise, etc.), locality/area of execution (site-specific influences, knowledge of local conditions, etc.), complexity of project, projects for similar client department irrespective of end purpose of buildings/facilities created or in progress of being created and time scales of projects (normal, fast track, etc.) and stage of its/their development.

## **Criterion 2: Contractual commitment and quality of performance on comparable projects during the past specify period between 5 and 10 years.**

Adherence to contractual commitments and quality of performance of comparable current and previous projects performed by the Tenderer during the past specify period between 5 and 10 years as per the evaluation report prepared by the Consultant Team, based on its research and inspection of a representative sample of the Tenderer's current and previous work as reflected on form DPW-09 (EC), as well as, if necessary, of any additional work executed by the Tenderer, not reflected on form DPW-09 (EC). Failing to provide contactable references will result in the tender offer be *mutatis mutandis* declared non-responsive.

Aspects to be considered include, but are not limited to the following:

1. The level of progress on current projects in relation to the project programme or, if such is not available/applicable, to the contractual construction period in general;
2. The degree to which previous projects have been completed within the contractual completion periods and/or extensions thereto, and the extend of penalties imposed;
3. Project performance: time management & programming of works, timeous ordering of materials and appointment of subcontractors;
4. Financial management: payment to suppliers and cash flow problems;
5. Quality of workmanship: extent of reworks and timeous attention to remedial works;
6. Personnel resources: suitably qualified and experienced, turnover in site staff and labour force, specifically site manager and foreman;
7. Personnel management: extent of labour disputes and ability to resolving labour disputes amicably;
8. Sub-contractors: extent of turnover in subcontractors, general liaison and payment problems experienced;
9. Contract administration: contractual aspects such as complying to laws and regulations, insurances, security, submission of required documentation timeously, reaction to written contract instructions, appointments of subcontractors, etc. as can generally be expected in standard/normal conditions of contract.
10. Health & Safety: adherence to regulations and compliance, and number of transgressions & serious incidents.
11. Plant & equipment: sufficient resources on site and in time.
12. Delays: extent of causing delays, submission of claims timeously, and abuse of or exaggerated delay claims.
13. Final account: extent to which the contractor assisted in finalising the final account.

## **Criterion 3: Suitably qualified and appropriately experienced human resources**

Allocation of suitably qualified and appropriately experienced human resources, both in respect of principals and/or other staff (contract manager, site agent, site foreman including other professional, technical and/or administrative) of the tendering Service Provider to the project, as proof that the tendering Service Provider will be able to react/respond appropriately to the Services required herein. The Company Organogram with CV's and certified ID's of all principals and employed workforce as well as proof of Professional Registration will be verified. Current and future workload of the tenderer in relation to capacity and capability will also be considered. The tenderer should demonstrate that he or she possesses the necessary professional and technical qualifications and -competence in relation to the scope of work and work to be undertaken.

#### Criterion 4: Attendance of compulsory bid clarification meeting, if applicable

If applicable, submission of confirmation of DPW-16.1 (PSB) attendance of compulsory bid clarification meeting or proof of attending the compulsory virtual meeting by a suitably qualified and experienced representative of the tenderer in terms of PA-04 (EC): Notice and Invitation to Tender.

#### 6.2 Commercial risks:

The financial viability assessment evaluates the risk over the life of the construction period, as to whether the tenderer will be able to deliver the goods and services which are specified in the contract and / or be able to fulfil guarantees or warranties provided for in the contract in order to complete the project successfully for the amount tendered.

Aspects to be considered include but are not limited to, the respective rates tendered, bank rating, financial capability and capacity whether the tenderer has or has access to sufficient financial resources to deliver the goods or services described in the tender documentation (including fulfilling any guarantees or warranty claims), whether the tenderer is not subject to any current or impending legal action (either formal proceedings or notification of legal action) which could impact on the financial standing of the tenderer or the delivery of the goods or services, financial report from auditors as proof of current liquidity, and company or any parent company or investor guarantee/s and financial statements.

#### 7. CONTRACT PARTICIPATION GOAL TARGETS AND CIDB B.U.I.L.D. PROGRAMME

The contractor shall achieve in the performance of the contract the following Contract Participation Goals (CPGs) as described in PG-01.2 (EC): Scope of Work and PG-02.2 (EC): Pricing Assumptions and in accordance with the feasibility study, which forms part of the specifications in the CPG Section of the Specification of this contract.

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                       |                       |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| (a) | Minimum Targeted Local Manufacturers of Material Contract Participation Goal, in accordance with the cidb Standard for Contract Participation Goals for Targeting Enterprises and Labour through Construction Works Contracts as published in the Government Gazette Notice No. 41237 of 10 November 2017, as amended in cidb Best Practice Project Assessment Scheme Notice No. 43726 of 18 September 2020 – Condition of Contract.  | <b>Not applicable</b> |
| (b) | Minimum Targeted Local Building Material Suppliers Contract Participation Goal in accordance with the cidb Standard for Contract Participation Goals for Targeting Enterprises and Labour through Construction Works Contracts as published in the Government Gazette Notice No. 41237 of 10 November 2017, as amended in cidb Best Practice Project Assessment Scheme Notice No. 43726 of 18 September 2020 – Condition of Contract. | <b>Not applicable</b> |
| (c) | Minimum Targeted Local Labour Skills Development Contract Participation Goal in accordance with the cidb Standard for Contract Participation Goals for Targeting Enterprises and Labour through Construction Works Contracts as published in the Government Gazette Notice No. 41237 of 10 November 2017, as amended in cidb Best Practice Project Assessment Scheme Notice No. 43726 of 18 September 2020 – Condition of Contract.   | <b>Not applicable</b> |
| (d) | <b>cidb BUILD Programme:</b> Minimum Targeted Enterprise Development Contract Participation Goal in accordance with the cidb Standard for Indirect Targeting for Enterprise Development through Construction Works Contracts, No 36190 Government Gazette, 25 February 2013, as amended in cidb Best Practice Project Assessment Scheme Notice No. 43726 of 18 September 2020 – Condition of Contract.                                | <b>Not applicable</b> |
| (e) | <b>cidb BUILD Programme:</b> Minimum Targeted Contract Skills Development Goal in accordance with the cidb Standard for Developing Skills through Infrastructure Contracts as published in the Government Gazette Notice No. 43495 of 3 July 2020, as amended in cidb Best Practice Project Assessment Scheme Notice No. 43726 of 18 September 2020 – Condition of Contract.                                                          | <b>Not applicable</b> |

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|     |                                                                                               |                       |
|-----|-----------------------------------------------------------------------------------------------|-----------------------|
| (f) | DPWI National Youth Service training and development programme (NYS) – Condition of Contract. | <b>Not applicable</b> |
| (g) | Labour Intensive Works – Condition of Contract.                                               | <b>Not applicable</b> |
| (h) |                                                                                               | <b>Select</b>         |
| (i) |                                                                                               | <b>Select</b>         |

## 8. COLLECTION OF TENDER DOCUMENTS

- ☒ Bid documents are available for free download on e-Tender portal [www.etenders.gov.za](http://www.etenders.gov.za)
- ☒ Alternatively; Bid documents may be collected during working hours at the following address 30 Brown street. A non-refundable bid deposit of **R 200** is payable (cash only) on collection of the bid documents.

## 9. SITE INSPECTION MEETING

A pre-tender site inspection meeting will **be** held in respect of this tender.  
Attendance of said pre- tender site inspection meeting is **compulsory**

The particulars for said pre- tender site inspection meeting or virtual bid clarification / site inspection meeting. are:

|                              |                |                       |       |
|------------------------------|----------------|-----------------------|-------|
| <b>Venue:</b>                | ZOOM           |                       |       |
| <b>Virtual meeting link:</b> | TO BE PROVIDED |                       |       |
| <b>Date:</b>                 | 25/07/2023     | <b>Starting time:</b> | 11:00 |

## 10. ENQUIRIES

Enquiries related to tender documents may be addressed to:

|                              |                            |                      |               |
|------------------------------|----------------------------|----------------------|---------------|
| <b>DPWI Project Manager:</b> | ALPHEUS MOKGOBU            | <b>Telephone no:</b> | 013 7563 6313 |
| <b>Cellular phone no:</b>    | 082 945 8589               | <b>Fax no:</b>       |               |
| <b>E-mail:</b>               | Alpheus.Mokgobu@dpw.gov.za |                      |               |

## 11. DEPOSIT / RETURN OF TENDER DOCUMENTS

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

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

Any reference to words "Bid" or Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

All tenders must be completed in non-erasable ink and submitted on the official forms – (forms not to be re-typed).

|                                                                                                                                                                                                                                                      |                  |                                                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Tender documents may be posted to:</b></p> <p>The Director-General<br/>Department of Public Works and Infrastructure<br/>Private Bag X 11280<br/>MBOMBELA<br/>1200</p> <p><b>Attention:</b><br/><b>Procurement section: Room 9TH FLOOR</b></p> | <p><b>OR</b></p> | <p><b>Deposited in the tender box at:</b></p> <p>30 Brown Street Mbombela<br/>Nedbank Building<br/>9th floor<br/>Security Foyer</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------|

**12. COMPILED BY:**

|                         |           |      |
|-------------------------|-----------|------|
|                         |           |      |
| Name of Project Manager | Signature | Date |

## DPW-09 (EC): PARTICULARS OF TENDERER'S PROJECTS

|                               |                                                                                                                                           |                         |            |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------|
| <b>Project title:</b>         | <i>Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa &amp; Goven Mbeki Municipalities</i> |                         |            |
| <b>Tender / quotation no:</b> | NST23/033                                                                                                                                 | <b>Closing date:</b>    | 07/08/2023 |
| <b>Advertising date:</b>      | 17/07/23                                                                                                                                  | <b>Validity period:</b> | 84 days    |

### 1. PARTICULARS OF THE TENDERER'S CURRENT AND PREVIOUS COMMITMENTS

#### 1.1. Current projects

| Projects currently engaged in | Name of Employer or Representative of Employer | Contact tel. no. | Contract sum | Contractual commencement date | Contractual completion date | Current percentage progress |
|-------------------------------|------------------------------------------------|------------------|--------------|-------------------------------|-----------------------------|-----------------------------|
| 1                             |                                                |                  |              |                               |                             |                             |
| 2                             |                                                |                  |              |                               |                             |                             |
| 3                             |                                                |                  |              |                               |                             |                             |
| 4                             |                                                |                  |              |                               |                             |                             |
| 5                             |                                                |                  |              |                               |                             |                             |
| 6                             |                                                |                  |              |                               |                             |                             |
| 7                             |                                                |                  |              |                               |                             |                             |
| 8                             |                                                |                  |              |                               |                             |                             |

Tender no: **NST23/033**

## 1.2. Completed projects

| Projects completed in the previous 5 (five) years | Name of Employer or Representative of Employer | Contact tel. no. | Contract sum | Contractual commencement date | Contractual completion date | Date of Certificate of Practical Completion |
|---------------------------------------------------|------------------------------------------------|------------------|--------------|-------------------------------|-----------------------------|---------------------------------------------|
| 1                                                 |                                                |                  |              |                               |                             |                                             |
| 2                                                 |                                                |                  |              |                               |                             |                                             |
| 3                                                 |                                                |                  |              |                               |                             |                                             |
| 4                                                 |                                                |                  |              |                               |                             |                                             |
| 5                                                 |                                                |                  |              |                               |                             |                                             |
| 6                                                 |                                                |                  |              |                               |                             |                                             |
| 7                                                 |                                                |                  |              |                               |                             |                                             |
| 8                                                 |                                                |                  |              |                               |                             |                                             |
| 9                                                 |                                                |                  |              |                               |                             |                                             |

|                  |           |      |
|------------------|-----------|------|
|                  |           |      |
| Name of Tenderer | Signature | Date |

## PA-09 (EC): LIST OF RETURNABLE DOCUMENTS

|                           |                                                                                                                                                  |                      |  |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--|
| <b>Project title:</b>     | <b><i>Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa &amp; Goven Mbeki Municipalities</i></b> |                      |  |
| <b>Tender / Quote no:</b> | NST23/033                                                                                                                                        | <b>Reference no:</b> |  |
| <b>Receipt Number:</b>    |                                                                                                                                                  |                      |  |

### 1. RETURNABLE DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES

**Note:** Failure to submit the applicable documents will result in the tender offer being disqualified from further consideration.

| <b>Tender document name</b>                                                                                                                        | <b>Number of pages issued</b> | <b>Returnable document</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------|
| Form of Offer and Acceptance (DPW-07 EC)                                                                                                           | 4 Pages                       | Yes                        |
| Declaration of Interest and Tenderer's Past Supply Chain Management Practices (PA-11)                                                              | 4 Pages                       | Yes                        |
| Resolution of Board of Directors (PA-15.1) <i>(if applicable)</i>                                                                                  | 1 Page                        | Yes                        |
| Resolution of Board of Directors to enter into Consortia or JV's (PA-15.2) <i>(if applicable)</i>                                                  | 2 Pages                       | Yes                        |
| Special Resolution of Consortia or JV's (PA-15.3) <i>(if applicable)</i>                                                                           | 3 Pages                       | Yes                        |
| Preference points claim form in terms of the Preferential Procurement Regulations 2017 (PA – 16)                                                   | 5 Pages                       | Yes                        |
| Certificate of independent Bid Determination (PA - 29)                                                                                             | 4 Pages                       | Yes                        |
| Declaration Certificate for Local Production and Content for designated sectors (PA – 36 and Annexure/s C)                                         |                               | Yes                        |
| Fully completed Declaration of Designated Groups for Preferential Procurement (PA 40)                                                              | 2 Pages                       | Yes                        |
| Registration on National Treasury's Central Supplier Database (CSD).                                                                               | -                             | Yes                        |
| Particulars of Tenderer's Projects (DPW-09 EC)                                                                                                     | 2 Pages                       | Yes                        |
| Site Inspection Meeting Certificate (DPW-16 EC) <i>(if applicable)</i> .                                                                           | 1 Page                        |                            |
| Record of attending compulsory virtual bid clarification / site inspection meeting <i>(if applicable)</i> .                                        | 1 Page                        |                            |
| Record of Addenda to tender documents (DPW-21 EC)                                                                                                  | 1 Page                        | Yes                        |
| Site Inspection Meeting Certificate (DPW-16 EC) <i>(if applicable)</i>                                                                             | 1 Page                        |                            |
| Proof of 30% Subcontracting participation and related documents in terms of the Preferential Procurement Regulations 2017 <i>(if applicable)</i> . |                               |                            |
|                                                                                                                                                    |                               |                            |
|                                                                                                                                                    |                               |                            |
|                                                                                                                                                    |                               |                            |
|                                                                                                                                                    |                               |                            |
|                                                                                                                                                    |                               |                            |
|                                                                                                                                                    |                               |                            |

\* In compliance with the requirements of the CIDB SFU Annexure G

Tender no: NST23/033

**2. ADDITIONAL RETURNABLE DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES**

**Note:** Failure to submit the applicable documents will result in the Tenderer having to submit same upon request within a stipulated time and if not complied with, will result in the tender offer being disqualified from further consideration. [See also C.2.18 of the Standard Conditions of Tender]

| Tender document name                                                                              | Number of pages issued | Returnable document |
|---------------------------------------------------------------------------------------------------|------------------------|---------------------|
| Any <u>additional</u> information required to complete a risk assessment ( <i>if applicable</i> ) | -                      | Yes                 |
|                                                                                                   |                        |                     |
|                                                                                                   |                        |                     |
|                                                                                                   |                        |                     |

**3. RETURNABLE DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT**

**Note:** Failure to submit the applicable documents will result in the Tenderer having to submit same upon request within a stipulated time and if not complied with, will result in the tender offer being disqualified from further consideration. [See also C.2.18 of the Standard Conditions of Tender]

| Tender document name                                                                              | Number of pages issued | Returnable document |
|---------------------------------------------------------------------------------------------------|------------------------|---------------------|
| Schedule of proposed sub-contractors (DPW-15 EC) ( <i>if applicable</i> )                         | 1 Page                 | Yes                 |
| Particulars of Electrical Contractor (DPW-22 EC) ( <i>if applicable</i> )                         | 1 Page                 | Yes                 |
| Mechanical / Electrical / Security Work material and equipment schedules ( <i>if applicable</i> ) | Pages                  | Yes                 |
| Schedule for Imported Materials and Equipment (DPW-23 EC) ( <i>if applicable</i> )                | 1 Page                 | Yes                 |

**4. OTHER DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT**

(Insert a tick in the "Returnable document" column to indicate which documents must be returned with the tender)

**Note:** Failure to submit the applicable documents will result in the tender offer being disqualified from further consideration.

| Tender document name                                                                      | Number of pages issued | Returnable document                                      |
|-------------------------------------------------------------------------------------------|------------------------|----------------------------------------------------------|
| Priced Bills of Quantities / Lump Sum Document (complete document inclusive of all parts) | Pages                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Fully priced and completed sectional summary- and final summary pages with the tender.    | Pages                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <i>insert document name</i>                                                               | Pages                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <i>insert document name</i>                                                               | Pages                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <i>insert document name</i>                                                               | Pages                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**Tender no: NST23/033**

**5. ADDITIONAL INFORMATION THAT MAY BE REQUIRED FOR TENDER EVALUATION PURPOSES**

| <b>Legal Status of Tendering Entity:</b><br><b>If the Tendering Entity is:</b>                                                                                                                                                                                                                                              | <b>Documentation to be submitted with the tender, or which may be required during the tender evaluation:</b>                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| a. A close corporation, incorporated prior to 1 May 2011 under the Close Corporations Act, 1984 (Act 69 of 1984, as amended)                                                                                                                                                                                                | Copies of the Founding Statement – CK1                                                                                                                                                                                                                                                                                                                       |
| b. A profit company duly registered as a private company.<br><br>[including a profit company that meets the criteria for a private company, whose Memorandum of Incorporation states that the company is a personal liability company in terms of Section 8(2)(c) of the Companies Act, 2008 (Act 71 of 2008, as amended)]. | Copies of:<br>i. Certificate of Incorporation – CM1;<br>ii. Shareholding Certificates of all Shareholders of the company, plus a signed statement of the company's Auditor, certifying each Shareholder's ownership / shareholding percentage relative to the total; and/or<br>iii. Memorandum of Incorporation in the case of a personal liability company. |
| c. A profit company duly registered as a private company in which any, or all, shares are held by one or more other close corporation(s) or company(ies) duly registered as profit or non-profit company(ies).                                                                                                              | Copies of documents referred to in a. and/or b. above in respect of all such close corporation(s) and/or company(ies).                                                                                                                                                                                                                                       |
| d. A profit company duly registered as a public company.                                                                                                                                                                                                                                                                    | Copy of Certificate of Incorporation – CM1, and a signed statement of the company's Secretary or Auditor confirming that the company is a public company.                                                                                                                                                                                                    |
| e. A non-profit company, incorporated in terms of Section 10 and Schedule 1 of the Companies Act, 2008 (Act 71 of 2008, as amended).                                                                                                                                                                                        | Copies of:<br>i the Founding Statement – CK1; and<br>ii the Memorandum of Incorporation setting out the object of the company, indicating the public benefit, cultural or social activity, or communal or group interest.                                                                                                                                    |
| f. A natural person, sole proprietor or a Partnership                                                                                                                                                                                                                                                                       | Copy(ies) of the Identity Document(s) of:<br>i. such natural person/ sole proprietor, or<br>each of the Partners to the Partnership.                                                                                                                                                                                                                         |
| g. A Trust                                                                                                                                                                                                                                                                                                                  | Deed of Trust duly indicating names of the Trustee(s) and Beneficiary (ies) as well as the purpose of the Trust and the mandate of the Trustees.                                                                                                                                                                                                             |

**Signed by the Tenderer:**

|                               |                  |             |
|-------------------------------|------------------|-------------|
|                               |                  |             |
| <b>Name of representative</b> | <b>Signature</b> | <b>Date</b> |

## PA-11: DECLARATION OF INTEREST AND BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

Failure to complete this form in full and signed by the duly authorized person, as indicated on PA-15.1 or PA-15.3, shall render the tender non-responsive and will be removed from any and all further contention.

|                       |                                                                                                                                           |                      |  |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--|
| <b>Project title:</b> | <i>Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa &amp; Goven Mbeki Municipalities</i> |                      |  |
| <b>Bid no:</b>        | <i>NST23/033</i>                                                                                                                          | <b>Reference no:</b> |  |

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

### 1. CIDB REGISTRATION NUMBER (if applicable)

|  |
|--|
|  |
|--|

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

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

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

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

3.2 Identity number:.....

3.3 Position occupied in the Company (director, trustees, shareholder<sup>2</sup> ect .....

3.4 Company Registration Number: .....

3.5 Tax Reference umber:.....

3.6 VAT Registration Number: .....

3.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / persal numbers must be indicated in paragraph 3 below.

<sup>1</sup> "State" means –

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

<sup>2</sup> "Shareholder" means –

- (a) a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercise control over the enterprise

3.7 Are you or any person connected with the bidder presently employed by the state?

☐ YES ☐ NO

3.7.1 If so, furnish the following particulars:

Name of person / director /trustees/shareholder/ member:.....

Name of state institution at which you or the person

is connected to the bidder is employed .....

Position occupied in the state institution:.....

Any other particulars:

.....  
.....

3.8 Did you or your spouse, or any of the company's directors / trustees/shareholders / members or their spouses conduct business with the state in the previous twelve months?

☐ YES ☐ NO

3.8.1 If so, furnish particulars:.....

.....

3.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid?

☐ YES ☐ NO

3.9.1 If so, furnish particulars.

.....  
.....

3.10 Are you, or any person connected with the bidder, aware of any relationship (family, friend, other) between the bidder and any person employed by the state who may be involved with the

evaluation and or adjudication of this bid?

☐ YES ☐ NO

3.10.1 If so, furnish particulars.

.....  
.....

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

☐ YES ☐ NO

3.11.1 If so, furnish particulars:

.....  
.....

#### 4. Full details of directors / trustees / members / shareholders.

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

#### 5. DECLARATION OF TENDERER / BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

|     |                                                                                                                                                                                                                                                                                                                                                                   |                                        |                                       |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|---------------------------------------|
| 5.1 | Is the tenderer / bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector?<br><b>(Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).</b> | <input type="checkbox"/><br><b>Yes</b> | <input type="checkbox"/><br><b>No</b> |
| 5.2 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                       |                                        |                                       |

|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |                                    |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------|------------------------------------|
|     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                        |                                    |
| 5.3 | Is the tenderer / bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?<br><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) 3265445.</b> | <input type="checkbox"/><br><b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| 5.4 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                        |                                    |
| 5.5 | Was the tenderer / bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?                                                                                                                                                                                                                                                                                               | <input type="checkbox"/><br><b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| 5.6 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                        |                                    |
| 5.7 | Was any contract between the tenderer / bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/><br><b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| 5.8 | If so, furnish particulars:                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                        |                                    |

## 6. CERTIFICATION

I the undersigned (full name) \_\_\_\_\_ certify that the information furnished on this declaration form is true and correct.

I accept that, in addition to cancellation of a contract, action may be taken against me should this declaration prove to be false.

|                           |           |      |          |
|---------------------------|-----------|------|----------|
|                           |           |      |          |
| Name of Tenderer / bidder | Signature | Date | Position |

This form has been aligned with SBD4 and SBD 8

## DPW-15 (EC): SCHEDULE OF PROPOSED SUBCONTRACTORS

|                       |                                                                                                                                           |                      |  |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--|
| <b>Project title:</b> | <i>Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa &amp; Goven Mbeki Municipalities</i> |                      |  |
| <b>Tender no:</b>     | NST23/033                                                                                                                                 | <b>Reference no:</b> |  |

We notify you that it is our intention to employ the following Subcontractors for work in this contract.

We confirm that all subcontractors who are contracted to construct a house are registered as home builders with the National Home Builders Registration Council.

|          | <b>Name and address of proposed Subcontractor</b> | <b>Nature and extent of work</b> | <b>Previous experience with Subcontractor</b> |
|----------|---------------------------------------------------|----------------------------------|-----------------------------------------------|
| <b>1</b> |                                                   |                                  |                                               |
| <b>2</b> |                                                   |                                  |                                               |
| <b>3</b> |                                                   |                                  |                                               |
| <b>4</b> |                                                   |                                  |                                               |
| <b>5</b> |                                                   |                                  |                                               |

|                               |                  |                 |             |
|-------------------------------|------------------|-----------------|-------------|
|                               |                  |                 |             |
| <b>Name of representative</b> | <b>Signature</b> | <b>Capacity</b> | <b>Date</b> |

|                              |  |
|------------------------------|--|
| <b>Name of organisation:</b> |  |
|------------------------------|--|

## DPW-07 (EC): FORM OF OFFER AND ACCEPTANCE

|                       |                                                                                                                                                  |                      |  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--|
| <b>Project title:</b> | <b><i>Standby Generator scheduled and unscheduled maintenance contract for 24 Months- Dipaleseng, Lekwa &amp; Goven Mbeki Municipalities</i></b> |                      |  |
| <b>Tender no:</b>     | <i>NST23/033</i>                                                                                                                                 | <b>Reference no:</b> |  |

### OFFER

The Employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of: ***Standby Generator scheduled and unscheduled maintenance contract for 24 Months.***

The Tenderer, identified in the offer signature block, has examined the documents listed in the tender data and addenda thereto as listed in the returnable schedules, and by submitting this offer has accepted the conditions of tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this form of offer and acceptance, the Tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the conditions of contract identified in the contract data.

**THE TOTAL OFFER INCLUSIVE OF ALL APPLICABLE TAXES (All applicable taxes" includes value- added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies) IS:**

|                         |          |
|-------------------------|----------|
| <b>Rand (in words):</b> |          |
| <b>Rand in figures:</b> | <b>R</b> |

The award of the tender may be subjected to further price negotiation with the preferred tenderer(s). The negotiated and agreed price will be considered for acceptance as **a firm and final offer.**

This offer may be accepted by the Employer by signing the acceptance part of this form of offer and acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the tender data, whereupon the Tenderer becomes the party named as the Contractor in the conditions of contract identified in the contract data.

**THIS OFFER IS MADE BY THE FOLLOWING LEGAL ENTITY:** (cross out block which is not applicable)

|                                                                                                                                                                                                                       |    |                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Company or Close Corporation:</p> <p>.....</p> <p>.....</p> <p>And: Whose Registration Number is:</p> <p>.....</p> <p>And: Whose Income Tax Reference Number is:</p> <p>.....</p> <p>CSD supplier number:.....</p> | OR | <p>Natural Person or Partnership:</p> <p>.....</p> <p>.....</p> <p>Whose Identity Number(s) is/are:</p> <p>.....</p> <p>Whose Income Tax Reference Number is/are:</p> <p>.....</p> <p>CSD supplier number:.....</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**AND WHO IS** (if applicable):

|                                            |
|--------------------------------------------|
| Trading under the name and style of: ..... |
|--------------------------------------------|

\*Any reference to words "Bid" or "Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

\*\*Any reference to the words "payment reduction" herein shall be construed to have the same meaning as the word "retention"

**Tender no: NST23/033**

**AND WHO IS:**

|                                                                                                                                |                                                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Represented herein, and who is duly authorised to do so, by:<br><br>Mr/Mrs/Ms: .....<br>In his/her capacity as: .....<br>..... | <b>Note:</b><br><br><b>A Resolution / Power of Attorney, signed by all the Directors / Members / Partners of the Legal Entity must accompany this Offer, authorising the Representative to make this offer.</b> |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**SIGNED FOR THE TENDERER:**

|                        |           |      |
|------------------------|-----------|------|
|                        |           |      |
| Name of representative | Signature | Date |

**WITNESSED BY:**

|                 |           |      |
|-----------------|-----------|------|
|                 |           |      |
| Name of witness | Signature | Date |

This Offer is in respect of: (Please indicate with an "X" in the appropriate block)

- The official documents ..... ☐  
 The official alternative ..... ☐  
 Own alternative (only if documentation makes provision therefore) ..... ☐

(N.B.: Separate Offer and Acceptance forms are to be completed for the main and for each alternative offer)

**SECURITY OFFERED:**

(a) the Tenderer accepts that in respect of contracts up to R1 million, a payment reduction\*\* of 5% of the contract value (excluding VAT) will be applicable and will be deducted by the Employer in terms of the applicable conditions of contract

(b) in respect of contracts above R1 million, the Tenderer offers to provide security as indicated below:

- |                                                                                                                                                                            |                                                          |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| (1) cash deposit of 10 % of the Contract Sum (excluding VAT)                                                                                                               | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| (2) variable construction guarantee of 10 % of the Contract Sum (excluding VAT)                                                                                            | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| (3) payment reduction of 10% of the value certified in the payment certificate (excluding VAT)                                                                             | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| (4) cash deposit of 5% of the Contract Sum (excluding VAT) and a payment reduction of 5% of the value certified in the payment certificate (excluding VAT)                 | Yes <input type="checkbox"/> No <input type="checkbox"/> |
| (5) fixed construction guarantee of 5% of the Contract Sum (excluding VAT) and a payment reduction of 5% of the value certified in the payment certificate (excluding VAT) | Yes <input type="checkbox"/> No <input type="checkbox"/> |

NB. Guarantees submitted must be issued by either an insurance company duly registered in terms of the Insurance Act [Long-Term Insurance Act, 1998 (Act 52 of 1998) or Short-Term Insurance Act, 1998 (Act 35 of 1998)] or by a bank duly registered in terms of the Banks Act, 1990 (Act 94 of 1990) on the pro-forma referred to above. No alterations or amendments of the wording of the pro-forma will be accepted.

The Tenderer elects as its *domicilium citandi et executandi* in the Republic of South Africa, where any and all legal notices may be served, as (physical address):

.....

\*Any reference to words "Bid" or "Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

\*\*Any reference to the words "payment reduction" herein shall be construed to have the same meaning as the word "retention"

## of Offer and Acceptance

Tender no: **NST23/033**
**Other Contact Details of the Tenderer are:**

Telephone No..... Cellular Phone No. ....

Fax No .....

Postal address .....

Banker ..... Branch.....

Registration No of Tenderer at Department of Labour .....

CIDB Registration Number: .....

**ACCEPTANCE**

By signing this part of this form of offer and acceptance, the Employer identified below accepts the Tenderer's offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the conditions of contract identified in the contract data. Acceptance of the Tenderer's offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this agreement and in the contract that is the subject of this agreement.

**The terms of the contract are contained in:**

Part C1 Agreement and contract data, (which includes this agreement)

Part C2 Pricing data

Part C3 Scope of work

Part C4 Site information and drawings and documents or parts thereof, which may be incorporated by reference into the above listed Parts.

Deviations from and amendments to the documents listed in the tender data and any addenda thereto as listed in the tender schedules as well as any changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance, are contained in the schedule of deviations attached to and forming part of this agreement. No amendments to or deviations from said documents are valid unless contained in this schedule.

The Tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the Employer's agent (whose details are given in the contract data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five (5) working days of the date of such receipt notifies the employer in writing of any reason why he/she cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

**For the Employer:**

|                   |           |      |
|-------------------|-----------|------|
|                   |           |      |
| Name of signatory | Signature | Date |

|                                 |                                               |
|---------------------------------|-----------------------------------------------|
| <b>Name of Organisation:</b>    | Department of Public Works and Infrastructure |
| <b>Address of Organisation:</b> |                                               |

**WITNESSED BY:**

|                 |           |      |
|-----------------|-----------|------|
|                 |           |      |
| Name of witness | Signature | Date |

\*Any reference to words "Bid" or "Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

\*\*Any reference to the words "payment reduction" herein shall be construed to have the same meaning as the word "retention"

Page 3 of 4

For Internal &amp; External Use

Effective date 20 September 2021

Version 2021/01

Tender no: **NST23/033**

## Schedule of Deviations

|                        |
|------------------------|
| <b>1.1.1. Subject:</b> |
| <b>Detail:</b>         |
| <b>1.1.2. Subject:</b> |
| <b>Detail:</b>         |
| <b>1.1.3. Subject:</b> |
| <b>Detail:</b>         |
| <b>1.1.4. Subject:</b> |
| <b>Detail:</b>         |
| <b>1.1.5. Subject:</b> |
| <b>Detail:</b>         |
| <b>1.1.6. Subject:</b> |
| <b>Detail:</b>         |

By the duly authorised representatives signing this agreement, the Employer and the Tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as any confirmation, clarification or changes to the terms of the offer agreed by the Tenderer and the Employer during this process of offer and acceptance.

It is expressly agreed that no other matter whether in writing, oral communication or implied during the period between the issue of the tender documents and the receipt by the Tenderer of a completed signed copy of this Agreement shall have any meaning or effect in the contract between the parties arising from this agreement.

### Notes:

- 1. The extent of deviations from the tender documents issued by the employer before the tender closing date is limited to those permitted in terms of the conditions of tender.*
- 2. A tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here.*
- 3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here.*
- 4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract. (Note: This note must be deleted by the Project Manager/ Consultant(s) when compiling the tender document)*

\*Any reference to words "Bid" or "Bidder" herein and/or in any other documentation shall be construed to have the same meaning as the words "Tender" or "Tenderer".

\*\*Any reference to the words "payment reduction" herein shall be construed to have the same meaning as the word "retention"

## PA-15.1: RESOLUTION OF BOARD OF DIRECTORS

**RESOLUTION** of a meeting of the Board of \*Directors / Members / Partners of:

\_\_\_\_\_  
(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### RESOLVED that:

- The Enterprise submits a Bid / Tender to the Department of Public Works in respect of the following project:

\_\_\_\_\_  
(Project description as per Bid / Tender Document)

Bid / Tender Number: \_\_\_\_\_ (Bid / Tender Number as per Bid / Tender Document)

- \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the Bid / Tender, and any and all other documents and/or correspondence in connection with and relating to the Bid / Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid / Tender to the Enterprise mentioned above.

|    | Name | Capacity | Signature |
|----|------|----------|-----------|
| 1  |      |          |           |
| 2  |      |          |           |
| 3  |      |          |           |
| 4  |      |          |           |
| 5  |      |          |           |
| 6  |      |          |           |
| 7  |      |          |           |
| 8  |      |          |           |
| 9  |      |          |           |
| 10 |      |          |           |
| 11 |      |          |           |
| 12 |      |          |           |
| 13 |      |          |           |
| 14 |      |          |           |
| 15 |      |          |           |
| 16 |      |          |           |

|    |  |  |  |
|----|--|--|--|
| 17 |  |  |  |
| 18 |  |  |  |
| 19 |  |  |  |
| 20 |  |  |  |

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed.

**Note:**

1. \* Delete which is not applicable.
2. **NB:** This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.
3. In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
5. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**ENTERPRISE STAMP**

## PA-15.2: RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

**RESOLUTION** of a meeting of the Board of \*Directors / Members / Partners of:

\_\_\_\_\_

(Legally correct full name and registration number, if applicable, of the Enterprise)

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### **RESOLVED that:**

1. The Enterprise submits a Bid /Tender, in consortium/Joint Venture with the following Enterprises:

\_\_\_\_\_

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)

to the Department of Public Works in respect of the following project:

\_\_\_\_\_

(Project description as per Bid /Tender Document)

Bid / Tender Number: \_\_\_\_\_ (Bid / Tender Number as per Bid / Tender Document)

2. \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign a consortium/joint venture agreement with the parties listed under item 1 above, and any and all other documents and/or correspondence in connection with and relating to the consortium/joint venture, in respect of the project described under item 1 above.

3. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
4. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (code)

Postal Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ (code)

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

|    | Name | Capacity | Signature |
|----|------|----------|-----------|
| 1  |      |          |           |
| 2  |      |          |           |
| 3  |      |          |           |
| 4  |      |          |           |
| 5  |      |          |           |
| 6  |      |          |           |
| 7  |      |          |           |
| 8  |      |          |           |
| 9  |      |          |           |
| 10 |      |          |           |
| 11 |      |          |           |
| 12 |      |          |           |
| 13 |      |          |           |
| 14 |      |          |           |
| 15 |      |          |           |

The bidding enterprise hereby absolves the Department of Public Works from any liability whatsoever that may arise as a result of this document being signed

**Note:**

1. \* Delete which is not applicable.
2. **NB:** This resolution must, where possible, be signed by all the Directors / Members / Partners of the Bidding Enterprise.
3. In the event that paragraph 2 cannot be complied with, the resolution must be signed by Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (attach proof of shareholding / ownership hereto).
4. Directors / Members / Partners of the Bidding Enterprise may alternatively appoint a person to sign this document on behalf of the Bidding Enterprise, which person must be so authorized by way of a duly completed power of attorney, signed by the Directors / Members / Partners holding a majority of the shares / ownership of the Bidding Enterprise (proof of shareholding / ownership and power of attorney are to be attached hereto).
5. Should the number of Directors / Members / Partners exceed the space available above, additional names and signatures must be supplied on a separate page.

**ENTERPRISE STAMP**

## PA-15.3: SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

**RESOLUTION** of a meeting of the duly authorised representatives of the following legal entities who have entered into a consortium/joint venture to jointly bid for the project mentioned below: *(legally correct full names and registration numbers, if applicable, of the Enterprises forming a Consortium/Joint Venture)*

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_
5. \_\_\_\_\_  
\_\_\_\_\_
6. \_\_\_\_\_  
\_\_\_\_\_
7. \_\_\_\_\_  
\_\_\_\_\_
8. \_\_\_\_\_  
\_\_\_\_\_

Held at \_\_\_\_\_ (place)

on \_\_\_\_\_ (date)

### RESOLVED that:

#### RESOLVED that:

- A. The above-mentioned Enterprises submit a Bid in Consortium/Joint Venture to the Department of Public Works in respect of the following project:

\_\_\_\_\_  
\_\_\_\_\_  
*(Project description as per Bid /Tender Document)*

Bid / Tender Number: \_\_\_\_\_ *(Bid / Tender Number as per Bid /Tender Document)*

PA-15.3: Special Resolution of Consortia or Joint Ventures

B. \*Mr/Mrs/Ms: \_\_\_\_\_

in \*his/her Capacity as: \_\_\_\_\_ (Position in the Enterprise)

and who will sign as follows: \_\_\_\_\_

be, and is hereby, authorised to sign the Bid, and any and all other documents and/or correspondence in connection with and relating to the Bid, as well as to sign any Contract, and any and all documentation, resulting from the award of the Bid to the Enterprises in Consortium/Joint Venture mentioned above.

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

\_\_\_\_\_

D. The Enterprises to the Consortium/Joint Venture accept joint and several liability for the due fulfilment of the obligations of the Consortium/Joint Venture deriving from, and in any way connected with, the Contract entered into with the Department in respect of the project described under item A above.

E. Any of the Enterprises to the Consortium/Joint Venture intending to terminate the consortium/joint venture agreement, for whatever reason, shall give the Department 30 days written notice of such intention. Notwithstanding such decision to terminate, the Enterprises shall remain jointly and severally liable to the Department for the due fulfilment of the obligations of the Consortium/Joint Venture as mentioned under item D above.

F. No Enterprise to the Consortium/Joint Venture shall, without the prior written consent of the other Enterprises to the Consortium/Joint Venture and of the Department, cede any of its rights or assign any of its obligations under the consortium/joint venture agreement in relation to the Contract with the Department referred to herein.

G. The Enterprises choose as the *domicilium citandi et executandi* of the Consortium/Joint Venture for all purposes arising from the consortium/joint venture agreement and the Contract with the Department in respect of the project under item A above:

Physical address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Postal code) \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Postal code) \_\_\_\_\_

Telephone number: \_\_\_\_\_

Fax number: \_\_\_\_\_

PA-15.3: Special Resolution of Consortia or Joint Ventures

|    | Name | Capacity | Signature |
|----|------|----------|-----------|
| 1  |      |          |           |
| 2  |      |          |           |
| 3  |      |          |           |
| 4  |      |          |           |
| 5  |      |          |           |
| 6  |      |          |           |
| 7  |      |          |           |
| 8  |      |          |           |
| 9  |      |          |           |
| 10 |      |          |           |
| 11 |      |          |           |
| 12 |      |          |           |
| 13 |      |          |           |
| 14 |      |          |           |
| 15 |      |          |           |

The bidding enterprise hereby absolves the Department of Public Works & Infrastructure from any liability whatsoever that may arise as a result of this document being signed.

**Note:**

1. \* Delete which is not applicable.
2. **NB:** This resolution must be signed by all the Duly Authorised Representatives of the Legal Entities to the consortium/joint venture submitting this tender, as named in item 2 of Resolution PA-15.2.
3. Should the number of the Duly Authorised Representatives of the Legal Entities joining forces in this tender exceed the space available above, additional names, capacity and signatures must be supplied on a separate page.
4. Resolution PA-15.2, duly completed and signed, from the separate Enterprises who participate in this consortium/joint venture, must be attached to this Special Resolution (PA-15.3).

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION  
2022



public works  
& infrastructure  
Department:  
Public Works and Infrastructure  
REPUBLIC OF SOUTH AFRICA

**PA-16: PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL  
PROCUREMENT REGULATIONS 2022**

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

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

**1. GENERAL CONDITIONS**

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

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

**1.2 Preference Points System to be applied**

*(Tick whichever is applicable).*

- ☒ The applicable preference point system for this tender is the **80/20** preference point system.
- ☐ The applicable preference point system for this tender is the **90/10** preference point system.
- ☐ Either the **90/10 or 80/20** preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

**1.3 Points for this tender shall be awarded for:**

**1.3.1 Price; and**

**1.3.2 Specific Goals**

**1.4 The maximum points for this tender are allocated as follows:**

| CHOOSE APPLICABLE PREFERENCE POINT SCORING SYSTEM | <input checked="" type="checkbox"/> 80/20 | <input type="checkbox"/> 90/10 |
|---------------------------------------------------|-------------------------------------------|--------------------------------|
| PRICE                                             | 80                                        |                                |
| SPECIFIC GOALS                                    | 20                                        |                                |
| Total points for Price and Specific Goals         | 100                                       |                                |

**1.5 Breakdown Allocation of Specific Goals Points**

**1.5.1 For Procurement transactions with rand value greater than R2 000.00 and up to R1 Million (Inclusive of all applicable taxes), the specific goals as listed in table 1 below are applicable.**

All Acquisitions

Table 1

| Serial No | Specific Goals                                                                                                                                                 | Preference Points allocated out of 20 | Documentation to be submitted by bidders to validate their claim for points                                                                                             |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.        | An EME or QSE which is at least 51% owned by <b>black people</b>                                                                                               | 10                                    | ID Copy<br><br>Or<br><br>SANAS Accredited BBEE Certificate or sworn affidavit where applicable<br><br>Or<br><br>CSD Report<br><br>Or<br><br>CIPC (company registration) |
| 2.        | <b>Located</b> in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area | 2                                     | Office Municipal Rates Statement<br><br>Or<br><br>Permission To Occupy from local chief in case of rural areas (PTO)<br><br>Or<br><br>Lease Agreement                   |
| 3.        | An EME or QSE which is at least 51% owned by <b>women</b>                                                                                                      | 4                                     | ID Copy<br><br>Or<br><br>CSD Report<br><br>Or<br><br>CIPC (company registration)                                                                                        |

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION 2022

| Serial No | Specific Goals                                                             | Preference Points allocated out of 20 | Documentation to be submitted by bidders to validate their claim for points                                                                                                                  |
|-----------|----------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.        | An EME or QSE which is at least 51% owned by people with <b>disability</b> | 2                                     | Medical Certificate<br>Or<br>South African Social Security Agency (SASSA) registration<br>Or<br>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA) |
| 5.        | An EME or QSE which is at least 51% owned by <b>youth</b> .                | 2                                     | ID Copy<br>Or<br>CSD Report<br>Or<br>CIPC (company registration)                                                                                                                             |

1.5.2 **For procurement transactions with rand value greater than R1 Million and up to R50 Million (Inclusive of all applicable taxes) the specific goals as listed in table 2 below are applicable:**

All Acquisitions

Table 2

| Serial No | Specific Goals                                                                                                 | Preference Points allocated out of 20 | Documentation to be submitted by bidders to validate their claim for points                                 |
|-----------|----------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------------------------------------|
| 1.        | An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals (HDI)</b> | 10                                    | ID Copy<br>Or<br>SANAS Accredited BBBEE Certificate or sworn affidavit where applicable<br>Or<br>CSD Report |

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION 2022

| Serial No | Specific Goals                                                                                                                                                 | Preference Points allocated out of 20 | Documentation to be submitted by bidders to validate their claim for points                                                                                                                 |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|           |                                                                                                                                                                |                                       | Or<br>CIPC (company registration)                                                                                                                                                           |
| 2.        | <b>Located</b> in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area | 2                                     | Office Municipal Rates Statement<br>Or<br>Permission To Occupy from local chief in case of rural areas (PTO)<br>Or<br>Lease Agreement                                                       |
| 3.        | An EME or QSE or any entity which is at least 51% owned by <b>women</b>                                                                                        | 4                                     | ID Copy<br>Or<br>CSD Report<br>Or<br>CIPC (company registration)                                                                                                                            |
| 4.        | An EME or QSE or any entity which is at least 51% owned by people with <b>disability</b>                                                                       | 2                                     | Medical Certificate<br>Or<br>South African Social Security Agency (SASSA) registration<br>Or<br>National Council for Persons with Physical Disability in South Africa registration (NCPDSA) |
| 5.        | An EME or QSE or any entity which is at least 51% owned by <b>youth</b> .                                                                                      | 2                                     | ID Copy<br>Or<br>CSD Report<br>Or<br>CIPC (company registration)                                                                                                                            |

**1.5.3 For procurement transactions with rand value greater than R50 Million (Inclusive of all applicable taxes) the specific goals as listed in table 3 below are applicable**

All Acquisitions

Table 3

| Serial No                   | Specific Goals                                                                                                                                                 | Preference Points allocated out of 10 | Documentation to be submitted by bidders to validate their claim for points                                                                      |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.                          | An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals (HDI)</b>                                                 | 4                                     | ID Copy<br>Or<br>SANAS Accredited BBBEE Certificate or sworn affidavit where applicable<br>Or<br>CSD Report<br>Or<br>CIPC (company registration) |
| 2.                          | <b>Located</b> in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area | 2                                     | Office Municipal Rates Statement<br>Or<br>Permission To Occupy from local chief in case of rural areas (PTO)<br>Or<br>Lease Agreement            |
| 3.                          | An EME or QSE or any entity which is at least 51% owned by <b>women</b>                                                                                        | 2                                     | ID Copy<br>Or<br>CSD Report<br>Or<br>CIPC (company registration)                                                                                 |
| 4. <input type="checkbox"/> | An EME or QSE or any entity which is at least 51% owned by people with <b>disability</b>                                                                       | 2                                     | Medical Certificate<br>Or                                                                                                                        |

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION 2022

| Serial No                   | Specific Goals                                                                                                                                                                                                                        | Preference Points allocated out of 10 | Documentation to be submitted by bidders to validate their claim for points                                                                                                                                                                                            |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. <input type="checkbox"/> | <p>OR</p> <p>An EME or QSE or any entity which is at least 51% owned by <b>youth</b>.</p> <p>(only one specific goal is applicable between specific goal number 4 and specific goal number 5 under 90/10 Preference Point System)</p> |                                       | <p>South African Social Security Agency (SASSA) registration</p> <p>Or</p> <p>National Council for Persons with Physical Disability in South Africa registration (NCPDPSA)</p> <p>ID Copy</p> <p>Or</p> <p>CSD Report</p> <p>Or</p> <p>CIPC (company registration)</p> |

1.6 Failure on the part of the tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals, if the service provider/ tenderer did not submit proof or documentation required to claim for specific goals will be interpreted to mean that preference points for specific goals are not claimed.

1.7 The organ of state reserves the right to require of a service provider/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:

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 - \frac{Pt - P_{min}}{P_{min}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmin = Price of lowest acceptable tender

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

##### 3.2.1. POINTS AWARDED FOR PRICE

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

$$\begin{array}{ccc} \mathbf{80/20} & \mathbf{or} & \mathbf{90/10} \\ \mathbf{Ps = 80 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)} & \mathbf{or} & \mathbf{Ps = 90 \left( 1 + \frac{Pt - P_{max}}{P_{max}} \right)} \end{array}$$

Where

Ps = Points scored for price of tender under consideration

Pt = Price of tender under consideration

Pmax = Price of highest acceptable tender

### 4. POINTS AWARDED FOR SPECIFIC GOALS

- 4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1,2 and 3 above as may be supported by proof/ documentation stated in the conditions of this tender:

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION 2022

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.**

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

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

| The specific goals allocated points in terms of this tender                                                                                                       | Number of points allocated (90/10 system)<br>(To be completed by the organ of state) | Number of points allocated (80/20 system)<br>(To be completed by the organ of state) | Number of points claimed (90/10 system)<br>(To be completed by the tenderer) | Number of points claimed (80/20 system)<br>(To be completed by the tenderer) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 1. An EME or QSE or any entity which is at least 51% owned by <b>Historically Disadvantaged Individuals</b> (HDI)                                                 | 4                                                                                    | 10                                                                                   |                                                                              |                                                                              |
| 2. <b>Located</b> in a specific Local Municipality or District Municipality or Metro or Province area for work to be done or services to be rendered in that area | 2                                                                                    | 2                                                                                    |                                                                              |                                                                              |
| 3. An EME or QSE or any entity which is at least 51% owned by <b>women</b>                                                                                        | 2                                                                                    | 4                                                                                    |                                                                              |                                                                              |

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION 2022

| The specific goals allocated points in terms of this tender                                                                                                                                                                                                                                                                                                | Number of points allocated (90/10 system) (To be completed by the organ of state) | Number of points allocated (80/20 system) (To be completed by the organ of state) | Number of points claimed (90/10 system) (To be completed by the tenderer) | Number of points claimed (80/20 system) (To be completed by the tenderer) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------|---------------------------------------------------------------------------|
| <p>4. An EME or QSE or any entity which is at least 51% owned by people with <b>disability</b></p> <p><b>or</b></p> <p>5. An EME or QSE or any entity which is at least 51% owned by <b>youth</b>.*</p> <p><b>(only one specific goal is applicable between specific goal number 4 and specific goal number 5 under 90/10 Preference Point System)</b></p> | 2                                                                                 | 2                                                                                 |                                                                           |                                                                           |
|                                                                                                                                                                                                                                                                                                                                                            |                                                                                   | 2                                                                                 |                                                                           |                                                                           |

**Note:** \*in respect of the 90/10 point system a selection of either disability or youth may be made with an allocation of 2 points for either of them.

**DECLARATION WITH REGARD TO COMPANY/FIRM**

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

4.4. Company registration number: .....

4.5. TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
- ☐ One-person business/sole propriety
- ☐ Close corporation
- ☐ Public Company
- ☐ Personal Liability Company
- ☐ (Pty) Limited
- ☐ Non-Profit Company
- ☐ State Owned Company

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm,

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATION  
2022

certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

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

|                                    |       |
|------------------------------------|-------|
| .....                              |       |
| <b>SIGNATURE(S) OF TENDERER(S)</b> |       |
| <b>SURNAME AND NAME:</b>           | ..... |
| <b>DATE:</b>                       | ..... |
| <b>ADDRESS:</b>                    | ..... |
|                                    | ..... |

## PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

**Tender no:** NST23/033

**Name of Tenderer** .....

☐ EME<sup>1</sup> ☐ QSE<sup>2</sup> ☐ Non EME/QSE (tick applicable box)

**1. LIST ALL PROPRIETORS, MEMBERS OR SHAREHOLDERS BY NAME, IDENTITY NUMBER, CITIZENSHIP AND DESIGNATED GROUPS.**

| Name and Surname<br># | Identity/<br>Passport number<br>and Citizenship## | Percentage<br>owned | Black                                                    | Indicate if<br>youth                                     | Indicate if<br>woman                                     | Indicate if<br>person with<br>disability                 | Indicate if living in<br>Rural (R) / Under<br>Developed Area (UD) /<br>Township (T) / Urban<br>(U).          | Indicate if<br>military<br>veteran                       |
|-----------------------|---------------------------------------------------|---------------------|----------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 1.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 6.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 7.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 8.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 9.                    |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 10.                   |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 11.                   |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 12.                   |                                                   | %                   | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/> R <input type="checkbox"/> UD <input type="checkbox"/> T <input type="checkbox"/> U | <input type="checkbox"/> Yes <input type="checkbox"/> No |

# Where Owners are themselves a Company, Close Corporation, Partnership etc, identify the ownership of the Holding Company, together with Registration number  
 ## State date of South African citizenship obtained (not applicable to persons born in South Africa)

<sup>1</sup> EME: Exempted Micro Enterprise

<sup>2</sup> QSE: Qualifying Small Business Enterprise

## PA- 40: DECLARATION OF DESIGNATED GROUPS FOR PREFERENTIAL PROCUREMENT

Tender no: NST23/033

### 2. DECLARATION:

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, hereby confirms that:

- 1 The information and particulars contained in this Affidavit are true and correct in all respects;
- 2 The Broad-based Black Economic Empowerment Act, 2003 (Act 53 of 2003), Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000), the Preferential Procurement Regulations, 2017, National Small Business Act 102 of 1996 as amended and all documents pertaining to this Tender were studied and understood and that the above form was completed according to the definitions and information contained in said documents;
- 3 The Tenderer understands that any intentional misrepresentation or fraudulent information provided herein shall disqualify the Tenderer's offer herein, as well as any other tender offer(s) of the Tenderer simultaneously being evaluated, or will entitle the Employer to cancel any Contract resulting from the Tenderer's offer herein;
- 4 The Tenderer accepts that the Employer may exercise any other remedy it may have in law and in the Contract, including a claim for damages for having to accept a less favourable tender as a result of any such disqualification due to misrepresentation or fraudulent information provided herein;
- 5 Any further documentary proof required by the Employer regarding the information provided herein, will be submitted to the Employer within the time period as may be set by the latter;

Signed by the Tenderer

|                               |                  |             |
|-------------------------------|------------------|-------------|
|                               |                  |             |
| <b>Name of representative</b> | <b>Signature</b> | <b>Date</b> |

## LIST OF INSTITUTIONS DIPALESENG, LEKWA & GOVAN MBEKI MUNICIPALITIES

| INSTITUTION | CLIENT<br>DEPARTMENT | CONTACT | MUNICIPALITY |
|-------------|----------------------|---------|--------------|
|             |                      |         |              |
| STANDERTON  | DCS X 2              |         | LEKWA        |
| MORGENZON   | SAPS                 |         | LEKWA        |
| EMBALENHLE  | SAPS                 |         | GOVAN MBEKI  |
| EVANDER     | SAPS                 |         | GOVAN MBEKI  |
| LESLIE      | SAPS                 |         | GOVAN MBEKI  |
| SECUNDA     | SAPS                 |         | GOVAN MBEKI  |
| TRICHARD    | SAPS                 |         | GOVAN MBEKI  |
| STANDERTON  | SAPS                 |         | LEKWA        |
| BETHAL      | DCS                  |         | GOVAN MBEKI  |
| BETHAL      | SAPS                 |         | GOVAN MBEKI  |
| MZINONI     | SAPS                 |         | GOVAN MBEKI  |
| EVANDER     | DOJ                  |         | GOVAN MBEKI  |
|             |                      |         |              |



public works  
& infrastructure

Department:  
Public Works and Infrastructure  
**REPUBLIC OF SOUTH AFRICA**

## ANNEXTURE A

### STANDBY GENERATOR

SCHEDULED MAINTENANCE CONTRACT FOR 24 MONTHS 2023/2025- DIPALESENG,  
LEKWA & GOVAN MBEKI MUNICIPALITIES

### BILL OF QUANTITIES

| ITEM      | DESCRIPTION                                                              | UNIT | QUANTITY | RATE       | AMOUNT (R)  |
|-----------|--------------------------------------------------------------------------|------|----------|------------|-------------|
| <b>1.</b> | <b>Maintenance and servicing of Generators</b>                           |      |          |            |             |
| 1.1       | Provision for EPWP beneficiary                                           | Each | 1        |            | R 98 000.00 |
| 1.2       | Major Service (12 generators x 8 service                                 | Each | 96       |            | R           |
| 1.3       | Safety file                                                              | Each | 1        |            | R           |
| 1.4       | Replace Battery - 24V/12V                                                | Each | 48       |            | R           |
|           | <b>NB: Price must include labour, transport and mark-up on material.</b> |      |          |            |             |
|           | <b>SUB-TOTAL</b>                                                         |      |          |            | <b>R</b>    |
|           | <b>VAT</b>                                                               |      |          | <b>15%</b> | <b>R</b>    |
|           | <b>TOTAL</b>                                                             |      |          |            | <b>R</b>    |
|           | <b>CARRIED OVER TO ANNEXURE B</b>                                        |      |          |            |             |



**ANNEXTURE B  
STANDBY GENERATOR**

UNSCHEDULED MAINTENANCE CONTRACT FOR 24 MONTHS 2023-2025-  
DIPALESENG, LEKWA & GOVAN MBEKI MUNICIPALITIES

**BILL OF QUANTITIES**

| ITEM      | DESCRIPTION                                                                | UNIT | QUANTITY | RATE       | AMOUNT (R)   |
|-----------|----------------------------------------------------------------------------|------|----------|------------|--------------|
| <b>1.</b> | <b>Materials and equipment</b>                                             |      |          |            |              |
| 1.1       | Provide for non-scheduled items                                            |      |          |            | R 164 000.00 |
| 1.2       | Contactor 125A, 400V complete.                                             | each | 16       |            | R            |
| 1.3       | Contactor 215A, 400V complete                                              | each | 16       |            | R            |
| 1.4       | Automatic voltage regulator                                                | each | 10       |            | R            |
| 1.5       | Fuel level sensor                                                          | each | 10       |            | R            |
| 1.6       | Fuel gauge                                                                 | each | 12       |            | R            |
| 1.7       | Controller                                                                 | each | 8        |            | R            |
| 1.8       | 1.5mm panel wire                                                           | m    | 1000     |            | R            |
| 1.9       | Oil level sensor                                                           | each | 10       |            | R            |
| 1.10      | Battery charger                                                            | each | 10       |            | R            |
| 1.11      | Changeover switch                                                          | each | 6        |            | R            |
| 1.12      | Diesel pump                                                                | each | 8        |            | R            |
| 1.13      | Water pump                                                                 | each | 8        |            | R            |
| 1.14      | Starter                                                                    | each | 10       |            | R            |
| 1.15      | Solenoid                                                                   | each | 10       |            | R            |
| 1.16      | Radiator                                                                   | each | 4        |            | R            |
|           | <b>NB: The rate must include labour, transport and mark-up on material</b> |      |          |            |              |
|           | <b>SUB-TOTAL</b>                                                           |      |          |            | R            |
|           | <b>VAT</b>                                                                 |      |          | <b>15%</b> | R            |
|           | <b>TOTAL</b>                                                               |      |          |            | R            |

|    |             |  |  |  |   |
|----|-------------|--|--|--|---|
| 2. | ANNEXTURE A |  |  |  | R |
|    | ANNEXTURE B |  |  |  | R |
|    | GRAND-TOTAL |  |  |  | R |

Upon written notice to the Supplier,  
DPWI shall be entitled:

- a) to cede, assign and transfer its right, title and interest in the provision of **Standby Generator scheduled and unscheduled maintenance contract for 24 months** to the Department of Correctional Services;
- b) notify the Service Provider of such cession to ensure that the performance of the payment for services rendered are recovered from the respective Department

The Supplier is not entitled to cede, delegate, assign, Subcontract or in any other manner dispose of any of its rights or obligations in terms of this Agreement without the prior written consent of DPWI, which consent shall not be withheld or delayed unreasonably.

\_\_\_\_\_

Bidder's Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date



public works  
& infrastructure

Department:  
Public Works and Infrastructure  
**REPUBLIC OF SOUTH AFRICA**

NELSPRUIT REGIONAL OFFICE

### STANDBY GENERATOR MAINTENANCE

| Item     | Description                                                                                                                                                       | Task                      | Unit  | Quantity | Rate     | Amount |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------|----------|----------|--------|
| <b>1</b> | <b>MAJOR SERVICE</b><br>Min. duration: 6 hours                                                                                                                    |                           |       |          |          |        |
|          | <b>Generator room</b> – inside/outside<br>Floor, Walls, Windows and Door                                                                                          | Wash, Clean<br>and Polish | Item  | 1        |          |        |
|          | <b>Generator set</b>                                                                                                                                              | Wash and<br>Clean         | Item  | 1        |          |        |
|          | <b>Check for water in fuel system</b><br>(If found drain, clean fuel tank<br>and refill with clean un-used<br>diesel. NB diesel supplied by<br>Client Department) | Replace                   | Item  | 1        |          |        |
|          | <b>Engine air filter</b>                                                                                                                                          | Replace                   | Each  | 1        |          |        |
|          | <b>Engine oil</b>                                                                                                                                                 | Replace                   | Litre | 25       |          |        |
|          | <b>Drive belts, Fan coupling<br/>device for tension</b>                                                                                                           | Replace                   | Item  | 1        |          |        |
|          | <b>Heat plugs</b>                                                                                                                                                 | Replace                   | Each  | 6        |          |        |
|          | <b>Automatic Start and Transfer<br/>switch (Not main change over<br/>switch)</b>                                                                                  | Replace                   | Each  | 1        |          |        |
|          | <b>Start and run for two hours at a<br/>capacity of 100% of nameplate<br/>rating</b>                                                                              | Test                      | Hr.   | 2        |          |        |
|          | <b>Check for leaks, connections<br/>and components</b>                                                                                                            | Inspection                | Item  | 1        |          |        |
|          | <b>Consumables</b><br>(Cable ties, Clamps, Insulation<br>tape, Duct tape, Electrical<br>cleaning agent, etc.)                                                     | Supply                    | Item  | 1        |          |        |
|          | <b>TOTAL</b>                                                                                                                                                      |                           |       |          | <b>R</b> |        |

