



QUOTATION

EASTERN CAPE PROVINCE

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

QUOTATION DOCUMENT FOR

SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.

ALF5-21/22-038

NAME OF COMPANY:

CSD Nr:

CRS Nr (CIDB):

CLOSING DATE: 14 FEBRUARY 2022

TIME: 11:00 am

Department of Public Works and
Infrastructure
Corner of Nkosi Senyukele Jojo and
Ngqubusini Street, Off Ntsizwa Street
Mt Ayliff
4735



T1.1 Tender Notice and Invitation to Tender

The Eastern Cape Department of Public Works and Infrastructure Invites Contractors with a CIDB Grading of **1SF / 1SF PE OR HIGHER** in the following Class of works (SF) for **Supply, Delivery and Maintenance of Fire Equipment for various Departmental Offices in the Alfred Nzo Region for the period of 12 Months. ALF5-21/22-038.**

The contract will be based on the **GCC 2015** and standard bidding document 7.1/7.2, where the Eastern Cape Department of Public Works and Infrastructure will enter into a contract with the successful Bidder.

Due to COVID 19 documents will not be available at departmental offices, but documents can be downloaded from the Departmental website: www.ecdpw.gov.za/tenders from 13:00pm on **08 February 2022.**

The closing time for receipt of Bids is 11:00am on 14 February 2022. Telegraphic, telephonic, telex, facsimile, e-mail and late Bids will not be accepted. Bids must be submitted in sealed envelopes clearly marked **ALF5-21/22-038, Supply, Delivery and Maintenance of Fire Equipment for various Departmental Offices in the Alfred Nzo Region for the period of 12 Months.** must be deposited in the Bid box at Department of Public Works and Infrastructure, Mt Ayliff (Alfred Nzo) DPWI supply chain office @ Corner of Nkosi Senyukele Jojo of Ngqubusini Street Mount Ayliff.

Queries relating to the issue of these documents may be addressed in writing to Mr. Sithembile Mgcikeni- email: Sithembile.Mgcikeni@ecdpw.gov.za. **Technical enquiries:** may be addressed in writing to Mr. Aphiwe Maquvana – email: Aphiwe.Maquvana@ecdpw.gov.za

It is the responsibility of the bidder/s to ensure that bid documents /proposals are submitted on or before closing time and the correct location, as the department will not take responsibility of wrong delivery. Bidders using courier services for delivery of their bid documents must ensure the delivery is at the correct place / location and time as the department will not be held responsible for wrong delivery.

Tenders may only be submitted on the tender documentation that is issued. Tenderers must be registered on the Central Supplier Data Base and proof of registration must be submitted with the proposal (<https://secure.csd.gov.za>).

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

B. BID EVALUATION:

This bid will be evaluated in Two (2) phases as follows:

Phase One (1): Compliance, responsiveness to the bid rules and conditions.

Phase Two (2): Tenderers passing the above phase will thereafter be evaluated on PPPFA of 2017.

PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT (PPPFA) POINTS WILL BE AWARDED AS FOLLOWS:

Maximum points on price	-	80 points
Maximum points for BBBEE	-	20 points
Maximum points	-	100 points



C. BID SPECIFICATIONS, CONDITIONS AND RULES

The specifications, special conditions of bid, evaluation criteria for compliance and other bid conditions are detailed in the document.

The Department of Public Works & Infrastructure SCM policy applies.

Tender validity period is **60 days**.

D. TENDER SUBMISSIONS:

Bids must be submitted in sealed envelopes clearly marked **"TENDER NO: ALF5-21/22-038 SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.** must be deposited in the bid box, Block A, Department of Public Works & Infrastructure, Cnr Nkosi Senyukele Jojo & Ngqubusini Street, Off Ntsizwa street, Mt Ayliff, 4735 .

E. ENQUIRIES WITH REGARD TO THIS ADVERT MAYBE DIRECTED TO:

- **SCM RELATED ENQUIRIES**
Mr. S. Mgcikeni
Tel No: **039 254 6844 / 066 483 4689**
Email Address: sithembile.mgcikeni@ecdpr.gov.za
- **TECHNICAL ENQUIRIES**
Mr. A. Maquvana
Tel No.: **039 254 6732 / 078 165 7477**
Email Address: Aphiwe.Maquvana@ecdpr.gov.za

FOR COMPLAINTS, FRAUD, & TENDER ABUSE:
Call: 0800 701 701



T1.2 Tender Data

The conditions of tender are the latest edition of SANS 10845-3, *Standard conditions of tender*. SANS 10845-3 makes several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the provisions of SANS 10845-3 and as contained in **Annexure F of Standard for Uniformity in Construction Procurement (Board Notice 136 Government Gazette No 38960 of 10 July 2015)**. Each item of data given below is cross-referenced to the clause in SANS 10845-3 to which it mainly applies.

Clause number	Tender Data
3.1	The Employer is Public Works and Infrastructure
3.2	The tender documents issued by the employer comprise the following documents: THE TENDER Part T1: Tendering procedures T1.1 - Tender notice and invitation to tender T1.2 - Tender data Part T2 : Returnable documents T2.1 - List of returnable documents T2.2 - Returnable schedules THE CONTRACT Part C1: Agreements and Contract data C1.1 - Form of offer and acceptance C1.2 - Contract data C1.3 - Performance Bond Part C2: Pricing data C2.1 - Pricing assumptions C2.2 - Bill of Quantities
3.3	The tender documents issued by the employer comprise the documents listed on the contents page
3.4	The employer's agent is: Name: Aphiwe Maquvana Corner of Nkosi Senyukele Jojo & Ngqubusini Street, Off Ntsizwa Street Mt Ayliff • 4735• Tel: 039 254 6732 E-mail: Aphiwe.Maquvana@ecdpw.gov.za
4	Tender's obligations
4.1	Only those tenderers who satisfy the following eligibility criteria and who provide the required evidence in their tender submissions are eligible to submit tenders and have their tenders evaluated:



4.1.1	Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a CIDB Grade 1SF / 1SF PE OR HIGHER class of work, are eligible to have their tenders evaluated. Joint ventures are eligible to submit tenders provided that: - Every member of the joint venture is registered with the CIDB; - The lead partner has a contractor grading designation in the CIDB Grade 1SF / 1SF PE OR HIGHER class of work; and The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for CIDB Grade 1SF / 1SF PE OR HIGHER class of work or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations.
4.1.2	The following tenderers who are registered with the CIDB, or are capable of being so registered prior to the evaluation of submissions, are eligible to have their tenders evaluated: - Contractors who have a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) or 25(7A) of the Construction Industry Development Regulations, for a CIDB Grade 1SF / 1SF PE OR HIGHER class of work; and - Contractors registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading 1SF / 1SF PE OR HIGHER in terms of a) above and who satisfy the following criteria: - Potential to develop and qualify to be registered in that higher grade as determined in accordance with the provisions of the <i>CIDB Specification for Social and Economic Deliverables in Construction Works Contracts</i>; and - Whom the employer agrees that they will provide the financial, management or other support that is considered appropriate to enable the contractor to successfully execute that contract.
4.2	The employer will compensate the tenderer as per the conditions of the signed contract (GCC 2015). The employer will not compensate the tenderer for any costs incurred in attending interviews or making any submissions in the office of the employer.
4.3	No clarification meeting will be held
4.4	It is the responsibility of the tenderer to check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.
4.5	Confidentiality and copyright of documents Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.



4.6	Seek clarification <i>Request clarification of the tender documents, if necessary, by notifying the employer not later than 5 (Five) working days before the closing time and date stated in the tender data.</i>
4.7	Tenderers are required to state the rates and currencies in Rands.
4.8	Do not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer or to correct errors made by the tenderer and ensure that all signatories to the tender offer initial all such alterations. Do not make erasures using masking fluid.
4.9	No alternative tender offers will be considered
4.10	Parts of each tender offer communicated on paper shall be submitted as an original. Submit a) the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with a translation of any documentation in a language other than the language of communication established in 3.5, and b) the parts communicated electronically by the employer or its agents on paper format with the tender.
4.11	The successful bidder will take full liability during the 12 months service period.
4.12	The employer's details and address for delivery of tender offers and identification details that are to be shown on each tender offer package are: Location of tender box: Block A Physical address: Corner of Nkosi Senyukele Jojo & Ngqubusini Street, Off Ntsizwa Street Mt Ayliff • 4735• Identification details: ALF5-21/22-038 and the closing date and time is 14 of February 2022 @ 11:00 am
4.13	The tenderer is required to submit with his tender the following certificates: 1) A copy of the CSD report showing, amongst other things, that tax matters of the service provider are in order with the South African Revenue Services. <i>In the case of a Joint Venture/Consortium/Sub-contractors each party must submit a separate CSD report showing, amongst other things, that tax matters of the service provider are in order with the South African Revenue Services.</i> 2) CIDB Grading certificate or CRS number.
4.14	A two-envelope procedure will not be required.
4.15	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
4.16	The closing time and date for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
4.17	The tender offer validity period is 60 days .
4.18	Access shall be provided for the following inspections, tests and analysis: N/A
4.19	Return all retained tender documents within 28 days after the expiry of the closing period: N/A
5	Employer's undertakings
5.1	The Employer will respond to requests for clarification received up to Five (5) working days before the tender closing date and time.



5.2	Tenders will be opened immediately after the closing time for tenders at 11:00am hours .																				
5.3	The financial offer will be reduced to a comparative basis using the Tender Assessment Schedule.																				
5.3.1	Table F.1: Formulae for calculating the value of A <table><tr><th>Formula</th><th>Comparison aimed at achieving</th><th>Option 1^a</th><th>Option 2^a</th></tr><tr><td>1</td><td>Highest price or discount</td><td>$A = \left(1 + \frac{(P - P_m)}{P_m} \right)$</td><td>$A = \left(\frac{(P)}{P_m} \right)$</td></tr><tr><td>2</td><td>Lowest price or percentage commission/ fee</td><td>$A = \left(1 - \frac{(P - P_m)}{P_m} \right)$</td><td>$A = \left(\frac{(P_m)}{P} \right)$</td></tr><tr><td>a</td><td colspan="3">P_m is the comparative offer of the most favourable comparative offer</td></tr><tr><td>P</td><td colspan="3">is the comparative offer of the tender offer under consideration</td></tr></table>	Formula	Comparison aimed at achieving	Option 1 ^a	Option 2 ^a	1	Highest price or discount	$A = \left(1 + \frac{(P - P_m)}{P_m} \right)$	$A = \left(\frac{(P)}{P_m} \right)$	2	Lowest price or percentage commission/ fee	$A = \left(1 - \frac{(P - P_m)}{P_m} \right)$	$A = \left(\frac{(P_m)}{P} \right)$	a	P _m is the comparative offer of the most favourable comparative offer			P	is the comparative offer of the tender offer under consideration		
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5.3.2	The procedure for the evaluation of responsive tenders is Method 2: Price and Preference.																				
5.3.3	Phase One (1): Compliance, responsiveness to the bid rules and conditions. Phase Two (2): Tenderers passing the above phase will thereafter be evaluated on PPPFA of 2017. <u>PHASE ONE (1): RESPONSIVENESS TO THE BID REQUIREMENTS AND RULES</u> Bidders' proposals must meet the following minimum requirements and supporting documents must be submitted with the completed bid document in a sealed envelope in the bid box at the closing date and time. Failure to comply will automatically eliminate the bid for further consideration: 1. Bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted. 2. Bid proposals must be submitted in an original format (re-typed bid documents will not be accepted) 3. Form of offer and Acceptance must be duly completed and signed. The amount reflected on the form of offer and acceptance takes precedence over any other total amount indicated elsewhere in tenderer's tender submission. If the form of offer and acceptance has no value of figure, the tenderer will be regarded as having made no offer. 4. Returnable schedule: SBD 1- Invitation to bid: Part A should be complete, Part B must be duly completed and signed. NB: (It is compulsory to complete the following: signature of bid, capacity under which this bid is signed and date). 5. Bidder must be registered with CIDB grading of 1SF/ 1SF PE or Higher in the following class of works (SF) as per the tender notice and requirements. It is the responsibility of the bidder to keep the status on CIDB active throughout bidding process (advert till award stage). 6. Bidders must be a legal entity or sole proprietor or partnership or joint venture or consortia. 7. The SBD 4 declaration form must be duly completed and signed: - All questions from 2.7 to 2.11 must be adequately answered. - Paragraph 3 and paragraph 4 must also be adequately completed.																				



- In the event a director or one 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, such interest must be disclosed on question 2.11.1 and failure to disclose will result in the elimination of the bidder (this information will be verified by evaluation committee through CSD).

8. The following declarations must be duly completed and signed: (SBD 8 and SBD 9).

- 9. If a bidder is a **VAT Vendor/registered**, the bidder is required to explicitly state the VAT amount. Vat Vendors must include **VAT at 15%** in their bid offer(s)
- 10. Certificate of authority for joint ventures (if applicable). In the case of a joint venture signed joint venture agreement stating the share of interest or percentage of each partner must be made available to the department by the joint venture.
- 11. **Resolution to Sign** must be duly completed and signed (where applicable).
- 12. Only one offer per bidder is allowed and alternative offers will not be considered. If more than one offer is received, none of the offers will be considered. Bidders are also not allowed to submit a bid or quotation whilst they are in agreement with other bidders in the form of joint venture or consortiums.

Other Conditions of bid (Non-eliminating)

- i. The bidders must be registered on the Central Supplier Database (CSD) prior the award.
- ii. All bidders tax matters must be in order prior award. Bidders tax matter will be verified through CSD.
- iii. Returnable Schedule: SBD1- invitation to bid should be completed and signed.
- iv. Declaration of employees of the state or other state institutions should be completed and signed.
- v. Failure to complete Section 7: Subcontracting as per SBD6.1, will automatically result in the non-awarding of points BBBEE.
- vi. Should the bidder intend to sub-contract more than 25%, it is compulsory to submit a valid BBBEE certificate or a valid original or a valid certified copy of a sworn affidavit attested by Commissioner of Oaths (for EME'S/ QSE'S) for all proposed sub-contractors. Failure will automatically result in no points awarded for BBBEE irrespective if the main bidder submitted an original or certified copy of his/her own BBBEE certificate or sworn affidavit.
- vii. A **valid original or certified copy** (by commissioner of Oath) of a valid B-BBEE Verification certificate from a verification agency accredited by **SANAS** and recognized as an Accredited B-BBEE Verification Agencies (see www.sanas.co.za/directory/bbee-default.php) if preference points are claimed in respect of Broad-Based Black Economic Empowerment. A tenderer which is an EME or QSE can submit a duly signed valid original or valid certified copy of a Sworn Affidavit attested by a Commissioner of Oaths. For an entity tendering as a joint venture, a valid consolidated B-B-BBEE Certificate meeting same requirements must be submitted with the bid. In case of



	EMEs/QSEs submitting separate Sworn Affidavits, the EME or QSE with the lowest B-BBEE contributor will be used for purposes of calculating points. Failure to do so zero points will be allocated for B-BBEE status level. viii. The Department will contract with the successful bidder by signing a formal contract. ix. Wherever a brand name is specified in this document (i.e. specifications, pricing schedule, bill of quantities or anywhere), the Department require an item similar or equivalent or better. x. The tenderer has completed the Compulsory Declaration and there are no conflicts of interest which may impact on the tenderer's ability to perform the contract in the best interests of the employer or potentially compromise the tender process. xi. The tenderer should complete and sign the Compulsory Enterprise Questionnaire. xii. All trades listed in the Bills of Quantities or Pricing schedule must be priced for (except provisional sums and allowances), failure to do so will result increase commercial risk of the bid and may lead to elimination or passing over of the bidder. <u>PHASE TWO (2): EVALUATION POINTS ON PRICE AND B-BBEE REGULATIONS OF 2017</u> The 80/20 preference point system shall be applied for the purposes of this bid as per the requirements of the <i>Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000)</i> and B-BBEE/ PPPFA Regulations of 2017 <table border="1"> <thead> <tr> <th>Criteria</th><th>Points</th></tr> </thead> <tbody> <tr> <td>POINTS ON PRICE</td><td>80</td></tr> <tr> <td>B-BBEE</td><td>20</td></tr> <tr> <td>TOTAL</td><td>100</td></tr> </tbody> </table> The 80/20 preference point system for acquisition of services, works or goods up to Rand value of R50 million: (a) The following formula must be used to calculate the points for price in respect of tenders (including price quotation) with a Rand value equal to, or above R 30 000 and up to Rand value of R 50 000 000 (all applicable taxes included): The financial offer will be scored using the following formula: $A = (1 - \frac{(P - P_m)}{P_m})$ The value of value of W_1 is: 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R50 000 000 or 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers have a value that equals or is less than R 50 000 000.	Criteria	Points	POINTS ON PRICE	80	B-BBEE	20	TOTAL	100
Criteria	Points								
POINTS ON PRICE	80								
B-BBEE	20								
TOTAL	100								
5.3.4	The procedure for the evaluation of responsive tenders is Method 4 (Financial offer, quality and preference) – N/A								
5.3.5	The quality criteria and maximum score in respect of each of the criteria are as follows: N/A								
5.3.6	Each evaluation criteria will be assessed in terms of five indicators – N/A								



5.3.7	The prompts for judgment and the associated scores used in the evaluation of quality shall be as follows: N/A
5.4	Tender offers will only be accepted if: - As per Bid conditions NOTE: The amount reflected on the Form of Offer and Acceptance takes precedence over any other total amount indicated elsewhere in tenderer's tender submission. If the Form of Offer and Acceptance has no value or figure, the tenderer will be regarded as having made no offer.
5.5	The number of paper copies of the signed contract to be provided by the employer is one(1).
5.6	The additional conditions of tender are: Wherever a brand name is specified in this document (i.e. specifications, pricing schedule, bill of quantities or anywhere), the department requires an item similar/equivalent or better.
T.2.1	A. List of returnable documents
1	Documentation to demonstrate eligibility to have tenders evaluated As per bid conditions
2	Returnable Schedules required for tender evaluation purposes As per bid conditions
3	Other documents required for tender evaluation purposes The tenderer must provide the following returnable documents: - A valid original or valid original certified copy of a valid B-BBEE Verification certificate from a verification agency accredited by SANAS and recognized as an Accredited B-BBEE Verification Agencies (see www.sanas.co.za/directory/bbee-default.php) if preference points are claimed in respect of Broad-Based Black Economic Empowerment. A tenderer which is an EME or QSE can submit a duly signed valid original or valid certified copy of a Sworn Affidavit attested by a Commissioner of Oaths. For an entity tendering as a joint venture, a valid consolidated B-B-BBEE Certificate meeting same requirements must be submitted with the bid. In case of EMEs/QSEs submitting separate Sworn Affidavits, the EME or QSE with the lowest B-BBEE contributor will be used for purposes of calculating points. Failure to do so zero points will be allocated for B-BBEE status level. - A CSD Report for a contractor with valid and correct information.
4	Returnable Schedules that will be used for tender evaluation purposes and be incorporated into the contract The tenderer must complete the following returnable documents: As per bid conditions
5	Only authorized signatories must sign the original and all copies of the tender offer where required. In the case of a ONE-PERSON CONCERN submitting a tender, this shall be clearly stated.



	In the case of a COMPANY submitting a tender, include a copy of a <u>resolution by its board of directors</u> authorizing a director or other official of the company to sign the documents on behalf of the company. In the case of a CLOSE CORPORATION submitting a tender, include a copy of a <u>resolution by its members</u> authorizing a member or other official of the corporation to sign the documents on each member's behalf. In the case of a PARTNERSHIP submitting a tender, <u>all the partners</u> shall sign the documents, unless one partner or a group of partners has been authorized to sign on behalf of each partner, in which case <u>proof of such authorization</u> shall be included in the Tender. <u>Accept that failure to submit proof of authorization to sign the tender shall result in the tender offer being regarded as non-responsive.</u>
6	Information and data to be completed in all respects Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as nonresponsive.
7	Canvassing and obtaining of additional information by tenderers The Tenderer shall not make any attempt either directly or indirectly to canvass any of the Employer's officials or the Employer's agent in respect of his tender, after the opening of the tenders but prior to the Employer arriving at a decision thereon. The Tenderer shall not make any attempt to obtain particulars of any relevant information, other than that disclosed at the opening of tenders.
8	Prohibitions on awards to persons in service of the state The Employer is prohibited to award a tender to a person - - Who is in the service of the state; or - If that person is not a natural person, of which any director, manager, principal shareholder or stakeholder is a person in the service of the state; or - A person who is an advisor or consultant contracted with the Department or municipal entity. In the service of the state means to be - - A member of: - - Any municipal council; - Any provincial legislature; or - The National Assembly or the National Council of Provinces; - A member of the board of directors of any municipal entity; - An official of any Department or municipal entity; - An employee of any national or provincial department; - Provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999); - A member of the accounting authority of any national or provincial public entity; or - An employee of Parliament or a provincial legislature. In order to give effect to the above, the questionnaire for the declaration of interests in the tender of persons in service of state in part T2 of this procurement document must be completed.
9	Awards to close family members of persons in the service of the state



	Accept that the notes to the Employer's annual financial statements must disclose particulars of any award of more than R2000 to a person who is a spouse, child or parent of a person in the service of the state (defined in clause 8 above), or has been in the service of the state in the previous twelve months, including the following: - The name of that person; - The capacity in which that person is in the service of the state; and - The amount of the award. In order to give effect to the above, the questionnaire for the declaration of interests in the tender of persons in service of state in part T2 of this procurement document must be completed.
10	Respond to requests from the tenderer The employer will respond to requests for clarification up to 5 (five) working days before the tender closing time.
11	Opening of tender submissions Tenders will be opened immediately after the closing time and date for tenders
12	Scoring quality / functionality: N/A
13	Cancellation and re-invitation of tenders An organ of state may, prior to the award of the tender, cancel the tender if- - Due to changed circumstances, there is no longer a need for the services, works or goods requested; or - Funds are no longer available to cover the total envisaged expenditure; or - No acceptable tenders are received. - Tender validity period has expired. Where applicable, the decision to cancel the tender will be published in the CIDB website and in the Tender Bulletin or the media in which the original tender invitation as advertised.
14	Dispute resolution mechanism will be done through the Litigation route.

T2.1 List of Returnable Documents

The tenderer must complete the following returnable documents:

1 Returnable Schedules required for quotation evaluation purposes

- As per Bid Conditions

2 Other documents required for quotation evaluation purposes

- As per Bid Conditions



3 Returnable Schedules that will be incorporated into the contract

- A valid original or certified copy (by commissioner of Oath) of a valid B-BBEE Verification certificate from a verification agency accredited by **SANAS** and recognized as an Accredited B-BBEE Verification Agencies (see www.sanas.co.za/directory/bbee-default.php) if preference points are claimed in respect of Broad-Based Black Economic Empowerment. A tenderer which is an EME or QSE can submit a duly signed valid original or valid certified copy of a Sworn Affidavit attested by a Commissioner of Oaths. For an entity tendering as a joint venture, a valid consolidated B-B-BBEE Certificate meeting same requirements must be submitted with the bid. In case of EMEs/QSEs submitting separate Sworn Affidavits, the EME or QSE with the lowest B-BBEE contributor will be used for purposes of calculating points. Failure to do so zero points will be allocated for B-BBEE status level.



Province of the
EASTERN CAPE
PUBLIC WORKS & INFRASTRUCTURE

Department of Public Works & Infrastructure • Corner of Nkosi Senyukele Jojo and Ngqubusini Street, Off Ntsizwa Street • Mt Ayliff • 4735 •
• Eastern Cape • Private Bag X3556 • Kokstad • 4700 • REPUBLIC OF SOUTH AFRICA • website: dpw.ecprov.gov.za •
• Tel: +27 (0) 39 254 6785 • Email: aphiwe.maquvana@ecdpw.gov.za

SBD 1

PART A

INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	ALF5-21/22-038	CLOSING DATE:	14 February 2022	CLOSING TIME:	11h00 am
DESCRIPTION:	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Department of Public Works and Infrastructure, Cnr Nkosi Senyukele & Ngqubusini street, off Ntsizwa street, Mt Ayliff, 4735					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Mr S. Mgcikeni		CONTACT PERSON	A. Maquvana	
TELEPHONE NUMBER	0392546844 / 066 483 4689		TELEPHONE NUMBER	039 254 6732 / 078 165 7477	
FACSIMILE NUMBER	N/A		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	sithembile.mgcikeni@ecdpw.gov.za		E-MAIL ADDRESS	Aphiwe.maquvana@ecdpw.gov.za	
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX) ☐ Yes ☐ No	B-BBEE STATUS LEVEL SWORN AFFIDAVIT	TICK APPLICABLE BOX) ☐ Yes ☐ No		
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
a) ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?		b) ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?			
☐ Yes ☐ No (IF YES ENCLOSE PROOF)		☐ Yes ☐ No (IF YES, ANSWER THE QUESTIONNAIRE BELOW)			
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A BRANCH IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA?				☐ YES ☐ NO	
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA?				☐ YES ☐ NO	



Province of the
EASTERN CAPE
PUBLIC WORKS & INFRASTRUCTURE

Department of Public Works & Infrastructure • Corner of Nkosi Senyukele Jojo and Ngqubusini Street, Off Ntsizwa Street • Mt Ayliff • 4735 •
• Eastern Cape • Private Bag X3556 • Kokstad • 4700 • REPUBLIC OF SOUTH AFRICA • website: dpw.ecprov.gov.za •
• Tel: +27 (0) 39 254 6785 • Email: gphiwe.maguvana@ecdpw.gov.za



IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION?

☐ YES ☐ NO

IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.



PART B

TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (JBCC® MINOR WORKS AGREEMENT: EDITION 5.1 MARCH 2014).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILED THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA .
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

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

SIGNATURE OF BIDDER:

.....

CAPACITY UNDER WHICH THIS BID IS SIGNED:

.....

(Proof of authority must be submitted e.g. company resolution)

DATE:

.....



Compulsory Enterprise Questionnaire

A

Compulsory Enterprise questionnaire

The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted.		
Section 1: Name of enterprise:		
Section 2: VAT registration number, if any:		
Section 3: Cidb registration number, if any:		
Section 4: Particulars of sole proprietors and partners in partnerships		
Name*	Identity number*	Personal income tax number*
* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners		
Section 5: Particulars of companies and close corporations		
Company registration number		
Close corporation number Tax reference number		
Section 6: The attached SBD 4 must be completed for each tender and be attached as a tender requirement.		
Section 7: The attached SBD 6.1 must be completed for each tender and be attached as a requirement.		
Section 8: The attached SBD 8 must be completed for each tender and be attached as a requirement.		
Section 9: The attached SBD 9 must be completed for each tender and be attached as a requirement.		
The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise:		
i) authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my / our tax matters are in order;		
ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004; iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption;		
iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and		
iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct.		

Signed

Date

Name

Position



Compulsory Declaration

B

1. COMPULSORY DECLARATION

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

Section 1: Enterprise Details

Name of enterprise:	
Contact person:	
Email:	
Telephone:	
Cell no	
Fax:	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Close Corporation registration number	
---	--

Section 3: SARS Information

Tax reference number	
VAT registration number:	(State Not Registered if not registered for VAT)

Section 4: Central Supplier Database Registration Number

Central Supplier Database Registration number (Compulsory)	
CIDB Registration number (if applicable)	



Section 5: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

Attach separate page if necessary



Section 6: Record in the service of the state

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

- | | |
|--|---|
| ☐ a member of any municipal council | an employee of any department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act of 1999 (Act No. 1 of 1999) |
| ☐ a member of any provincial legislature | |
| ☐ a member of the National Assembly or the National Council of Province | |
| ☐ a member of the board of directors of any municipal entity | a member of an accounting authority of any national or provincial public entity |
| ☐ an official of any municipality or municipal entity | an employee of Parliament or a provincial legislature |

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

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

*insert separate page if necessary



Section 7: Record of family member in the service of the state

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

Indicate by marking the relevant boxes with a cross, if any family member of a principal as defined in section 5 is currently or has been within the last 12 months been in the service of any of the following:

- | | |
|--|---|
| ☐ a member of any municipal council | ☐ an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999) |
| ☐ a member of any provincial legislature | ☐ a member of an accounting authority of any national or provincial public entity |
| ☐ a member of the National Assembly or the National Council of Province | ☐ an employee of Parliament or a provincial legislature |
| ☐ a member of the board of directors of any municipal entity | |
| ☐ an official of any municipality or municipal entity | |

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

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

*insert separate page if necessary

Section 8: Record of termination of previous contracts with an organ of state

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

☐ Yes ☐ No (Tick appropriate box)

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

Section 9: Declaration

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

i) neither the name of the tendering entity or any of its principals appears on:

- the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004)
- National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)

ii) neither the tendering entity or any of its principals has within the last five years been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa);



- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers
- v) has not engaged in any prohibited restrictive horizontal practices including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract etc.) or intention to not win a tender;
- vi) has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer or any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity and are not in arrears for more than 3 months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and when called upon to do so, obtain the written consent of any Sub-Consultants who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by the National Treasury, for SARS to do likewise.

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

Signed

Date

Name

Position

Enterprise name

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

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

NOTE 3: Regulation 44 of Supply Chain Management regulations issued in terms of the Municipal Finance Management Act of 2003 requires that organs of state and municipal entities not award a contract to a person who is the service of the state, a director, manager or principal shareholder in the service of the state or who has been in the service of the state in the previous twelve months.

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

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

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



DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, 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 an advertised competitive bid, a limited bid, a proposal or written price quotation). 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 tenderer or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

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

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

2.1 Full Name of tenderer or his or her representative:

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder², member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....

2.5 Tax Reference Number:

2.6 VAT Registration Number:

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

¹"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.

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

2.7 Are you or any person connected with the tenderer presently employed by the state? YES / NO

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....



Name of state institution at which you or the person connected to the tenderer is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

.....

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector?

YES / NO / N/A

2.7.2.1 If yes, did you attach proof of such authority to the bid document?

YES / NO / N/A

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

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

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

YES / NO

2.8.1 If so, furnish particulars:

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

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

YES / NO

2.9.1 If so, furnish particulars.

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

2.10 Are you, or any person connected with the tenderer, aware of any relationship (family, friend, other) between any other tenderer and any person employed by the state who may be involved with the evaluation and or adjudication of this bid?

YES/NO



2.10.1 If so, furnish particulars.

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

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

YES/NO

2.11.1 If so, furnish particulars:

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

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

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

4 DECLARATION

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

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE
TO BE FALSE.

.....
Signature

.....
Date

.....
Position

.....
Name of tenderer



SBD 6.1

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

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

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

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

1.2

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

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) **"B-BBEE"** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- (b) **"B-BBEE status level of contributor"** means the B-BBEE status of an entity in terms of a code of good practice on black economic empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- (c) **"bid"** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of goods or services, through price quotations, advertised competitive bidding processes or proposals;



- (d) **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- (e) **“EME”** means an Exempted Micro Enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (f) **“functionality”** means the ability of a tenderer to provide goods or services in accordance with specifications as set out in the tender documents.
- (g) **“prices”** includes all applicable taxes less all unconditional discounts;
- (h) **“proof of B-BBEE status level of contributor”** means:
 - 1) B-BBEE Status level certificate issued by an authorised body or person;
 - 2) A sworn affidavit as prescribed by the B-BBEE Codes of Good Practice;
 - 3) Any other requirement prescribed in terms of the B-BBEE Act;
- (i) **“QSE”** means a qualifying small business enterprise in terms of a code of good practice on black economic empowerment issued in terms of section 9 (1) of the Broad-Based Black Economic Empowerment Act;
- (j) **“rand value”** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

3. POINTS AWARDED FOR PRICE

3.1 THE 80/20 PREFERENCE POINT SYSTEMS

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

80/20

$$Ps = 80 \left(1 - \frac{Pt - P_{\min}}{P_{\min}} \right)$$

Where

Ps	=	Points scored for price of bid under consideration
Pt	=	Price of bid under consideration
$P_{\min}$	=	Price of lowest acceptable bid

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

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



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

5. BID DECLARATION

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

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

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

7. SUB-CONTRACTING

7.1 Will any portion of the contract be sub-contracted?

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

7.1.1 If yes, indicate:

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

(Tick applicable box)

YES	☐	NO	☐
-----	--------------------------	----	--------------------------

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



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

8. DECLARATION WITH REGARD TO COMPANY/FIRM

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

8.2 VAT registration number:.....

8.3 Company registration number:.....

8.4 TYPE OF COMPANY/ FIRM

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

[TICK APPLICABLE BOX]

8.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

.....

.....

.....

.....

.....

8.6 COMPANY CLASSIFICATION

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

[TICK APPLICABLE BOX]

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



8.8 I / We, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the B-BBE status level of contributor indicated in paragraphs 1.4 and 6.1 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- i) The information furnished is true and correct;
- ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;
- iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 6.1, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- iv) If the B-BBEE status level of contributor has been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –

- (a) disqualify the person from the bidding process;
- (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
- (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
- (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 by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
- (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

SIGNATURE(S) OF TENDERERS(S)

DATE:

ADDRESS:

.....

.....



DECLARATION OF TENDERER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.
- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.
- 3 The bid of any tenderer may be disregarded if that tenderer, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.
- 4 In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.

Item	Question	Yes	No
4.1	Is the tenderer or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the <i>audi alteram partem</i> rule was applied).	Yes ☐	No ☐
4.1.1	If so, furnish particulars:		
4.2	Is the tenderer or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za , 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.	Yes ☐	No ☐
4.2.1	If so, furnish particulars:		
4.3	Was the tenderer 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?	Yes ☐	No ☐
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the tenderer and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes ☐	No ☐
4.4.1	If so, furnish particulars:		



CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Tenderer



SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any tenderer if that tenderer, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and proposals.

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



SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

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

I certify, on behalf of _____ that:

(Name of Tenderer)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the tenderer to sign this Certificate, and to submit the accompanying bid, on behalf of the tenderer;
4. Each person whose signature appears on the accompanying bid has been authorized by the tenderer to determine the terms of, and to sign the bid, on behalf of the tenderer;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the tenderer, whether or not affiliated with the tenderer, who:

- (a) has been requested to submit a bid in response to this bid invitation;
- (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
- (c) provides the same goods and services as the tenderer and/or is in the same line of business as the tenderer.

6. The tenderer has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:



- (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the tenderer, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Tenderer



***VALID ORIGINAL OR CERTIFIED COPY OF B-BBEE
CERTIFICATE***

(IF APPLICABLE, ATTACH HERE)



SWORN AFFIDAVIT

(IF APPLICABLE, CHOOSE THE CORRECT FORM AND COMPLETE)

NB:CHOOSE ONE i.e EME or QSE!!!!)



SWORN AFFIDAVIT – B-BBEE EXEMPTED MICRO ENTERPRISE (EME) – CONTRACTORS

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorized to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization- i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior

3. I hereby declare under Oath that:

- ☐ The Enterprise is _____ % **Black Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____ % **Black Woman Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____ % **Black Designated Group Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of



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2013,

- ☐ Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end day.....month.....year....., the annual Total Revenue was equal to/or less than R10,000,000.00 (ten Million Rands or less),
- ☐ Please confirm on the table below the B-BBEE level contributor, by **ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned but less than 100% black owned	Level Two (125% B-BBEE procurement recognition level)	
At least 30% Black Owned but less than 51% black owned	Level Four (100% B-BBEE procurement recognition level)	
Less than 30% Black Owned	Level Five (80% B-BBEE procurement recognition level)	

NB: KEY NOTES FOR EMES (extract from Gazette No. 41287)

- 3.6.2.4.1 An Exempted Micro Enterprise (EME) with a total annual revenue of less than R1.8 million in the case of BEPs and less than R3 million in the case of Contractors are :
 - A) Not subject to the discounting principle and therefore do not have to comply with the QSE Skills Development element, and
 - B) Not required to have an authorised B-BBEE verification certificate, and may present an affidavit or a certificate issued by the Companies and Intellectual Property Commission (CIPC), in respect of their ownership and annual turnover.
 - Contractors and/Built Environment Professionals are encouraged to familiarize themselves with the Construction Sector Codes (CSC000) as issued through Government Gazette No. 41287, Board No. NOTICE 931 OF 2017.
Details are available on:
www.thedti.gov.za/economic_empowerment/bee_sector_charters.jsp
 - An electronic copy can also be requested through DPW offices (Supply Chain Offices)
4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp



SWORN AFFIDAVIT – B-BBEE QUALIFYING SMALL ENTERPRISE (QSE) – CONTRACTORS

I, the undersigned,

Full name & Surname	
Identity number	

Hereby declare under oath as follows:

1. The contents of this statement are to the best of my knowledge a true reflection of the facts.
2. I am a Member / Director / Owner of the following enterprise and am duly authorised to act on its behalf:

Enterprise Name:	
Trading Name (If Applicable):	
Registration Number:	
Enterprise Physical Address:	
Type of Entity (CC, (Pty) Ltd, Sole Prop	
Nature of Business:	
Definition of "Black People"	As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 "Black People" is a generic term which means Africans, Coloureds and Indians – (a) Who are citizens of the Republic of South Africa by birth or descent; or (b) Who became citizens of the Republic of South Africa by naturalization- i. Before 27 April 1994; or ii. On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior

3. I hereby declare under Oath that:

- ☐ The Enterprise is _____% **Black Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Woman Owned** as per Amended Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,
- ☐ The Enterprise is _____% **Black Designated Group Owned** as per Amended



Code Series CSC000 of the Revised Construction Sector Codes of Good Practice issued under section 9 (1) of B-BBEE Act No 53 of 2003 as Amended by Act No 46 of 2013,

- ☐ Based on the Financial Statements/Management Accounts and other information available on the latest financial year-end day.....month.....year....., the annual Total Revenue was between 10 million (ten Million Rands) and less than R50,000,000.00 (fifty Million Rands).
- ☐ Please confirm on the table below the B-BBEE level contributor, **by ticking the applicable box.**

100% Black Owned	Level One (135% B-BBEE procurement recognition level)	
At least 51% Black Owned but less than 100% black owned	Level Two (125% B-BBEE procurement recognition level)	

NB: KEY NOTES FOR QSE (extract from Gazette No. 41287)

- 5.6.3 A QSE that is at least 51% Black Owned or 100% Black Owned that does not comply with paragraph 3.6.2.3 above, will be discounted by one level from that level awarded in paragraphs 5.3.1 and 5.3.2 respectively.
 - 5.3.4 Despite paragraphs 5.2, 5.3.1 and 5.3.2, an at least 51% Black Owned QSE's B-BBEE Status Level and corresponding B-BBEE Recognition Level will be enhanced by one level if it achieves full points (excluding the bonus points) for the Skills Development element of the QSE Scorecard (paragraphs 1.1, 1.2 and 1.3 of Statement CSC603) or the Preferential Procurement and Supplier Development element of the QSE Scorecard (paragraphs 1.1, 1.2, 1.3 and 2.1 of CSC604).
 - 5.3.5 For the avoidance of doubt, a Measured Entity that is measured in terms of the full QSE scorecard is not eligible for enhancement in terms of paragraph 5.3.4 above.
 - Contractors and/Built Environment Professionals are encouraged to familiarize themselves with the Construction Sector Codes (CSC000) as issued through Government Gazette No. 41287, Board No. NOTICE 931 OF 2017.
Details are available on:
www.thedti.gov.za/economic_empowerment/bee_sector_charters.jsp
 - An electronic copy can also be requested through DPW offices (Supply Chain Offices)
4. I know and understand the contents of this affidavit and I have no objection to take the prescribed oath and consider the oath binding on my conscience and on the owners of the enterprise which I represent in this matter.
5. The sworn affidavit will be valid for a period of 12 months from the date signed by commissioner.

Deponent Signature: _____

Date: _____

Commissioner of Oaths
Signature & stamp



PROOF OF REGISTRATION ON THE NATIONAL TREASURY CENTRAL SUPPLIER DATABASE (CSD REPORT)

(ATTACH HERE)



VALID CIDB CERTIFICATE OF A TENDERER
(ATTACH HERE)



Form of Offer and Acceptance

Annex C (normative)

FORM OF OFFER AND ACCEPTANCE

Project title	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
SCMU number	ALF5-21/22-038

OFFER

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of:

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 OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS

.....Rand (in words);

R(in figures) (or other suitable wording)

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.

Signature(s) _____

Tender's

Name(s) _____

Authorized Person

(Names) _____

Address of the

Tenderer: _____

Witnesses (Signatures):

1. _____ Date: _____

2. _____ Date: _____



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 Agreements 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 returnable 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 form of offer and acceptance. No amendments to or deviations from said documents are valid unless contained in this schedule.

The tenderer shall within 3 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 working days of the date of such receipt notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.¹

Signature
Name
Capacity
for the
Employer
(Name and address of organization)
Name and signature
of witness Date

Schedule of Deviations

1 Subject
Details

2 Subject
Details

3 Subject
Details

¹ As an alternative, the following wording may be used:

Notwithstanding anything contained herein, this agreement comes into effect two working days after the submission by the employer of one fully completed original copy of this document including the schedule of deviations (if any), to a courier-to-counter delivery / counter-to-counter delivery / door-to-counter delivery / door-to-door delivery / courier service (delete that which is not applicable), provided that the employer notifies the tenderer of the tracking number within 24 hours of such submission. Unless the tenderer (now contractor) within seven working days of the date of such submission notifies the employer in writing of any reason why he cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.



FINAL SUMMARY

Project title	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
SCMU number	ALF5-21/22-038

SUMMARY OF SCHEDULE OF QUANTITIES

Section	Description	From Page	Amount
1	SUB TOTAL 1: BILL NO.1		R _____
2	SUB TOTAL 2: BILL NO.2		R _____
3	SUB TOTAL 2: BILL NO.3		R _____
Total			R _____
Add Contingencies			R 18 300.00
Add: 15% Value Added Tax (If Applicable)			R _____
TOTAL CARRIED FORWARD TO FORM OF OFFER AND ACCEPTANCE			R.....



C

RECORD OF ADDENDA TO BID DOCUMENTS

PROJECT TITLE	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.		
SCMU NUMBER	ALF5-21/22-038		
I / We confirm that the following communications received from the Department of Public Works before the submission of this tender offer, amending the tender documents, have been taken into account in this bid offer: (Attach additional pages if more space is required)			
Item	Date	Title or Details	No. of Pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

Attach additional pages if more space is required.

Signed _____

Date _____

Name _____

Position _____

Tenderer _____



D

PROPOSED AMENDMENTS AND QUALIFICATIONS

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

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

PROJECT TITLE	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
SCMU NUMBER	ALF5-21/22-038

Page	Clause /Item	Proposal

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

Signed

Date

Name

Position

Enterprise name



E

RESOLUTION FOR SIGNATORY

A: CERTIFICATE OF AUTHORITY FOR SIGNATORY

Signatory for companies shall confirm their authority hereto by attaching a duly signed and dated copy of the relevant resolution of the board of directors to this form or on company letter head.

An example is given below:

"By resolution of the board of directors passed at a meeting held on _____

Mr/Mrs/Ms _____, whose signature appears below, has been duly authorised to

sign all documents in connection with the tender for Contract No. _____

and any Contract which may arise there from on behalf of (Block Capitals) _____

SIGNED ON BEHALF OF THE COMPANY: _____

IN HIS/HER CAPACITY AS: _____

DATE: _____

SIGNATURE OF SIGNATORY: _____

WITNESSES:

DIRECTOR (NAMES)		SIGNATURE	
DIRECTOR (NAMES)		SIGNATURE	
DIRECTOR (NAMES)		SIGNATURE	
DIRECTOR (NAMES)		SIGNATURE	
DIRECTOR (NAMES)		SIGNATURE	
DIRECTOR (NAMES)		SIGNATURE	

If you cannot complete this form, attach a separate sheet (in a company letter head, project specific and signed by all directors);



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F

CAPACITY OF THE TENDERER

PROJECT TITLE	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.		
SCMU NUMBER	ALF5-21/22-38		
WORK CAPACITY: (The Tenderer is requested to furnish the following capacity particulars and to attach additional pages if more space is required. Failure to furnish the particulars may result in the Bid being disregarded.) <i>Artisans and Employees: (Artisans and Employees to be ,or are ,employed for this project)</i>			
Quantity / No. of Resources	Categories of Employee - Key Personnel (part of Business Enterprise)	Professional Registration No.	Date of Employment
	Site Agent		
	Foreman		
	Quality Control & Safety Officer-Construction Supervisor		
	Artisans		
	Unskilled employees		
	Others		
The undersigned, who warrants that she/ he is duly authorised to do so on behalf of the enterprise, confirms that the content of this schedule that presented by the tenderer are within my personal knowledge and are to the best of my knowledge both true and correct.			
Signed:		Date	
Name:		Position	
Enterprise Name:			



G

RELEVANT PROJECT EXPERIENCE – COMPLETED PROJECTS

Tenderers must submit a max one-page description of at least three projects successfully completed.
Attach an Completion Certificate for each of the project provided.

The description of each project must include the following information:

1. Essential introductory information:
 - 1.1. Name of project.
 - 1.2. Name of client.
 - 1.3. Contact details of client.
 - 1.4. Contact details (including telephone numbers and email addresses) of currently contactable references.
 - 1.5. The period during which the project was performed, and also, if this is different, the period during which the tenderer's team members were contracted.
 - 1.6. Cost of works and/or contract value (making it clear in broad terms what this cost/value purchased, and to what extent (if any) this cost/value was part of a larger project budget or programme budget).

NO.	NAME OF PROJECT.	NAME OF CLIENT.	CONTACT DETAILS OF CLIENT.	PROJECT VALUE	DATE COMPLETED
1					
2					
3					

Attach a separate page to address this issue (the above table is just for reference purposes).

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

Signed.....

Date.....

Name.....

Position.....

Enterprise name.....



H

RELEVANT PROJECT EXPERIENCE – CURRENT PROJECTS

Tenderers must submit a max one-page description of at least three projects under construction/ on hold/ just handed over/ towards completion (if they exist). **Attach an Appointment letter for each of the project provided.**

The description of each project must include the following information:

2. Essential introductory information:

- 2.1. Name of project.
- 2.2. Name of client.
- 2.3. Contact details of client.
- 2.4. Contact details (including telephone numbers and email addresses) of currently contactable references.
- 2.5. The period during which the project was performed, and also, if this is different, the period during which the tenderer's team members were contracted.
- 2.6. Cost of works and/or contract value (making it clear in broad terms what this cost/value purchased, and to what extent (if any) this cost/value was part of a larger project budget or programme budget).

NO.		NAME OF PROJECT.	NAME OF CLIENT.	CONTACT DETAILS OF CLIENT.	PROJECT VALUE	STAGE OF PROJECT
1						
2						
3						

Attach a separate page to address this issue (the above table is just for reference purposes).

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

Signed

Date

Name

Position

Enterprise name



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I

Evaluation Schedule - 1

Project title:	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
Project Number:	ALF5-21/22-038

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of _____ (company name) declare that I was the Project Manager on the following building construction project successfully executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc.						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:



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D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2019

Signature of principal agent

COMPANY STAMP

Name of Tenderer

Signature of Tenderer

Date



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J

Evaluation Schedule - 2

Project title:	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
Project Number:	ALF5-21/22-038

NOTE: This returnable document must be completed by the person who was the Engineer/Project Manager on a project of similar value and complexity that was completed successfully by the tenderer.

I, _____ (name and surname) of
_____ (company name) declare

that I was the Project Manager on the following building construction project successfully executed by _____ (name of tenderer):

Project name: _____

Project location: _____

Construction period: _____ Completion date: _____

Contract value: _____

A. Please evaluate the performance of the Tenderer on the abovementioned project, on which you were the principal agent, by inserting "Yes" in the relevant box below:

Key Performance Indicators	Very Poor 1	Poor 2	Fair 3	Good 4	Excellent 5	Total
1. Project performance / time management / programming						
2. Quality of workmanship						
3. Resources: Personnel						
4. Resources: Plant						
5. Financial management / payment of subcontractors / cash flow, etc.						
TOTAL						

B. Would you consider / recommend this tenderer again:

YES	NO

C. Any other comments:



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• Eastern Cape • Private Bag X3556 • Kokstad • 4700 • REPUBLIC OF SOUTH AFRICA • website: dpw.ecprov.gov.za •
• Tel: +27 (0) 39 254 6785 • Email: dpw@dpw.ecprov.gov.za



D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____

Thus signed at _____ on this _____ day of _____ 2021.

Signature of principal agent

COMPANY STAMP

Name of Tenderer

Signature of Tenderer

Date



K

BASELINE RISK ASSESSMENT

PROJECT TITLE	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
SCMU NUMBER	ALF5-21/22-038
PLEASE NOTE THAT THIS IS A BASELINE RISK ASSESSMENT AND NOT A DETAILED RISK ASSESSMENT OF ALL ANTICIPATED ACTIVITIES ON SITE	

Activity	Risk to Safety	Risk to Health	Risk to Environmental	Risk to Public Safety	Control Measures

You can list all activities on a separate page to address this issue (the above table is just for reference purposes).

Signed

Date

Name

Position

Enterprise name



COVID - 19 REGULATIONS

Government notices • GoewermentskennisGewinGs

II. DEPARTMENT OF LABOUR

NO. 479

29 APRIL 2020

DEPARTMENT OF EMPLOYMENT AND LABOUR

COVID-19 OCCUPATIONAL HEALTH AND SAFETY MEASURES IN WORKPLACES COVID-19 (C19 OHS), 2020

III. DIRECTIVE BY THE MINISTER OF EMPLOYMENT AND LABOUR IN TERMS OF REGULATION 10 (8) OF THE REGULATIONS ISSUED BY THE MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN TERMS OF SECTION 27 (2) OF THE DISASTER MANAGEMENT ACT, 2002 (ACT NO. 57 OF 2002)

I, Thembelani Waltermade Nxesi, the Minister of Employment and Labour, acting in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) in terms of Regulation 10 (8) of the Regulations issued by the Minister of Cooperative Governance and Traditional Affairs in terms of section 27 (2) of the Disaster Management Act, 2002 (Act No. 57 of 2002) has determined that it is necessary to adopt and implement occupational health and safety measures to (reduce and eliminate) the escalation of COVID-19 infections in workplaces as set out in the Schedule.

IV. MR. T. W. NXESI, MP MINISTER OF EMPLOYMENT AND LABOUR DATE: 28 APRIL 2020



V. SCHEDULE

COVID-19 Direction on Health and Safety in the Workplace

issued by the Minister in terms of Regulation 10(8) of the National Disaster

VI. Regulations

PREAMBLE

1. On 17 March 2020, the Department of Employment and Labour issued guidelines for employers to deal with COVID-19 at workplaces.¹ The Department of Employment and Labour appealed to employers to use the prescriptions of the OHSA in particular the Hazardous Biological Agents Regulations governing workplaces in relation to Coronavirus Disease 2019 caused by the SARS-CoV-2 virus.
2. In the period since the issuing of the guidelines, a clearer picture has emerged about COVID-19 and the nature of the hazard and risk in the workplace and the precautions that should be taken to minimise the risk. The purpose of these directives is to stipulate measures that must be taken by employers in order to protect the health and safety of workers and members of the public who enter their workplaces or are exposed to their working activities.
3. These directive seek to ensure that the measures taken by employers under OHSA are consistent with the overall national strategies and policies to minimise the spread of COVID-19.
4. The OHSA, read with its regulations and incorporated standards, requires the employer to provide and maintain as far as is reasonably practicable a working environment that is safe and without risks to the health of workers and to take such

¹

<http://www.labour.gov.za/DocumentCenter/Publications/Occupational%20Health%20and%20Safety/COVID19%20Guideline%20Mar2020.pdf>



steps as may be reasonably practicable to eliminate or mitigate the hazard or potential hazard.

5. The OHSA further requires employers, to ensure, as far as is reasonably practicable, that all persons who may be directly affected by their activities (such as customers, clients or contractors and their workers who enter their workplace or come into contact with their employees) are not exposed to hazards to their health or safety. This obligation also applies to self-employed persons (for example, plumbers or electricians) whose working activities bring them into contact with members of the public.

6. For the purposes of OHSA in the workplaces to which this Directive applies, the identifiable hazard relating to COVID-19 is that workers face is the transmission by an infected person to workers in the workplace. In workplaces to which the public has access, the hazard includes transmission of the virus by members of the public. Each situation requires special measures to be implemented by employers in order to prevent the transmission of the virus.

7. Although OHSA requires employers to review and update risk assessments on a regular basis, the new hazard posed by COVID-19 is clearly identifiable and the basic measures to eliminate or minimise the risk are now well known². The object of conducting or updating a risk assessment in respect of COVID-19 is to provide specific focus on COVID-19 and adapt the measures required by this Directive to specific working environments taking into account the Risk Assessment Guides published online by the National Department of Health.

8. This Directive is based on infection transmission prevention and specific occupational hygiene practices that focus on the need for employers to implement measures to mitigate or eliminate the transmission of the virus in the workplace.

² These basic measures may be further refined in the sector guidelines or in amendments to the direction as the science on the transmission of the disease progresses.



9. This Directive recognises that there are sector specific measures that need to be taken into account and accordingly provides for sector guidelines to supplement this Directive.

10. This Directive does not reduce the existing obligations of the employer in terms of OHSA nor prevent an employer from implementing more stringent measures in order to prevent the spread of the virus.

VII. DEFINITIONS

11. In this Directive, unless the context indicates otherwise –

“BCEA” means the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997);

“COVID-19” means Coronavirus Disease 2019;

“Disaster Management Act” means the Disaster Management Act, 2002 (Act No. 57 of 2002);

“OHSA” means the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993);

“PPE” means personal protective equipment;

“virus” means the SARS-CoV-2 virus;

“worker” means any person who works in an employer’s workplace including an employee of the employer or contractor, a self-employed person or volunteer³; “workplace” means any premises or place where a person performs work.

VIII. APPLICATION

12. Subject to clause 13, this Directive applies to employers and workers in respect of-

12.1 the manufacturing, supply or provision of essential goods or essential services, as defined in Schedule 2 of the Regulations issued in terms of section 27(2) of the Disaster Management Act;

12.2 any workplace permitted to continue or commence operations before the expiry of those Regulations.

³ The distinction between ‘worker’ and ‘employee’ in the Directive is used to ensure that all persons who in work in a workplace are protected and to locate the responsibility in respect of certain obligations imposed on the employer in respect of its employees such as an application for illness benefits or worker’s compensation.



13. This Directive does not apply to workplaces-

- 13.1 excluded from the OHSA in terms of section 1(3) of the OHSA;
- 13.2 in which medical and health care services as defined in Schedule 2 in the Regulations issued in terms of section 27(2) of the Disaster Management Act (other than retail pharmacies) are performed;
- 13.3 in respect of which another Minister has issued a directive under those Regulations dealing with health and safety.

14. Subject to the employer's obligations under OHSA to conduct a risk assessment, employers with less than 10 employees need only apply the measures set out in clause 40 of this Directive.

IX. Period of application

15. This Directive remains in force for as long as the declaration of a national disaster published in *Government Gazette* 43096 on 15 March 2020 remains in force.

X. Administrative measures

16. Every employer must establish the following administrative measures:

- 16.1 It must undertake a risk assessment to give effect to the minimum measures required by this Directive taking into account the specific circumstances of the workplace.
- 16.2 If the employer employs more than 500 employees, that employer must submit a record of its risk assessment together with a written policy concerning the protection of the health and safety of its employees from COVID-19 as contemplated in section 7(1) of OHSA to-
 - 16.2.1 Its health and safety committee established in terms of section 19 of OHSA; and
 - 16.2.2 The Department of Employment and Labour.⁴

⁴ Submission must be made to the Provincial Chief Inspector at
<http://www.labour.gov.za/AboutUs/Ministry/Pages/IES0320-7398.aspx>



16.3 It must notify all workers of the contents of this Directive and the manner in which it intends to implement it;

16.4 It must notify its employees that if they are sick or have symptoms associated with the COVID-19 that they must not come to work and to take paid sick leave in terms of section 22 of the BCEA;

16.5 It must appoint a manager to address employee or workplace representative concerns and to keep them informed and, in any workplace in which an health and safety committee has been elected, consult with that committee on the nature of the hazard in that workplace and the measures that need to be taken;

16.6 It must ensure that the measures required by this Directive and its risk assessment plan are strictly complied with through monitoring and supervision;

16.7 It must, as far as practicable, minimize the number of workers on at the workplace at any given time through rotation, staggered working hours, shift systems, remote working arrangements or similar measures in order to achieve social distancing, as contemplated in clause 17;

16.8 It must take measures to minimize contact between workers as well as between workers and members of the public;

16.9 It must provide workers with information that raises awareness in any form or manner, including where reasonably practicable leaflets and notices placed in conspicuous places in the workplace informing workers of the dangers of the virus, the manner of its transmission, the measures to prevent transmission such as personal hygiene, social distancing, use of masks, cough etiquette and where to go for screening or testing if presenting with the symptoms;

16.10 If a worker has been diagnosed with COVID-19, an employer must-

16.10.1.1 inform the Department of Health⁵ and the Department of Employment and Labour; and

16.10.2 investigate the cause including any control failure and review its risk assessment to ensure that the necessary controls and PPE requirements are in place; and

⁵ Report may be made to the COVID-19 hotline: 0800 02 9999.



16.11 it must give administrative support to any contact-tracing measures implemented by the Department of Health.

XI. Social distancing measures

17. Every employer must arrange the workplace to ensure minimal contact between workers and as far as practicable ensure that there is a minimum of one and a half metres between workers while they are working, for example, at their workstations. Depending on the circumstances of the workplace or the nature of the sector, the minimum distance may need to be longer. Reducing the number of workers present in the workplace at any time in terms of clause 16.5 may assist in achieving the required social distancing.

18. If it is not practicable to arrange work stations to be spaced at least one and a half metres apart, the employer must-

18.1 arrange physical barriers to be placed between work stations or erected on work stations to form a solid physical barrier between workers while they are working;

or

18.2 if necessary, supply the employee free of charge with appropriate PPE based on a risk assessment of the working place.

19. Every employer must ensure that social distancing measures are implemented through supervision both in the workplace and in the common areas outside the immediate workplace through queue control or within the workplace such as canteens and lavatories. These measures may include dividing the workforce into groups or staggering break-times to avoid the concentration of workers in common areas.

Health and safety measures

20. Every employer must implement the following health and safety measures.

XII. Symptom screening⁶

21. Every employer must take measures to-

⁶ For more specific guidelines see: Department of Health "Guidelines for symptom monitoring and management of essential workers for COVID-19 related infection".



- 21.1 screen any worker, at the time that they report for work, to ascertain whether they have any of the observable symptoms associated with COVID-19, namely fever, cough, sore throat, redness of eyes or shortness of breath (or difficulty in breathing);
- 21.2 require every worker to report whether they suffer from any of the following additional symptoms: body aches, loss of smell or loss of taste, nausea, vomiting, diarrhoea, fatigue, weakness or tiredness; and
- 21.3 require workers to immediately inform the employer if they experience any of the symptoms in sub-clauses 21.1 and 21.2 while at work.

22. Employers must comply with any guidelines issued by the the National Department of Health in consultation with the Department in respect of –

- 22.1 symptom screening; and
- 22.2 if in addition required to do so, medical surveillance and testing.

23. If a worker presents with those symptoms, or advises the employer of these symptoms, the employer must –

- 23.1 not permit the worker to enter the workplace or report for work; or
- 23.2 if the worker is already at work immediately-
 - 23.2.1 isolate the worker, provide the worker with a FFP1 surgical mask and arrange for the worker to be transported in a manner that does not place other workers or members of the public at risk either to be self-isolated or for a medical examination or testing; and
 - 23.2.2 assess the risk of transmission, disinfect the area and the worker's workstation, refer those workers who may be at risk for screening and take any other appropriate measure to prevent possible transmission;
- 23.3 ensure that the worker is tested or referred to an identified testing site;
- 23.4 place its employee on paid sick leave in terms of section 22 of the BCEA or if the employee's sick leave entitlement under the section is exhausted, make application for an illness benefit in terms of clause 4 of the Directive issued on 25 March 2020 on the COVID-19 Temporary Employer Relief Scheme under regulation 10(8) of the Regulations promulgated in terms of section 27(2) of the Disaster Management Act;



23.5 ensure that the employee is not discriminated against on grounds of having tested positive for COVID-19 in terms of section 6 of the Employment Equity Act, 1998 (Act No. 55 of 1998);

23.6 if there is evidence that the worker contracted COVID-19 as a result of occupational exposure, lodge a claim for compensation in terms of the Compensation for Occupational Injuries and Diseases Act, 1993 (Act No. 130 of 1993) in accordance with Notice 193 published on 3 March 2020.⁷

24. If a worker has been diagnosed with COVID-19 and isolated in accordance with the Department of Health Guidelines, an employer may only allow a worker to return to work on the following conditions:

24.1 The worker has undergone a medical evaluation confirming that the worker has been tested negative for COVID-19;

24.2 the employer ensures that personal hygiene, wearing of masks, social distancing, and cough etiquette is strictly adhered to by the worker; and

24.3 the employer closely monitors the worker for symptoms on return to work.

XIII. Sanitizers, disinfectants and other measures

25. For the purposes of these clauses, a hand sanitizer must be one that has at least 70% alcohol content and is in accordance with the recommendations of the Department of Health.

26. Every employer must, free of charge, ensure that –

26.1 there are sufficient quantities of hand sanitizer based on the number of workers or other persons who access the workplace at the entrance of, and in, the workplace which the workers or other persons are required to use;

26.2 every employee who works away from the workplace, other than at home, must be provided with an adequate supply of hand sanitizer.

27. If a worker interacts with the public, the employer must provide the worker with sufficient supplies of hand-sanitizer at that worker's workstation for both the worker and the person with whom the worker is interacting.

⁷ GG 43126 GN193 of 23 March 2020.



28. Every employer must take measures to ensure that-

- 28.1 all work surfaces and equipment are disinfected before work begins, regularly during the working period and after work ends;
- 28.2 all areas such as toilets, common areas, door handles, shared electronic equipment are regularly cleaned and disinfected;
- 28.3 disable biometric systems or make them COVID-19-proof.

29. The employer must ensure that-

- 29.1 there are adequate facilities for the washing of hands with soap and clean water;
- 29.2 only paper towels are provided to dry hands after washing – the use of fabric towelling is prohibited;
- 29.3 the workers are required to wash their hands and sanitize their hands regularly while at work;
- 29.4 the workers interacting with the public are instructed to sanitize their hands between each interaction with public;
- 29.5 surfaces that workers and members of the public come into contact with are routinely cleaned and disinfected.

XIV. Cloth masks

30. The main benefit of everyone wearing a cloth mask is to reduce the amount of virus droplets being coughed up by those with the infection and transmitted to others and to surfaces that others may touch. Since some persons with the virus may not have symptoms or may not know they have it, the Department of Health requires that all persons wear cloth masks when in a public place.

31. For the reasons underlying the Department of Health's requirement, every employer must –

- 31.1 provide each of its employees, free of charge, with a minimum of two cloth masks, which comply with the requirement set out in the Guidelines issued by the Department of Trade, Industry and Competition,⁸ for the employee to wear while at work and while commuting to and from work; and
- 31.2 require any other worker to wear masks in the workplace.

⁸ http://www.thedtic.gov.za/wp-content/uploads/Updated_Recommended_Guidelines_Fabric_Face_Masks.pdf.



32. The number and replaceability of cloth masks that must be provided to an employee or required of other workers must be determined in accordance with any sectoral guideline and in the light of the employee or worker's conditions of work, in particular, where these may result in the mask becoming wet or soiled.

33. Every employer must ensure that workers are informed, instructed, trained and instructed as to the correct use of cloth masks.

34. An employer must make appropriate arrangements for the washing, drying and ironing of cloth masks in accordance with the Guidelines referred in clause 31.1 recommendations.

35. The general requirement for workers to wear masks does not derogate from the fact that, where a risk assessment indicates that PPE is required, those categories of workers must be provided with the accredited PPE in accordance with Department of Health guidelines.

XV. Measures in respect of workplaces to which public have access

36. The principal purpose of the measures contained in the following clause is to protect workers from being exposed to the virus through their interaction with the public and to protect members of the public from being exposed to virus through their interaction with workers or other persons present in such a workplace.

37. Depending on what is reasonably practicable given the nature of the workplace, every employer must-

37.1 arrange the workplace to ensure that there is a distance at least one and a half metres between workers and members of the public or between members of the public; or

37.2 put in place physical barriers or provide workers with face shields or visors;

37.3 if appropriate, undertake symptom screening measures of persons other than the employees entering the workplace with due regard to available technology and any guidelines issued by the Department of Health;

37.4 if appropriate, display notices advising persons other than employees entering the workplace of the precautions they are required to observe while in the workplace;

37.5 require members of the public, including suppliers, to wear masks when inside their premises.



XVI. Ventilation

38. Every employer must –

- 38.1 keep the workplace well ventilated by natural or mechanical means to reduce the SARS-CoV-2 viral load;
- 38.2 where reasonably practicable, have an effective local extraction ventilation system with high-efficiency particulate air HEPA filters, which is regularly cleaned and maintained, and its vents do not feed back in through open windows;
- 38.3 ensure that filters are cleaned and replaced in accordance with the manufacturer's instructions by a competent person.

XVII. Other PPE

39. Every employer must check regularly on the websites of the National Department of Health⁹, National Institute of Communicable Diseases¹⁰ and the National Institute for Occupational Health¹¹ whether any additional PPE is required or recommended in any guidelines given the nature of the workplace or the nature of a worker's duties.

XVIII. SMALL BUSINESSES

40. Employers with less than 10 employees must take the following measures:

- 40.1 arrange the workplace to ensure that employees are at least one and half metres apart or, if not practicable, place physical barriers between them to prevent the possible transmission of the virus;
- 40.2 ensure that employees that present with the symptoms set out in clause 21 are not permitted to work;
- 40.3 immediately contact the COVID-19 hotline: 0800 02 9999 for instruction and direct the employee to act in accordance with those instructions;
- 40.4 provide cloth masks or require an employee to wear some form of cloth covering over their mouth and nose while at work;
- 40.5 provide each employee with hand sanitizers, soap and clean water to wash their hands and disinfectants to sanitize their workstations;

⁹ <http://www.health.gov.za/>

¹⁰ <https://www.nicd.ac.za/>

¹¹ <http://www.nioh.ac.za/>



40.6 ensure that each employee while at work washes with soap and sanitizes their hands; and

40.7 ensure that their workstations are disinfected regularly;

40.8 take any other measures indicated by a risk assessment.

XIX. Worker obligations

41. In addition to the obligations of employees under the OHSA, every worker is obliged to comply with measures introduced by their employer as required by this Directive.

XX. Monitoring and enforcing the Directive

42. An inspector designated in terms of section 28 of OHSA may perform any of the functions in section 29 of OHSA and exercise any of the powers listed in section 30 of OHSA in order to monitor compliance with this Directive.

43. In so far as any contravention of this Directive constitutes a contravention of an obligation or prohibition under OHSA, the offences and penalties provided for in section 38 of OHSA apply.

44. An inspector, contemplated in clause 42, may for the purpose of promoting, monitoring and enforcing compliance with the OHSA, advise employees and employers of their rights and obligations in terms of this Directive in accordance with section 64 of the BCEA.

XXI. Sectoral guidelines

45. The Chief Inspector appointed in terms of section 27 the OHSA must facilitate the development of sector specific guidelines to supplement this Directive by engaging with the social partners through the offices of the National Economic Development and Labour Advisory Council.

46. The sector specific guidelines must follow the template attached as Annexure A.



ANNEXTURE A

XXII. SECTORAL GUIDELINES TEMPLATE

1. Risk assessment

- 1.1. Identification of exposure levels
- 1.2. Identification of "high contact" activities
- 1.3. Identification of vulnerable workers and special measures for their protection, including protection against unfair discrimination or victimization

XXIII. 2. Engineering controls

- 2.1. Ventilation
- 2.2. Physical barriers
- 2.3. Adaptation of workstations to increase social distance

XXIV. 3. Administrative controls

- 3.1. Screening/ reporting of symptoms/ sick leave
- 3.2. Minimizing contact
- 3.3. Rotation and shift work
- 3.4. Work-at-home strategies
- 3.5. Communication and information strategies
- 3.6. Role of health and safety committees and representatives
- 3.7. Education and training
- 3.8. Reporting of incidents for regulatory purposes
- 3.9. Reporting for purposes of public health, contact tracing, screening, testing and surveillance

XXV. 4. Healthy and safe work practices

- 4.1. Disinfectants, sanitisers and personal hygiene
- 4.2. Other

XXVI. 5. PPE

- 5.1. Masks
- 5.2. Gloves
- 5.3. Facial shields
- 5.4. Other

XXVII. 6. Provision of safe transport for employees

- 6.1. Personal hygiene
- 6.2. Social distancing



- 6.3. Arrangements to minimise exposure associated with commuting
- 6.4. Cloth masks (if commuter)
- 6.5. PPE (driver/conductor of employer-provided transport)



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C1.2 CONTRACT DATA: Service Level Agreement(SLA) – N/A



C1.3 CIDB ADJUDICATOR'S AGREEMENT

This agreement is made on the day of between:
..... (name of company / organisation) of
..... (address) and
..... (name of company / organisation) of
..... (address) (the Parties) and (name) of
..... (address) (the Adjudicator).

Disputes or differences may arise/have arisen* between the Parties under a Contract dated and known as.

and these disputes or differences shall be/have been* referred to adjudication in accordance with the CIDB Adjudication Procedure, (hereinafter called "the Procedure") and the Adjudicator may be or has been requested to act.

* Delete as necessary

IT IS NOW AGREED as follows:

- 1 The rights and obligations of the Adjudicator and the Parties shall be as set out in the Procedure.
- 2 The Adjudicator hereby accepts the appointment and agrees to conduct the adjudication in accordance with the Procedure.
- 3 The Parties bind themselves jointly and severally to pay the Adjudicator's fees and expenses in accordance with the Procedure as set out in the Contract Data.
- 4 The Parties and the Adjudicator shall at all times maintain the confidentiality of the adjudication and shall endeavour to ensure that anyone acting on their behalf or through them will do likewise, save with the consent of the other Parties which consent shall not be unreasonably refused.
- 5 The Adjudicator shall inform the Parties if he intends to destroy the documents which have been sent to him in relation to the adjudication and he shall retain documents for a further period at the request of either Party.

SIGNED by: _____

Name: _____

who warrants that he / she is duly authorised to sign for and on behalf of the first Party in the presence of

Witness: _____

Name: _____

Address: _____

Date: _____

SIGNED by: _____

Name: _____

who warrants that he / she is duly authorised to sign for and behalf of the second Party in the presence of

Witness: _____

Name: _____

Address: _____

Date: _____

SIGNED by: _____

Name: _____

the Adjudicator in the presence of

Witness: _____

Name: _____

Address: _____

Date: _____



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• Tel: +27 (0) 39 254 6785 • Email: dpw@dpw.ecprov.gov.za



Contract Data

1	The Adjudicator shall be paid at the hourly rate of R. in respect of all time spent upon, or in connection with, the adjudication including time spent travelling.
2	The Adjudicator shall be reimbursed in respect of all disbursements properly made including, but not restricted to: (a) Printing, reproduction and purchase of documents, drawings, maps, records and photographs. (b) Telegrams, telex, faxes, and telephone calls. (c) Postage and similar delivery charges. (d) Travelling, hotel expenses and other similar disbursements. (e) Room charges. (f) Charges for legal or technical advice obtained in accordance with the Procedure.
3	The Adjudicator shall be paid an appointment fee of R. This fee shall become payable in equal amounts by each Party within days of the appointment of the Adjudicator, subject to an Invoice being provided. This fee will be deducted from the final statement of any sums which shall become payable under item 1 and/or item 2 of the Contract Data. If the final statement is less than the appointment fee the balance shall be refunded to the Parties.
4	The Adjudicator is/is not* currently registered for VAT.
5	Where the Adjudicator is registered for VAT it shall be charged additionally in accordance with the rates current at the date of invoice.
6	All payments, other than the appointment fee (item 3) shall become due 7 days after receipt of invoice, thereafter interest shall be payable at 5% per annum above the Reserve Bank base rate for every day the amount remains outstanding.

* Delete as necessary



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• Tel: +27 (0) 39 254 6785 • Email: aphiwe.maguvana@dpw.gov.za



PART C2.3 BILL OF QUANTITIES / SCHEDULE OF RATES
(10 pages)

<u>NOTE: Include Traveling and Labour Cost when Pricing</u>					
<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
<u>BILL 1: MAINTANANCE OF FIRE EXTINGUISHERS</u>					
<u>Mount Ayliff</u>					
<u>Dry Chemical Powder</u>					
1	4.5 KG	No	36		
2	9 KG	No	2		
<u>Carbon Dioxide</u>					
3	5 KG	No	20		
<u>Mount Frere: Department of Roads, Transport and Public Works (Depot)</u>					
<u>Dry Chemical Powder</u>					
4	2.5 KG	No	2		
5	4.5 KG	No	8		
6	9 KG	No	2		
<u>Mount Frere: Department of Rural Development and Agrarian Reform</u>					
<u>Dry Chemical Powder</u>					
7	4.5 KG	No	5		
Carried to Collection					R

<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
<u>Mount Frere; Department of Education</u>					
<u>Dry Chemical Powder</u>					
8	4.5 KG	No	10		
<u>Carbon Dioxide</u>					
9	2 KG	No	1		
10	5 KG	No	7		
<u>Hose Reels</u>					
11	Hose reels	No	8		
<u>Mount Frere; Thobile Bam Office Park</u>					
<u>Dry Chemical Powder</u>					
12	9 KG	No	2		
<u>Carbon Dioxide</u>					
13	5 KG	No	23		
<u>Hose Reels</u>					
14	Hose Reels	No	10		
<u>Bizana; Department of Transport</u>					
<u>Dry Chemical Powder</u>					
15	4.5 KG	No	3		
<u>Carbon Dioxide</u>					
16	5 KG	No	2		
<u>Bizana; Department of Education</u>					
<u>Dry Chemical Powder</u>					
17	4.5 KG	No	12		
18	9 KG	No	3		
<u>Carbon Dioxide</u>					
19	5 KG	No	4		
Carried to Collection					R

<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
	<u>Hose Reels</u>				
20	<u>Hose reels</u>	No	4		
	<u>Maluti: Ex College</u>				
	<u>Dry Chemical Powder</u>				
21	4.5 KG	No	72		
22	9 KG	No	7		
	<u>Hose Reels</u>				
23	<u>Hose reels</u>	No	8		
	<u>Maluti Depot</u>				
	<u>Dry Chemical Powder</u>				
24	1.5 KG	No	2		
25	2.5 KG	No	1		
26	4.5 KG	No	9		
27	9 KG	No	3		
	<u>Ntabankulu: Department of Rural Development and Agrarian Reform</u>				
	<u>Dry Chemical Powder</u>				
28	4.5 KG	No	2		
29	9 KG	No	2		
	<u>Carbon Dioxide</u>				
30	5 KG	No	4		
	<u>Ntabankulu: Department of Education</u>				
	<u>Dry Chemical Powder</u>				
31	4.5 KG	No	3		
	<u>Carbon Dioxide</u>				
32	2 KG	No	1		
	<u>Ntabankulu: Department of Social Development</u>				
	<u>Dry Chemical Powder</u>				
33	4.5 KG	No	8		
	<u>Carbon Dioxide</u>				
34	5 KG	No	2		
35	2 KG	No	2		
	<u>Hose Reels</u>				
36	<u>Hose Reels</u>	No	3		
Carried to Collection				R	

<u>Item no</u>	<u>Description</u>		<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
<u>BILL 2: REPLACEMENT OF FIRE EXTINGUISHERS</u>					
<u>Dry Chemical Powder 9 KG</u>					
1	Powder	No	1		
2	Pressure test	No	1		
3	Discharged nozzle	No	1		
4	Labels	No	1		
5	Safety pins	No	1		
6	Release valves	No	1		
7	Siphone tube	No	1		
8	Siphone holder	No	1		
9	Tamper seal	No	1		
10	O-ring	No	1		
<u>Dry chemical powder 4.5 KG</u>					
11	Powder	No	1		
12	Pressure test	No	1		
13	Discharged nozzle	No	1		
14	Labels	No	1		
15	Safety pins	No	1		
16	Release valves	No	1		
17	Siphone tube	No	1		
18	Siphone holder	No	1		
19	Tamper seal	No	1		
20	O-ring	No	1		
<u>Dry chemical powder 2.5 KG</u>					
21	Powder	No	1		
22	Pressure test	No	1		
23	Discharged nozzle	No	1		
24	Labels	No	1		
25	Safety pins	No	1		
26	Release valves	No	1		
26	Siphone tube	No	1		
28	Siphone holder	No	1		
29	Tamper seal	No	1		
30	O-ring	No	1		
<u>Dry chemical powder 1.5 KG</u>					
31	Powder	No	1		
32	Pressure test	No	1		
33	Discharged nozzle	No	1		
34	Labels	No	1		
35	Safety pins	No	1		
36	Release valves	No	1		
37	Siphone tube	No	1		
38	Siphone holder	No	1		
39	Tamper seal	No	1		
40	O-ring	No	1		
Carried to Collection					R

<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
<u>Carbon dioxide 5 KG</u>					
41	Nitrogen	No	1		
42	Hydro test	No	1		
43	Horn	No	1		
44	Labels	No	1		
45	Safety pin	No	1		
46	Co2 valves	No	1		
47	Tamper seal	No	1		
<u>Carbon dioxide 2 KG</u>					
48	Nitrogen	No	1		
49	Hydro test	No	1		
90	Horn	No	1		
50	Labels	No	1		
51	Safety pin	No	1		
52	Co2 valves	No	1		
53	Tamper seal	No	1		
<u>Hose Reel</u>					
54	30M Hose	No	1		
55	Hose nozzle	No	1		
56	Water way	No	1		
57	Tamper seal	No	1		
Carried to Collection				R	

<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
	<u>Signs</u>				
58	Signs	No	1		
	<u>Hose reel cabinet</u>				
59	Hose reel cabinet	No	1		
	<u>Batteries</u>				
60	9V smoke detector batteries	No	1		
Carried to Collection					R

<u>BILL 2: REPLACEMENT OF FIRE EXTINGUISHERS</u>	<u>Page No</u>	<u>Amount</u>
<u>COLLECTION</u>		
	5	R
	6	R
	7	R
Carried to Final Summary		R

<u>Item no</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Rate</u>	<u>Amount</u>
<u>BILL 3: RESERVES</u>					
<u>Dry Chemical Powder</u>					
1	9 KG	No	13		
2	4,5 KG	No	10		
3	2,5 KG	No	1		
4	1,5 KG	No	1		
<u>Carbon Dioxide</u>					
5	5 KG	No	8		
Carried to Final Summary					R

<u>Item no</u>	<u>Description</u>	<u>Page No</u>	<u>Amount</u>
	<u>FINAL SUMMARY</u>		
1	Bill 1	4 R	
2	Bill 2	8 R	
3	Bill 3	9 R	
	Subtotal	R	
	Allow the sum of (Eighteen Thousand Three Hundred Rand) for Contingencies or Contingencies to be used or deducted in full at the Project Leader's discretion.	R18,300.00	
	Subtotal	R	
	Add Value Added Tax (@15%)	R	
	TOTAL CARRIED TO THE FORM OF OFFER	R	



PRICING INSTRUCTIONS

Project title:	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
Tender No:	ALF5-21/22-038

1. BILL OF QUANTITIES

The **bill of quantities** forms part of and must be read with all the other documents forming part of the **contract documents**, the Standard Conditions of Tender, Conditions of Contract, Specifications and all other relevant documentation.

2. VALUE ADDED TAX

The tender price must include for Value Added Tax (VAT). All rates, provisional sums, etc. in the **bill of quantities** must however be net (exclusive of VAT) with VAT calculated and added to the Total Value thereof in the Final Summary.



PART C3

SCOPE OF WORKS

Project title:	SUPPLY, DELIVERY AND MAINTENANCE OF FIRE EQUIPMENT FOR VARIOUS DEPARTMENTAL OFFICES IN THE ALFRED NZO REGION FOR THE PERIOD OF 12 MONTHS.
SCMU NUMBER:	ALF5-21/22-038

C3. Scope of Works

1. GENERAL

- a) The standard for uniformity in construction procurement published in terms of the Construction Industry Development Board (CIDB) Act, 2000 (Act no. 38 of 2000), the Standardized Construction Procurement Documents for Engineering Construction Works as issued by the CIDB and any other relevant documentation pertaining thereto must be studied and all principles in this regard must be applied to all procurement documentation, practices and procedures.
- b) The consultant(s)/ project manager must acquaint themselves fully with all relevant matters pertaining to this section in order to enable prospective tenders to price for all eventualities.

2. EXTENT OF THE WORKS

- a) **EXTENT OF THE WORKS**
Routine Preventative Maintenance and Replacement of defective Fire Extinguishers.
- b) **ORDER OF THE WORKS**
Works to be executed upon receipt of Instruction in the form of a works order.
- c) **ACCESS**

There are no special restrictions or requirements with regards to access on site.