

TENDER

PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO H05-22/23-0085

NAME OF COMPANY:

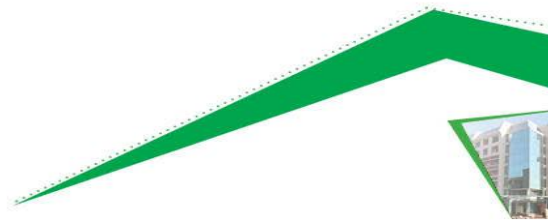
CSD Nr:

CRS Nr (CIDB):

CLOSING DATE: 04 November 2022

TIME: 11:00 am

Department of Public Works & Infrastructure
Independence Avenue
Qhasana Building
5605



T1.1 Tender Notice and Invitation to Tender

The Eastern Cape Department of Public Works and Infrastructure invites contractors with a CIDB Grading of **2SQ or higher** in the following Class of works (**SQ**) to tender for **4 month's contract**. The contract will be based on SBD 7.2 Rendering of Services

Only tenderers who have suitable experience in providing similar services to those that are required are eligible to submit tenders.

Tender documents are downloadable for free of charge from the Department of Public Works and Infrastructure website (www.ecdpw.gov.za/tenders) from the 21 October 2022.

There will be no briefing session for this bid.

The closing time for receipt of tenders by the ECDPWI is **11:00 am on 04 November 2022** where tenders will be opened in public. Telegraphic, telephonic, telex, facsimile, e-mail and late tenders will not be accepted. Bids must be submitted in sealed envelopes clearly marked "**H05-22/23-0085**": **PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO.**" must be deposited in the bid box:

Physical Address of Bid Box: Department of Public Works and Infrastructure,
Department of Public Works and Infrastructure
Independence Avenue
Qhasana Building
Bhisho
5605

Queries relating to the issue of these documents may be addressed in writing to Mr. Zamuxolo Billie- email: Zamuxolo.Billie@ecdpw.gov.za. **Technical enquiries:** may be addressed in writing to Ms. Afika Mbasane email: Afika.Mbasane@ecdpw.gov.za

It is the responsibility of the tenderer/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. Tenderers 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. Not delivered to Departmental officials. The Department will not accept responsibility if bids received by officials are not timely deposited in the Bid Box.

A. BID EVALUATION:

This bid will be evaluated in (3) phases as follows:

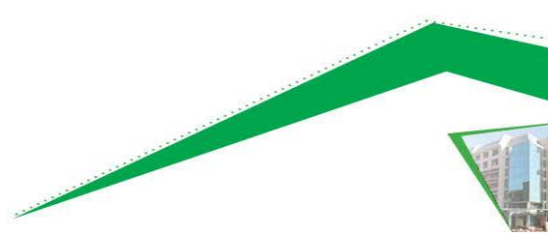
Phase 1: Evaluation criteria (Local Content and Production – Designated sector)

Phase 2: Administrative requirements and Mandatory requirements

Phase 3: Price and preference (80/20 system)

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

| | | |
|---------------------------|---|-------------------|
| Maximum points on price | - | 80 points |
| Maximum points for B-BBEE | - | 20 points |
| Maximum points | - | 100 points |



B. BID SPECIFICATIONS, CONDITIONS AND RULES

The minimum specifications, other bid conditions and rules are detailed in the bid document under Tender Data

The Department of Public Works SCM policy applies.

Tender validity period is **60 days**.

C. TENDER SUBMISSIONS:

Bids must be submitted in sealed envelopes clearly marked “**H05-22/23-0085: PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO.**” Must be deposited in the bid box, DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE, INDEPENDENCE AVENUE, QHASANA BUILDING, BHISHO 5605

D. ENQUIRIES WITH REGARD TO THIS ADVERT MAY BE DIRECTED TO:

- **SCM RELATED ENQUIRIES**

Mr. Zamuxolo Billie

Tel No: **040 602 4563**

Email Address: zamuxolo.billie@ecdpcw.gov.za.

- **TECHNICAL ENQUIRIES**

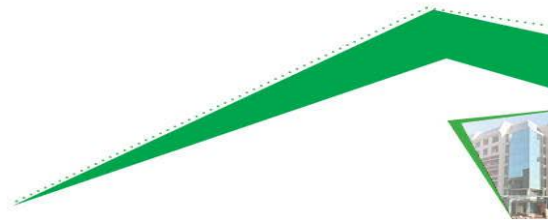
Ms Afika Mbasane

Tel No: 040 602 4094/ 060 983 6970

Email Address: Afika.Mbasane@ecdpcw.gov.za

FOR COMPLAINTS, FRAUD, & TENDER ABUSE:

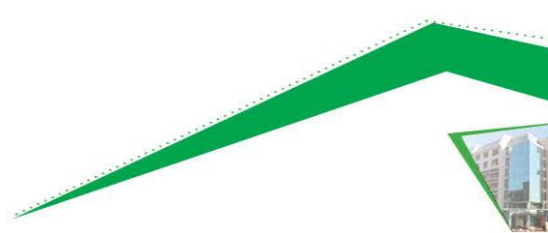
Call: 0800 701 701



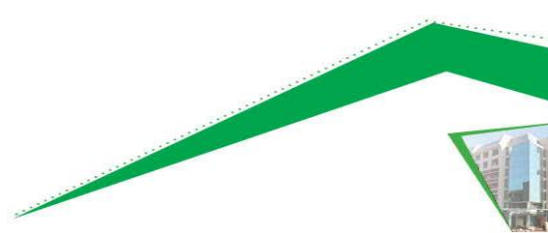
T1.2 Tender Data

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 C of Standard for Uniformity in Construction Procurement (Board Notice 423 of 2009 Government Gazette No 42622 of August 2019)**. Each item of data given below is cross-referenced to the clause in SANS 10845-3 to which it mainly applies.

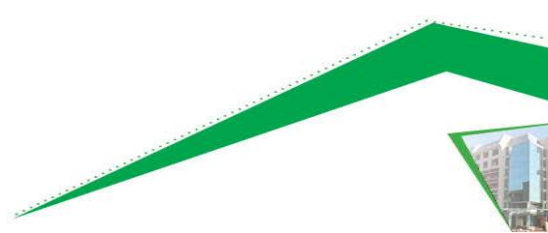
| Clause number | Tender Data |
|---------------|---|
| 3.1 | The Employer is Public Works & Infrastructure |
| 3.2 | The tender documents issued by the employer comprise the following documents: THE TENDER Part T1: Tendering procedures T1.1 - Tender notice and invitation to tender T1.2 - Tender data 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 - Dispute Resolution Mechanism Part C2: Pricing data C2.1 - Pricing assumptions C2.2 - Bill of Quantities Part C3: Scope of work C3 - Scope of work Part C4: Site information C4 - Site information |
| 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: Ms Afika Mbasane Department of Public Works & Infrastructure Independence Avenue Qhasana Building Bhisho 5605 Tel: 040 602 4094/ 060 983 6970 E-mail: Afika.Mbasane@ecdpw.gov.za |
| 3.5 | The language for communications is English |
| 3.6 | The competitive negotiation procedure shall be applied. |
| 3.7 | Method 3: Three (3) stage procurement procedure shall be applied. |
| 4 | Tender's obligations |



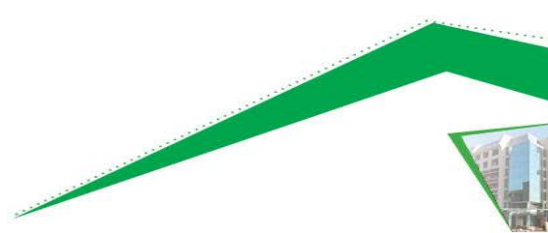
| | |
|------|--|
| 4.1 | <p>The following tenderers who are registered with the CIDB, or are capable of being so registered prior to the evaluation of submissions, are eligible to have their tenders evaluated:</p> <p>a) contractors who have a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25 (1B) of 25(7A) of the Construction Industry Development Regulations, for a CIDB 2 SQ or higher class of construction work; and</p> <p>b) contractors registered as potentially emerging enterprises with the CIDB who are registered in one contractor grading designation CIDB 2 SQ or higher in terms of a) above and who satisfy the following criteria:</p> <p>Potential to develop and qualify to be registered in that higher grade as determined in accordance with the provisions of the CIDB Specification for Social and Economic Deliverables in Construction Works Contracts; 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.</p> <p>JV NOT APPLICABLE</p> |
| 4.2 | <p>The employer will compensate the tender as follows as per the conditions of the Contract</p> <p>The employer will not compensate the tenderer for any costs incurred in attending interviews or making any submissions in the office of the employer.</p> |
| 4.3 | <p>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.</p> |
| 4.4 | <p>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.</p> |
| 4.5 | <p>Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are incorporated into the tender documents by reference.</p> |
| 4.6 | <p>Acknowledge receipt of addenda to the tender documents, which the employer may issue, and, if necessary, apply for an extension to the closing time stated in the tender data, in order to take the addenda into account.</p> |
| 4.7 | <p>The arrangements for a compulsory clarification meeting are as stated in the Tender Notice and Invitation to Tender. Tenderers must sign the attendance list in the name of the tendering entity. Addenda will be issued to and tenders will be received only from those tendering entities appearing on the attendance list. Tender documents will not be made available at the clarification meeting</p> |
| 4.8 | <p>Seek clarification <i>Request clarification of the tender documents, if necessary, by notifying the employer at least 1 (One) working day before the closing time stated in the tender data.</i></p> |
| 4.9 | <p>Tenderers are required to state the rates and currencies in Rands. Include in the rates, prices, and the tendered total of the prices (if any), all duties, taxes which the law requires to be paid [except value added tax (VAT)], and other levies payable by the successful tenderer, that are applicable 14 days before the closing time stated in the tender data. Show the VAT payable by the employer separately as an addition to the tendered total of the prices. Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the contract data. State the rates and prices in monetary value of the contract unless otherwise instructed in the tender data.</p> |
| 4.10 | <p>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.</p> |



| | |
|--------|---|
| 4.11 | Main tender offers are not required to be submitted together with alternative tenders. |
| 4.12 | No alternative tender offers will be considered |
| 4.13.1 | 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. |
| 4.13.2 | Sign the original and all copies of the tender offer where required in terms of the tender data. State in the case of a joint venture which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer. NOTE The employer holds all authorized signatories liable on behalf of the tenderer. |
| 4.13.3 | A tender security in the amount of N/A is required and shall remain valid for a period not exceeding N/A days after the closing date for tender offers. The form of the tender security shall not differ substantially from the sample provided in Annex D of SANS 10845-3. |
| 4.13.4 | 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: DEPARTMENT OF PUBLIC WORKS & INFRASTRUCTURE, FRONT CORNER OF QHASANA BUILDING ON THE WAY TO CIDB OFFICES LABELLED "TENDERS", BISHO. Physical address: Independence avenue, Ground Floor, Qhasana Building, Bisho 5605 Identification details: HO5-22/23-0085: PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO. CLOSING DATE AND TIME: 04 November 2022 at 11:00 am. |
| 4.13.5 | 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 the South African Revenue Services. 2) CIDB Grading certificate or CRS number. |
| 4.13.6 | A two-envelope procedure will not be required. |
| 4.13.7 | Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted. The tenderer accepts that the employer does not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated. |
| 4.14 | The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender. Ensure that the employer receives the tender offer at the address specified in the tender data not later than the closing time stated in the tender data. Proof of posting shall not be accepted as proof of delivery. Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of the standard conditions of tender in this part of SANS 10845 apply equally to the extended deadline. |
| 4.15.1 | The tender offer validity period is 60 days . Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the tender data after the closing time stated in the tender data. If requested by the employer, consider extending the validity period stated in the tender data for an agreed additional period, with or without any conditions attached to such extension. Extend the period of the tender security, if any, to cover any agreed extension requested by the employer. |
| 4.15.2 | Placing of contractors under restrictions / withdrawal of tenders If any tenderer who has submitted a tender offer or a contractor who has concluded a contract has, as relevant: withdrawn such tender or quotation after the advertised closing date and time for the receipt of submissions; after having been notified of the acceptance of his tender, failed or refused to commence the contract; had their contract terminated for reasons within their control without reasonable cause; offered, promised or given a bribe in relation to the obtaining or the |



| | <p>execution of such contract; acted in a fraudulent, collusive or anti-competitive or improper manner or in bad faith towards the Provincial Government; or, made any incorrect statement in any affidavit or declaration with regard to a preference claimed and is unable to prove to the satisfaction of the Provincial Government that the statement was made in good faith or reasonable steps were taken to confirm the correctness of the statements, such tenderer/s may be placed under restriction from tendering with the state.</p> <p>Procedures are outlined in the EC SCM Policy for Infrastructure procurement and Delivery Management and also on cidb Inform Practice Note #30. Excerpts of the policy can be availed on request of any interested tenderer.</p> | | | | | | | | | | | | |
|----------|--|--|-------------------------------|-----------------------|-----------------------|---|---------------------------|--|---------------|---|---|--|---------------|
| 4.16 | Access shall be provided for the following inspections, tests and analysis: N/A | | | | | | | | | | | | |
| 4.17 | the preferred tenderer will be required to submit an approved insurer undertaking to provide the Performance Bond / Guarantee / Surety / Security to the format and/or standard as per DPW policy | | | | | | | | | | | | |
| 5 | Employer's undertakings | | | | | | | | | | | | |
| 5.1 | The Employer will respond to requests for clarification received up to One (1) working day before the tender closing time. If, as a result of the issuing of addenda, it is necessary to extend the closing time stated in the tender data, grant such extension and notify all respondents accordingly. | | | | | | | | | | | | |
| 5.2 | The employer shall issue addenda until Two (2) working days before tender closing time. | | | | | | | | | | | | |
| 5.3 | Tenders will be opened immediately after the closing time for tenders at 11:00am hours . | | | | | | | | | | | | |
| 5.4 | Do not disclose to tenderers, or to any person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer. | | | | | | | | | | | | |
| 5.5 | <p>Determine, after opening and before detailed evaluation, whether each tender offer that was properly received</p> <p>a) complies with the requirements of the standard conditions of tender in this part of SANS 10845, b) has been properly and fully completed and signed, and c) is responsive to the other requirements of the tender documents.</p> <p>A responsive tender is one that conforms to all the terms, conditions, and scope of work of the tender documents, without material deviation or qualification. A material deviation or qualification is one which, in the employer's opinion, would</p> <p>d) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the scope of work, e) significantly change the employer's or the tenderer's risks and responsibilities under the contract, or f) Affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.</p> <p>Reject a non-responsive tender offer, and do not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.</p> | | | | | | | | | | | | |
| 5.6 | <p>Arithmetical errors, omission and discrepancies</p> <p>Check responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.</p> <p>For Vat related discrepancies, National and Provincial Treasury prescripts in relation to VAT procedures apply.</p> | | | | | | | | | | | | |
| 5.7.1 | <p>The financial offer will be reduced to a comparative basis using the Tender Assessment Schedule.</p> <p>Table F.1: Formulae for calculating the value of A</p> <table border="1"> <thead> <tr> <th>Formula</th> <th>Comparison aimed at achieving</th> <th>Option 1^a</th> <th>Option 2^a</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Highest price or discount</td> <td>$A = \left(1 + \frac{(P - P_m)}{P_m} \right)$</td> <td>$A = P / P_m$</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>$A = P_m / P$</td> </tr> </tbody> </table> <p>^a P_m is the comparative offer of the most favourable comparative offer. P is the comparative offer of the tender offer under consideration.</p> | Formula | Comparison aimed at achieving | Option 1 ^a | Option 2 ^a | 1 | Highest price or discount | $A = \left(1 + \frac{(P - P_m)}{P_m} \right)$ | $A = P / P_m$ | 2 | Lowest price or percentage commission / fee | $A = \left(1 - \frac{(P - P_m)}{P_m} \right)$ | $A = P_m / P$ |
| Formula | Comparison aimed at achieving | Option 1 ^a | Option 2 ^a | | | | | | | | | | |
| 1 | Highest price or discount | $A = \left(1 + \frac{(P - P_m)}{P_m} \right)$ | $A = P / P_m$ | | | | | | | | | | |
| 2 | Lowest price or percentage commission / fee | $A = \left(1 - \frac{(P - P_m)}{P_m} \right)$ | $A = P_m / P$ | | | | | | | | | | |



5.7.2

The procedure for the evaluation of responsive tenders is **Method 3**: Evaluation criteria (Local Content and Production – Designated sector), Administrative requirements and Mandatory requirements and Price and preference (80/20 system):

Phase 1: Evaluation criteria (Local Content and Production – Designated sector)

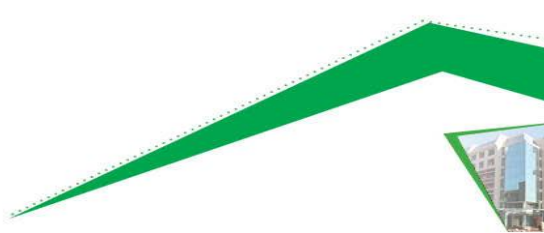
Phase 2: Administrative requirements and Mandatory requirements

Phase 3: Price and preference (80/20 system)

1. PHASE ONE: RESPONSIVENESS TO THE BID REQUIREMENTS AND RULES

A. 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. Bid Document (This Document must be submitted in its original format)
2. Bids which are late, incomplete, unsigned or submitted by facsimile or electronically, will not be accepted.
3. Bidder must be registered with CIDB in the correct grading and class of works as per the tender notice and requirements. And must the status on CIDB be active during award stage. It is the responsibility of the bidder to keep the status on CIDB active throughout bidding process (advert till award stage).
4. Bidders must be a legal entity or partnership or joint venture or consortia.
5. Form of offer and Acceptance (fully completed and signed)
8. Compulsory Enterprise Questionnaire (Completed and signed)
9. **SBD4 must be duly completed and signed. Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract, such interest must be disclosed on question 2.3.1 of SBD 4**
10. If the offer is "Vat Inclusive", the VAT registration number of service provider must be indicated and if a service provider is not a VAT Vendor but include VAT in its prices, the successful service provider will be given 21 days to register as a VAT Vendor with SARS, after the issuing of an appointment letter. 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 the bid offer(s). Complete & sign the Resolution to Sign (if applicable)
11. 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/ quotation whilst they are in agreements with other bidders in the form of joint ventures or consortiums.
12. This tender will be awarded as a whole. 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.
13. If the Bid Sum (amount in words) as per the Form of Offer differs from the Bill of Quantities (BOQ), it will automatically invalidate the offer submitted.
14. Only Grade **2 SQ or higher contractors** can submit bids.
15. During the evaluation the SCM policy will be used.
16. The bidder must submit the letter from the previous employer for the relevant experience
17. If the Bid Sum (amount in words) as per Form of Offer is not completed, the bid will be eliminated
18. **Other Conditions of bid (Non eliminating unless expressly mentioned in the document):**
 1. DPWI Policy applies.
 2. Returnable Schedule: SBD1-Invitation to bid must be completed and signed
 3. The bidder must be registered on the Central Supplier Database (CSD) prior the award
 4. All bidders' tax matters must be in order prior award. Bidders' tax matters will be verified through CSD.
 5. Declaration of Employees of the State or other State Institutions.



6. Bidders must submit a minimum of One (1) written contactable references for projects successfully completed in the past (clearly indicating client name, contract value, contract term, contact person, contact details). Refer to Annexure L. This is not an elimination factor, but important for the department to make a decision. Unless it is used for Quality/functionality Points.
7. Bidders must submit a list of projects where he or she has submitted tender offers but tender results have not been confirmed by the client. Refer to Annexure J. This is not an elimination factor, but important for the department to make a decision. Unless it is used for Quality/functionality Points.
8. Bidders must submit their company profiles, list of available resources, plant and machinery and any other additional capacity with the bid. Refer to Annexure G. This is not an elimination factor, but important for the department to make a decision. Unless it is used for Quality/functionality Points.
9. The bidder must also list all projects where there are pending litigations or litigations have been concluded. The form for this is also attached after Annexure K.
10. The Department will contract with the successful bidder by signing a formal contract.
11. This tender will be awarded as a whole. All trades listed in the Bills of Quantities or Pricing schedule must be priced for (except provisional sums and allowances which also need to be added to the total), failure to do so will increase commercial risk of the bid and may lead to elimination or passing over of the bidder.
12. 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.
13. The successful tenderer (after being informed) will be required to bring along an unsigned copy of the form of contract to be signed by parties (e.g. JBCC PBA 2000, edition 4.1 of 2005 with amendment of 6.2 original copy.)
14. A valid original or certified copy of B-BBEE Certificate must be submitted with the bid OR a valid original or certified copy of a Sworn Affidavit attested by a commissioner of Oaths prepared and issued in terms of the amended B-BBEE Construction Sector Codes (CSC000) must be submitted in order to qualify for preference points for B-BBEE.

2. PHASE TWO: EVALUATION POINTS ON PRICE AND B-BBEE REGULATIONS OF 2017

The **80/20 preference point system** shall be applied for the purposes of this bid as per the requirements of the *Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000)* and B-BBEE/ PPPFA Regulations of 2017

| Criteria | Points |
|------------------------|------------|
| POINTS ON PRICE | 80 |
| B-BBEE | 20 |
| TOTAL | 100 |

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):

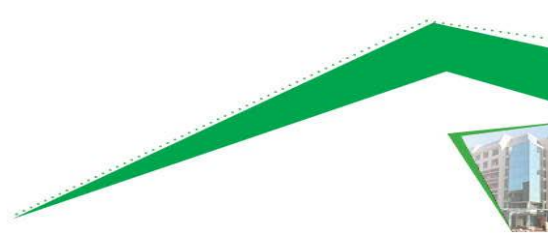
The financial offer will be scored using the following formula:

$$A = (1 - (P - P_m))$$

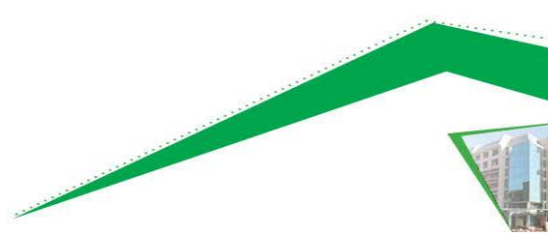
P_m

The value of value of W_1 is:

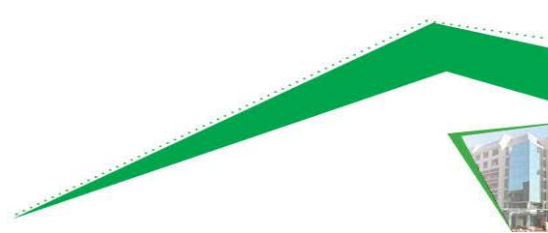
- 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R50 000 000 or
- 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers have a value that equals or is less than R 50 000 000.



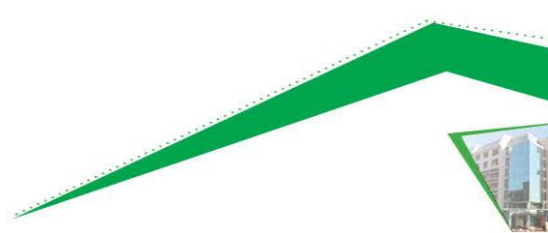
| | |
|-------|---|
| 5.7.3 | The procedure for the evaluation of responsive tenders is Method 2 (responsiveness, price and preference) |
| 5.7.4 | The quality criteria and maximum score in respect of each of the criteria are as follows: N/A |
| 5.7.5 | Each evaluation criteria will be assessed in terms of five indicators – N/A |
| 5.7.6 | The prompts for judgment and the associated scores used in the evaluation of quality shall be as follows: N/A |
| 5.8 | <p>Tender offers will only be accepted if:</p> <ul style="list-style-type: none"> a) the tenderer is registered on the Central Supplier Database (CSD) for the South African government (see https://secure.csd.gov.za/) unless it is a foreign supplier with no local registered entity b) the tenderer is in good standing with SARS according to the Central Supplier Database. Bidders must submit a CSD no. or tax status compliance pin. c) the preferred tenderer will be required to submit an approved insurer undertaking to provide the Performance Bond / Guarantee / Surety / Security to the format and/or standard as per DPWI policy. d) the tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation; e) the tenderer or any of its directors/shareholders is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector; f) the tenderer has not: <ul style="list-style-type: none"> i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect; g) 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; h) the tenderer has completed the Compulsory Enterprise Questionnaire 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 and persons in the employ of the state are permitted to submit tenders or participate in the contract; i) Bids which are late, incomplete, unsigned or submitted by facsimile or electronically will not be accepted. j) the tenderer is registered and in good standing with the compensation fund or with a licensed compensation insurer; k) The tenderer undertakes to maximize the sourcing of building material or infrastructure input material from Eastern Cape based suppliers or manufacturers. l) the employer is reasonably satisfied that the tenderer has in terms of the Construction Regulations, 2014, issued in terms of the Occupational Health and Safety Act, 1993, the necessary competencies and resources to carry out the work safely. m) the tender has offered a market related offer. If the offer is believed not to be market related, the department through its Supply Chain Management bid committees will attempt to negotiate the offer with identified bidder/s to a reasonable amount. Bidders are not allowed to increase their tender offers during this process. n) A Resolution of signatory form has been completed and signed by director/s or a letter bearing a letterhead of the tenderer has been attached (specific to this bid) to the bid submission; it must be duly signed by all directors and submitted the bid. Only a duly authorized official can sign the bid. o) Prospective bidders must register on CSD prior submitting bids (open tenders). Any prospective bidder found to have Tax matters not in order with SARS (verified through CSD) during the evaluation process (after being given an opportunity to rectify tax matters) will be eliminated and not be considered further in the process. Preferred bidder/s will be afforded an opportunity to rectify their tax affairs within 7 days. A bidder that fails to rectify its tax matters with SARS will be eliminated. |



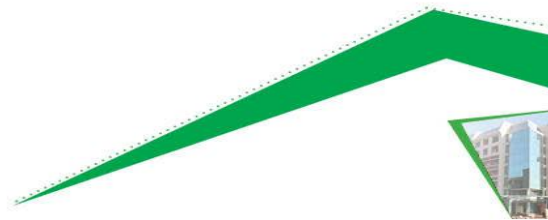
| | |
|-------|--|
| | <p>p) NOTE: The amount reflected on the Form of Offer and Acceptance takes precedence over any other total amount indicated elsewhere in bidder's tender submission. If the Form of Offer and Acceptance has no value or figure, the bidder will be regarded as having made no offer.</p> <p>q) The department reserves the right not to award the bid to the most favorable tenderer, if any of the situations occur: if it is not assisting in the advancement of designated groups; risk profile of the favorable firm is too high; the bidder has been awarded a considerable number of projects by the department or provincial government; has performed unsatisfactorily in the past, etc.</p> |
| 5.9 | The number of paper copies of the signed contract to be provided by the employer is 1. |
| | <p>The additional conditions of tender are:</p> <ul style="list-style-type: none"> 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 | <p>Documentation to demonstrate eligibility to have tenders evaluated i.e. List all documentation to demonstrate eligibility to have a submission evaluated.</p> <ul style="list-style-type: none"> Appropriate CIDB grading suitable for the works (as stated in 4.1). |
| 2 | <p>Returnable Schedules required for tender evaluation purposes</p> <p>The tenderer must fully and appropriately complete and sign the following returnable schedules as relevant:</p> <ul style="list-style-type: none"> Record of Addenda to Tender Documents Proposed amendments and qualifications SBD 1, 4, 6.1. Form of Offer and Acceptance Final Summary of Bills of Quantities or a complete Pricing Schedule |
| 3 | <p>Other documents required for tender evaluation purposes</p> <p>The tenderer must provide the following returnable documents:</p> <ul style="list-style-type: none"> And original or 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 original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths and attested by a Commissioner of Oaths Sworn Affidavit form. For an entity tendering as a joint venture, a valid consolidated B-BBEE Certificate meeting same requirements must be submitted with the bid. 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. A letter of good standing from the Compensation Fund or a licensed insurer as contemplated in the Compensation for Occupational Injuries and Diseases Act 1993 (Act No. 130 of 1993) |
| 4 | <p>Returnable Schedules that will be used for tender evaluation purposes and be incorporated into the contract</p> <p>The tenderer must complete the following returnable documents:</p> <ul style="list-style-type: none"> A duly completed form of Offer and Acceptance (and any revision of prices if there are any). |
| 5 | <p>Only authorized signatories may 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 resolution by its board of directors authorizing a director or other official of the company to sign the documents on behalf of the company.</p> |



| | |
|----|--|
| | In the case of a CLOSE CORPORATION submitting a tender, include a copy of a resolution by its members authorizing a member or other official of the corporation to sign the documents on each member's behalf. |
| 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 - a) who is in the service of the state; or b) 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 c) 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) a member of:- a) any municipal council; b) any provincial legislature; or c) the National Assembly or the National Council of Provinces; d) a member of the board of directors of any municipal entity; e) an official of any Department or municipal entity; f) an employee of any national or provincial department; g) provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No.1 of 1999); h) a member of the accounting authority of any national or provincial public entity; or i) and 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 - a) the name of that person; b) the capacity in which that person is in the service of the state; and c) 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 1 (ONE) working day before the tender closing time. |
| 11 | Opening of tender submissions Tenders will be opened immediately after the closing time 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- (a) due to changed circumstances, there is no longer a need for the services, works or goods requested; or (b) funds are no longer available to cover the total envisaged expenditure; or (c) No acceptable tenders are received. (d) Tender validity period has expired. (e) Gross irregularities in the tender processes and/or tender documents. (f) No market related offer received (after attempts of negotiation processes) 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 Adjudication route. |
| 15 | The department must when be acting against the tenderer or person awarded the contract on a fraudulent basis, considers the provisions of Regulation 14: The remedies provided for in Preferential Procurement Regulations 2017 do not prevent an institution from instituting remedies arising from any other prescripts or contract. |
| 15 | Where the employer terminates the contract due to default of the contractor in whole or in part, the employer may decide to: a) Refer the breach in contract to the cidb for investigation as a breach of the cidb Code of Conduct in terms of the cidb Regulations ; or b) may impose a restriction penalty on the contractor in terms of Section 14 of the Preferential Procurement Regulations. The outcomes of such investigations in terms of both the cidb Regulations and the Preferential Procurement Regulations may prohibit the contractor from doing business with the public sector for a period not exceeding 10 years. |



T2.1 List of Returnable Documents

The tenderer must complete the following returnable documents:

1 Returnable **Schedules required for quotation evaluation purposes**

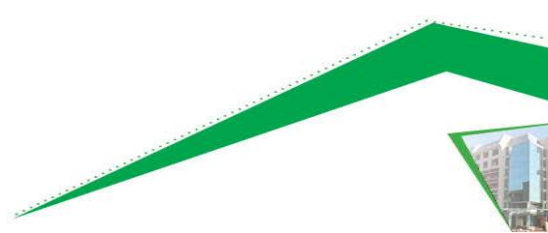
- Compulsory enterprise questionnaire
- Record of addenda issued (Only if addenda is issued)

2 Other **documents required for quotation evaluation purposes**

- Form of Offer and Acceptance
- Final Summary (Bills of Quantities)

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

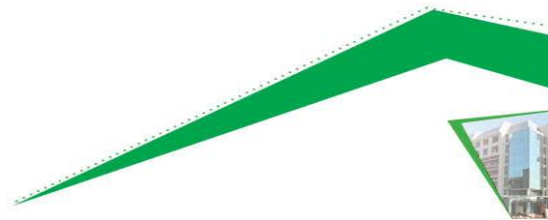
- Details of the Project Team and CV with Qualifications & Proof of Registration completed for each individual of proposed
- Schedule of Plant and Equipment
- Record of projects: current, past and on tender.
- Project References – at least 1
- SBD 1, 4, 6.1
- Certified copy of B-BBEE Status Level Verification certificate OR a valid original or certified copy of a Sworn Affidavit attested by a Commissioner of Oaths (**Annexure B**)
- Sub contract agreement (where applicable) or intent to sub contract as per requirements.



PART A

INVITATION TO BID

| | | | | | |
|---|--|---|--|---|----------------|
| YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE | | | | | |
| BID NUMBER: | H05-22/23-0085 | CLOSING DATE: | 04 November 2022 | CLOSING TIME: | 11:00am |
| DESCRIPTION: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO | | | | |
| BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE, , INDEPENDENCE AVENUE, GROUND FLOOR, QHASANA BUILDING, BHISHO, 5605 | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | Mr. Zamuxolo Billie | CONTACT PERSON | Ms Afika Mbasane | | |
| TELEPHONE NUMBER | 040 602 4563 | TELEPHONE NUMBER | 040 602 4094 | | |
| FACSIMILE NUMBER | N/A | FACSIMILE NUMBER | N/A | | |
| E-MAIL ADDRESS | Zamuxolo.Billie@ecdpw.gov.za | E-MAIL ADDRESS | Afika.Mbasane@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] <input type="checkbox"/> Yes <input type="checkbox"/> No | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> 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? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | a) ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, COMPLETE QUESTIONNAIRE BELOW] | |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | <input type="checkbox"/> YES <input type="checkbox"/> 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 (SBD7). |
| 2. TAX COMPLIANCE REQUIREMENTS | |
| 2.1 | BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. |
| 2.2 | BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. |
| 2.3 | APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. |
| 2.4 | BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. |
| 2.5 | IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. |
| 2.6 | WHERE NO TCS 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." |

SIGNATURE OF BIDDER:

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

DATE:



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.

The undersigned, who warrants that he / she is duly authorized 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



BIDDER'S DISCLOSURE

1. PURPOSE OF THE FORM

Any person (natural or juristic) may make an offer or offers in terms of this invitation to bid. In line with the principles of transparency, accountability, impartiality, and ethics as enshrined in the Constitution of the Republic of South Africa and further expressed in various pieces of legislation, it is required for the bidder to make this declaration in respect of the details required hereunder.

Where a person/s are listed in the Register for Tender Defaulters and / or the List of Restricted Suppliers, that person will automatically be disqualified from the bid process.

2. Bidder's declaration

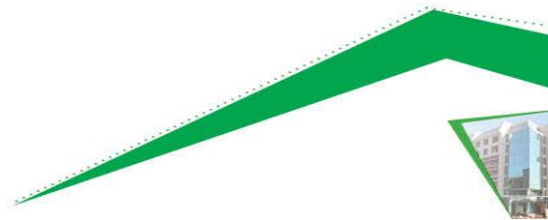
2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest¹ in the enterprise, employed by the state? **YES/NO**

2.1.1 If so, furnish particulars of the names, individual identity numbers, and, if applicable, state employee numbers of sole proprietor/ directors / trustees / shareholders / members/ partners or any person having a controlling interest in the enterprise, in table below.

| Full Name | Identity Number | Name of State institution |
|-----------|-----------------|---------------------------|
| | | |
| | | |
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| | | |
| | | |
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| | | |
| | | |
| | | |

2.2 Do you, or any person connected with the bidder, have a relationship with any person who is employed by the procuring institution? **YES/NO**

¹ the power, by one person or a group of persons holding the majority of the equity of an enterprise, alternatively, the person/s having the deciding vote or power to influence or to direct the course and decisions of the enterprise.



2.2.1 If so, furnish particulars:

.....
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract? **YES/NO**

2.3.1 If so, furnish particulars:

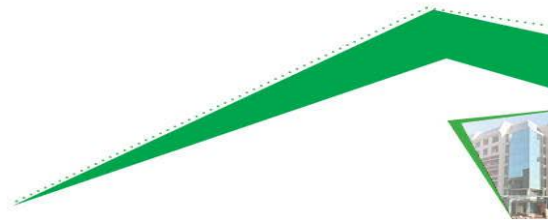
.....
.....

3 DECLARATION

I, _____ the _____ undersigned,
(name)..... in submitting
the accompanying bid, do hereby make the following statements that I certify to
be true and complete in every respect:

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium² will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.

² 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.



3.6 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.

I CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 1, 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME

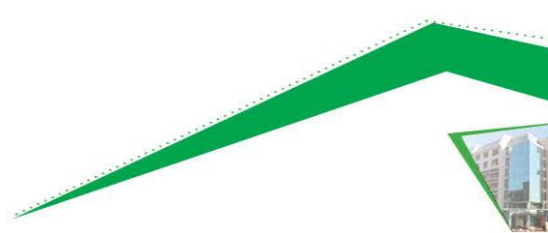
IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22

ON ENHANCING COMPLIANCE, TRANSPARENCY AND ACCOUNTABILITY

IN SUPPLY CHAIN MANAGEMENT SHOULD THIS DECLARATION PROVE

TO BE FALSE.

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



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, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF B-BBEE, AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017.

1. GENERAL CONDITIONS

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

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

1.2

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

b) Either the 80/20 preference point system will be applicable to this tender Points for this bid shall be awarded for:

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

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

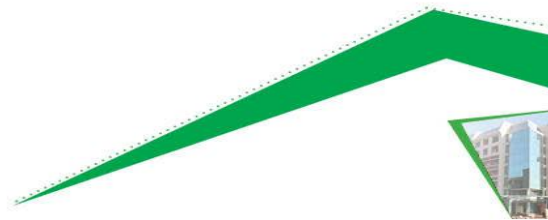
| | POINTS |
|--|------------|
| PRICE | 80 |
| B-BBEE STATUS LEVEL OF CONTRIBUTOR | 20 |
| Total points for Price and B-BBEE must not exceed | 100 |

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

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

2. DEFINITIONS

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



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

3. POINTS AWARDED FOR PRICE

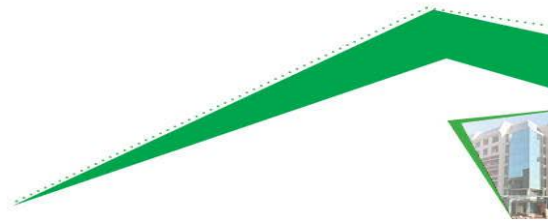
3.1 THE 80/20 OR 90/10 PREFERENCE POINT SYSTEMS

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

$$P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) \quad \text{or} \quad P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)$$

Where

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



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

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

| B-BBEE Status Level of Contributor | Number of points (90/10 system) | Number of points (80/20 system) |
|------------------------------------|---------------------------------|---------------------------------|
| 1 | 10 | 20 |
| 2 | 9 | 18 |
| 3 | 6 | 14 |
| 4 | 5 | 12 |
| 5 | 4 | 8 |
| 6 | 3 | 6 |
| 7 | 2 | 4 |
| 8 | 1 | 2 |
| Non-compliant contributor | 0 | 0 |

5. BID DECLARATION

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

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

6.1 B-BBEE Status Level of Contributor: . = (maximum of 10 or 20 points)
(Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 4.1 and must be substantiated by relevant proof of B-BBEE status level of contributor.)

7. SUB-CONTRACTING

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

(Tick applicable box)

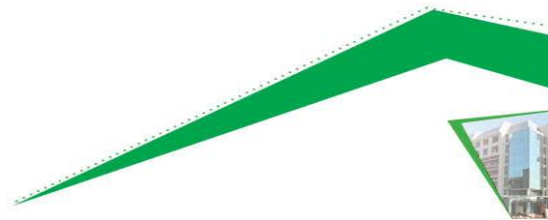
| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

7.1.1 If yes, indicate:

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

(Tick applicable box)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|



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 last 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

.....

.....

.....

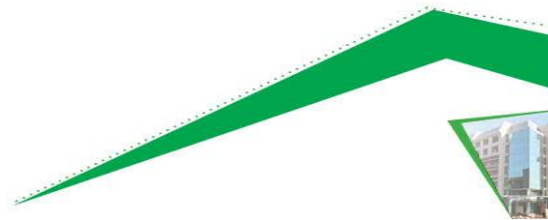
.....

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 bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted by the National Treasury from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and
 - (e) forward the matter for criminal prosecution.

WITNESSES

1.

2.

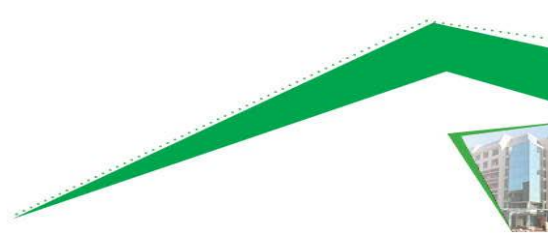
.....
SIGNATURE(S) OF BIDDERS(S)

DATE:

ADDRESS

.....

.....



PROCESS WHEN REQUESTING EXEMPTION LETTERS

For exemption requests on designated products and the minimum threshold for local content cannot be met for various reasons, bidders must apply for exemption per tender. After checking with the industry, the DTI will decide whether to grant an exemption or not.

In the official request (signed letter), the following information should be included:

- Procuring entity/government department/state owned company.
- Tender/bid number.
- Closing date.
- Item(s) for which the exemption is being requested for.
- Description of the goods, services or works for which the requested exemption item will be used for and the local content that can be met.
- Reason(s) for the request.
- Supporting letters from local manufacturers and suppliers.

NB - Exemption letters are tender specific and applications are not transferrable.

The turnaround time in response to exemption letters for all designated products is five working days with the exception of rail and boats/vessels which is seven working days.

Request for exemption letters are to be directed to:

Dr Tebogo Makube

Chief Director: Industrial Procurement

Tel: 012 394 3927

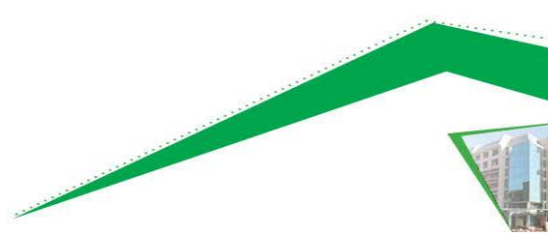
E-mail: tmakube@thedti.gov.za.

The turnaround time in response to textile, clothing, leather and footwear exemption letters request is two working days and requests are to be directed to:

Patricia Khumalo

Tel: 012 394 1390

E-mail: khumaloP@thedti.gov.za



DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all Bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, Bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidance on the Calculation of Local Content together with the Local Content Declaration Templates [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

1. General Conditions

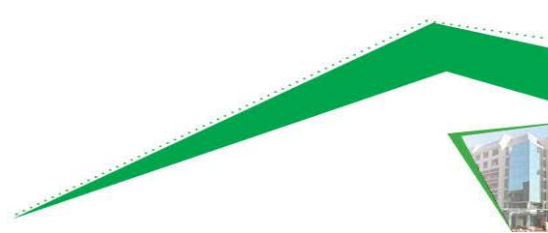
- 1.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 1.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such Bids with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 1.3. Where necessary, for Bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 1.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 1.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)

Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.



The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

- 1.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;
2. The stipulated minimum threshold(s) for local production and content (refer to Annexure A of SATS 1286:2011) for this bid is/are as follows:

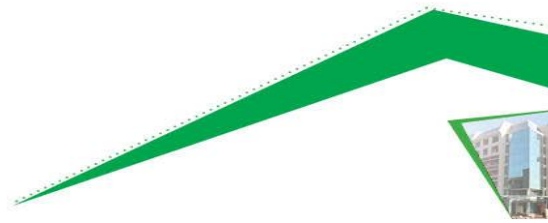
| Bills No. | Description of services, works or goods | Unit (e.g. m2, m3, ton, etc) | Quantity | Stipulated minimum threshold % |
|------------------|--|-------------------------------------|-----------------|---------------------------------------|
| | <u>PALISADE</u> | | | |
| 1.1 | 20M x 1.8M Fencing | ea | 1 | 100% |
| 1.2 | 3M x 1.8M Normal Gate | ea | 1 | 100% |
| 1.3 | 3.5M x 1.8M Normal Gate | ea | 2 | 100% |
| 1.4 | 4.5M x 1.8M Palisade Sliding Gate | ea | 1 | 100% |
| 1.5 | 7M Steel Rail for Sliding Gate | ea | 1 | 100% |
| 1.6 | Steel wheel for Sliding Gate | ea | 2 | 100% |
| 1.7 | 3.8M x 1.71M Palisade Sliding Gate | ea | 1 | 100% |
| 1.8 | 7.6M Steel Rail for Sliding Gate | ea | 1 | 100% |
| 1.9 | D5 Gate Motor | ea | 1 | 100% |
| 1.10 | D5 Anti-Theft Bracket | ea | 1 | 100% |

3. Does any portion of the goods or services offered?
have any imported content?
(Tick applicable box)

| | | | |
|-----|--------------------------|----|--------------------------|
| YES | <input type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|--------------------------|----|--------------------------|

- 3..1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

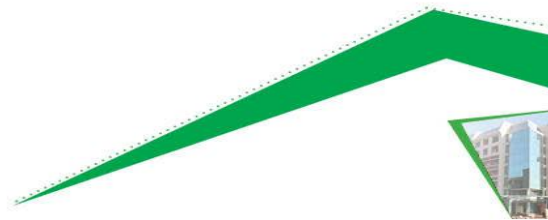


Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|-----------------|--------------------------|
| US Dollar | |
| Pound Sterling | |
| Euro | |
| Yen | |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.



LOCAL CONTENT DECLARATION
(REFER TO ANNEXURE B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

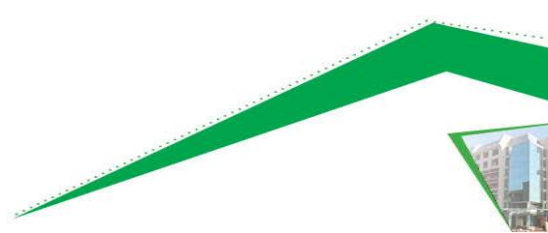
ISSUED BY: (Procurement Authority / Name of Institution):
.....

NB

- 1 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the Bidder.
- 2 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, Bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the Bidders for verification purposes for a period of at least 5 years. The successful Bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, (full names),
do hereby declare, in my capacity as
of(name of Bidder
entity), the following:

- (a) The facts contained herein are within my own personal knowledge.
- (b) I have satisfied myself that:
 - (i) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (c) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in



paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | |
|--|---|
| Bid price, excluding VAT (y) | R |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R |
| Stipulated minimum threshold for local content (paragraph 3 above) | |
| Local content %, as calculated in terms of SATS 1286:2011 | |

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

The local content percentages for each product has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (d) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (e) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in Regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPPFA), 2000 (Act No. 5 of 2000).

SIGNATURE: _____

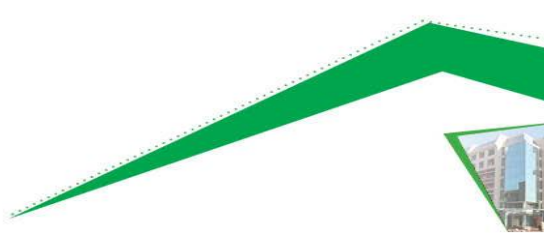
DATE: _____

WITNESS No. 1 _____

DATE: _____

WITNESS No. 2 _____

DATE: _____



SATS 1286.2011

Annex C

Local Content Declaration - Summary Schedule

(C1) Tender No. H05-22/23-0085

(C2) Tender description: PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO

(C3) Designated product(s): Steel

(C4) Tender Authority: Department of Public Works & Infrastructure (EC)

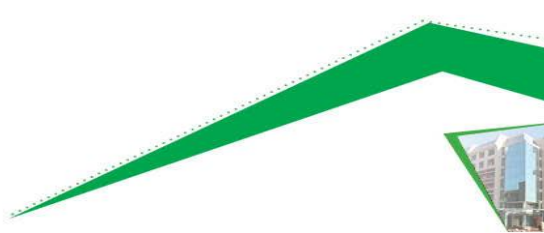
(C5) Tendering Entity name:

(C6) Tender Exchange Rate: Pula EU GBP

(C7) Specified local content % 100%

Note: VAT to be excluded from all calculations

| Calculation of local content | | | | | | | | Tender summary | | | | |
|------------------------------------|------------------------------------|--------------------------------|-------------------------|---|----------------|-------------|----------------------------|---------------------|---|--------------------|---------------------------------|------------------------|
| Tender item no's | List of items | Tender price - each (excl VAT) | Exempted imported value | Tender value net of exempted imported content | Imported value | Local value | Local content % (per item) | Unit of measurement | Tender Qty | Total tender value | Total exempted imported content | Total Imported content |
| (C8) | (C9) | (C10) | (C11) | (C12) | (C13) | (C14) | (C15) | | (C16) | (C17) | (C18) | (C19) |
| 1.1 | 20M x 1.8M Fencing | | | | | | | m | 300 | | | |
| 1.2 | 3M x 1.8M Normal Gate | | | | | | | No | 1 | | | |
| 1.3 | 3.5M x 1.8M Normal Gate | | | | | | | No | 1 | | | |
| 1.4 | 4.5M x 1.8M Palisade Sliding Gate | | | | | | | No | 2 | | | |
| 1.5 | 7M Steel Rail for Sliding Gate | | | | | | | No | 1 | | | |
| 1.6 | Steel Wheel for Sliding Gate | | | | | | | No | 1 | | | |
| 1.7 | 3.8M x 1.71M Palisade Sliding Gate | | | | | | | No | 2 | | | |
| 1.8 | 7.6M Steel Rail for Sliding Gate | | | | | | | No | 1 | | | |
| 1.9 | D5 Gate Motor | | | | | | | No | 1 | | | |
| 1.10 | D5 Anti-Theft Bracket | | | | | | | No | 1 | | | |
| | | | | | | | | | (C20) Total tender value | | | |
| Signature of tenderer from Annex B | | | | | | | | | (C21) Total Exempt imported content | | | |
| | | | | | | | | | (C22) Total Tender value net of exempt imported content | | | |
| | | | | | | | | | (C23) Total Imported content | | | |
| | | | | | | | | | (C24) Total local content | | | |
| Date: | | | | | | | | | (C25) Average local content % of tender | | | |



SATS 1286.2011

Annex D

Imported Content Declaration - Supporting Schedule to Annex C

| | | | |
|-----------------------------|---|----|---|
| (D1) Tender No. | H05-22/23-0085 | | Note: VAT to be excluded from all calculations |
| (D2) Tender description: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO | | |
| (D3) Designated Products: | Steel | | |
| (D4) Tender Authority: | Department of Public Works & Infrastructure (EC) | | |
| (D5) Tendering Entity name: | | | |
| (D6) Tender Exchange Rate: | Pula | EU | |

A. Exempted imported content

| A. Exempted imported content | | | | Calculation of imported content | | | | | | Summary | |
|------------------------------|---------------------------------|----------------|-------------------|---|----------------------|------------------------|--------------------------------|---|----------------------------|------------|-------------------------|
| Tender item no's | Description of imported content | Local supplier | Overseas Supplier | Forign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Exempted imported value |
| (D7) | (D8) | (D9) | (D10) | (D11) | (D12) | (D13) | (D14) | (D15) | (D16) | (D17) | (D18) |
| | | | | | | | | | | | |

(D19) Total exempt imported value

This total must correspond with Annex C - C 21

B. Imported directly by the Tenderer

| B. Imported directly by the Tenderer | | | | Calculation of imported content | | | | | | Summary | |
|--------------------------------------|---------------------------------|-----------------|-------------------|---|-------------------------|------------------------|--------------------------------|---|----------------------------|------------|----------------------|
| Tender item no's | Description of imported content | Unit of measure | Overseas Supplier | Forign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Total imported value |
| (D20) | (D21) | (D22) | (D23) | (D24) | (D25) | (D26) | (D27) | (D28) | (D29) | (D30) | (D31) |
| | | | | | | | | | | | |

(D32) Total imported value by tenderer

C. Imported by a 3rd party and supplied to the Tenderer

| C. Imported by a 3rd party and supplied to the Tenderer | | | | Calculation of imported content | | | | | | Summary | |
|---|-----------------|----------------|-------------------|---|-------------------------|------------------------|--------------------------------|---|----------------------------|-------------------|----------------------|
| Description of imported content | Unit of measure | Local supplier | Overseas Supplier | Forign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Quantity imported | Total imported value |
| (D33) | (D34) | (D35) | (D36) | (D37) | (D38) | (D39) | (D40) | (D41) | (D42) | (D43) | (D44) |
| | | | | | | | | | | | |

(D45) Total imported value by 3rd party

D. Other foreign currency payments

| D. Other foreign currency payments | | | Calculation of foreign currency payments | | Summary of payments |
|------------------------------------|-----------------------------------|----------------------|--|-------------------------|-------------------------|
| Type of payment | Local supplier making the payment | Overseas beneficiary | Foreign currency value paid | Tender Rate of Exchange | Local value of payments |
| (D46) | (D47) | (D48) | (D49) | (D50) | (D51) |
| | | | | | |

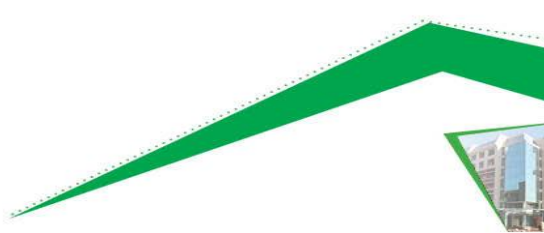
(D52) Total of foreign currency payments declared by tenderer and/or 3rd party

Signature of tenderer from Annex B

(D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above

Date:

This total must correspond with Annex C - C 23



SATS 1286.2011

Annex E

Local Content Declaration - Supporting Schedule to Annex C

| | | | |
|------|-------------------------------|--|---|
| (E1) | Tender No. | H05-22/23-0085 | Note: VAT to be excluded from all calculations |
| (E2) | Tender description: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BHISHO | |
| (E3) | Designated products: | Steel | |
| (E4) | Tender Authority: | | |
| (E5) | Tendering Entity name: | | |

| Local Products (Goods, Services and Works) | Description of items purchased | Local suppliers | Value |
|--|--------------------------------|-----------------|-------|
| | (E6) | (E7) | (E8) |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| (E9) Total local products (Goods, Services and Works) | | | |

| | | | |
|--|---|--|--|
| (E10) | Manpower costs | (Tenderer's manpower cost) | |
| (E11) | Factory overheads | (Rental, depreciation & amortisation, utility costs, consumables etc.) | |
| (E12) | Administration overheads and mark-up | (Marketing, insurance, financing, interest etc.) | |
| (E13) Total local content | | | |
| This total must correspond with Annex C - C24 | | | |

Signature of tenderer from Annex B

Date:



DECLARATION CERTIFICATE FOR LOCAL PRODUCTION AND CONTENT FOR DESIGNATED SECTORS

This Standard Bidding Document (SBD) must form part of all Bids invited. It contains general information and serves as a declaration form for local content (local production and local content are used interchangeably).

Before completing this declaration, bidders must study the General Conditions, Definitions, Directives applicable in respect of Local Content as prescribed in the Preferential Procurement Regulations, 2017, the South African Bureau of Standards (SABS) approved technical specification number SATS 1286:2011 (Edition 1) and the Guidelines on the Calculation of Local Content together with the Local Content Declaration Schedules [Annex C (Local Content Declaration: Summary Schedule), D (Imported Content Declaration: Supporting Schedule to Annex C) and E (Local Content Declaration: Supporting Schedule to Annex C)].

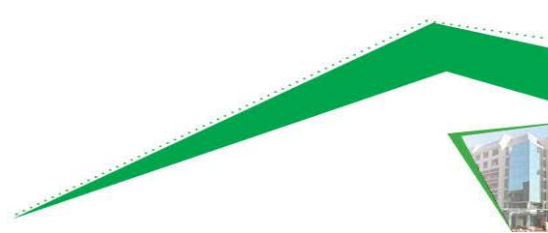
5. General Conditions

- 5.1. Preferential Procurement Regulations, 2017 (Regulation 8) make provision for the promotion of local production and content.
- 5.2. Regulation 8.(2) prescribes that in the case of designated sectors, organs of state must advertise such Bids with the specific bidding condition that only locally produced or manufactured goods, with a stipulated minimum threshold for local production and content will be considered.
- 5.3. Where necessary, for Bids referred to in paragraph 1.2 above, a two stage bidding process may be followed, where the first stage involves a minimum threshold for local production and content and the second stage price and B-BBEE.
- 5.4. A person awarded a contract in relation to a designated sector, may not sub-contract in such a manner that the local production and content of the overall value of the contract is reduced to below the stipulated minimum threshold.
- 5.5. The local content (LC) expressed as a percentage of the bid price must be calculated in accordance with the SABS approved technical specification number SATS 1286: 2011 as follows:

$$LC = [1 - x / y] * 100$$

Where

- x is the imported content in Rand
y is the bid price in Rand excluding value added tax (VAT)



Prices referred to in the determination of x must be converted to Rand (ZAR) by using the exchange rate published by South African Reserve Bank (SARB) at 12:00 on the date of advertisement of the bid as indicated in paragraph 4.1 below.

The SABS approved technical specification number SATS 1286:2011 is accessible on [http://www.thedti.gov.za/industrial development/ip.jsp](http://www.thedti.gov.za/industrial%20development/ip.jsp) at no cost.

5.6. A bid may be disqualified if this Declaration Certificate and the Annex C (Local Content Declaration: Summary Schedule) are not submitted as part of the bid documentation;

6. The stipulated minimum threshold(s) for local production and content (refer to Annex A of SATS 1286:2011) for this bid is/are as follows:

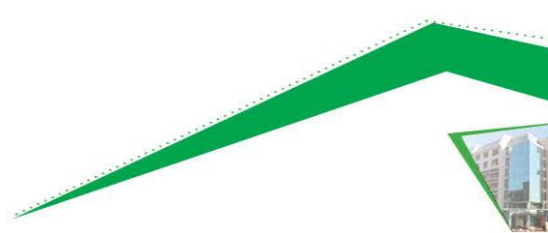
| No. | Description of services, works or goods | Unit (e.g. m2, m3, ton, etc) | Quantity | Stipulated minimum threshold |
|-----|---|------------------------------|----------|------------------------------|
| 1 | Mild steel reinforcement to structural concrete work: 12 mm diameter bars | tonnes | 261.95 | 100% |
| 2 | Mild steel reinforcement to structural concrete work: 10 mm diameter bars | tonnes | 240 | 100% |
| 3 | Furniture High back Chair | No. | 261.95 | 85% |

3. Does any portion of the goods or services offered have any imported content?
(Tick applicable box)

| | | | |
|-----|-------------------------------------|----|--------------------------|
| YES | <input checked="" type="checkbox"/> | NO | <input type="checkbox"/> |
|-----|-------------------------------------|----|--------------------------|

3.1 If yes, the rate(s) of exchange to be used in this bid to calculate the local content as prescribed in paragraph 1.5 of the general conditions must be the rate(s) published by SARB for the specific currency at 12:00 on the date of advertisement of the bid.

The relevant rates of exchange information is accessible on www.reservebank.co.za

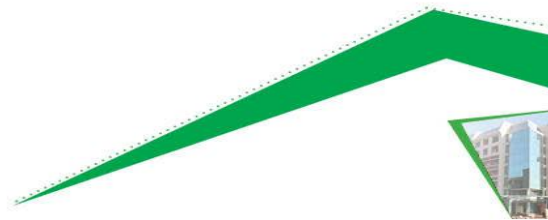


Indicate the rate(s) of exchange against the appropriate currency in the table below (refer to Annex A of SATS 1286:2011):

| Currency | Rates of exchange |
|----------------|-------------------|
| US Dollar | R14 / \$1 |
| Pound Sterling | R19.50 / 1 pound |
| Euro | R14.10 / 1 Euro |
| Yen | R0.50/ 500Yens |
| Other | |

NB: Bidders must submit proof of the SARB rate (s) of exchange used.

4. Where, after the award of a bid, challenges are experienced in meeting the stipulated minimum threshold for local content the dti must be informed accordingly in order for the dti to verify and in consultation with the AO/AA provide directives in this regard.



LOCAL CONTENT DECLARATION
(REFER TO ANNEX B OF SATS 1286:2011)

LOCAL CONTENT DECLARATION BY CHIEF FINANCIAL OFFICER OR OTHER LEGALLY RESPONSIBLE PERSON NOMINATED IN WRITING BY THE CHIEF EXECUTIVE OR SENIOR MEMBER/PERSON WITH MANAGEMENT RESPONSIBILITY (CLOSE CORPORATION, PARTNERSHIP OR INDIVIDUAL)

IN RESPECT OF BID NO.

ISSUED BY: (Procurement Authority / Name of Institution):

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
.....

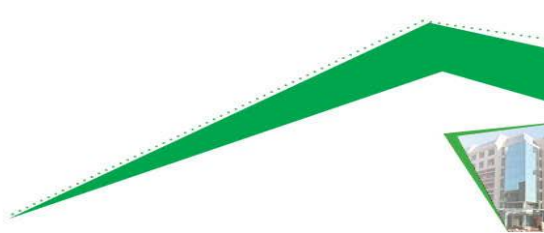
NB

- 3 The obligation to complete, duly sign and submit this declaration cannot be transferred to an external authorized representative, auditor or any other third party acting on behalf of the bidder.
- 4 Guidance on the Calculation of Local Content together with Local Content Declaration Templates (Annex C, D and E) is accessible on <http://www.thdti.gov.za/industrial-development/ip.jsp>. Bidders should first complete Declaration D. After completing Declaration D, bidders should complete Declaration E and then consolidate the information on Declaration C. **Declaration C should be submitted with the bid documentation at the closing date and time of the bid in order to substantiate the declaration made in paragraph (c) below.** Declarations D and E should be kept by the bidders for verification purposes for a period of at least 5 years. The successful bidder is required to continuously update Declarations C, D and E with the actual values for the duration of the contract.

I, the undersigned, **MKHAYA PHONDO** (full name), do hereby declare, in my capacity as **DIRECTOR**.....of **PHONDO CONSTRUCTION**.....(name of bidder entity), the following:

- (f) The facts contained herein are with my own personal knowledge.
- (g) I have satisfied myself that:
 - (ii) the goods/services/works to be delivered in terms of the above-specified bid comply with the minimum local content requirements as specified in the bid, and as measured in terms of SATS 1286:2011; and
- (h) The local content percentage (%) indicated below has been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in

EXAMPLE ONLY



paragraph 4.1 above and the information contained in Declaration D and E which has been consolidated in Declaration C:

| | |
|--|---------------|
| Bid price, excluding VAT (y) | R 370 940 |
| Imported content (x), as calculated in terms of SATS 1286:2011 | R 62 868 |
| Stipulated minimum threshold for local content (paragraph 3 above) | 100% + 85% |
| Local content %, as calculated in terms of SATS 1286:2011 | 83.05% |

If the bid is for more than one product, the local content percentages for each product contained in Declaration C shall be used instead of the table above.

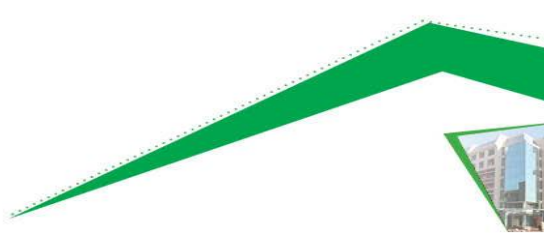
The local content percentages for each product have been calculated using the formula given in clause 3 of SATS 1286:2011, the rates of exchange indicated in paragraph 4.1 above and the information contained in Declaration D and E.

- (i) I accept that the Procurement Authority / Institution has the right to request that the local content be verified in terms of the requirements of SATS 1286:2011.
- (j) I understand that the awarding of the bid is dependent on the accuracy of the information furnished in this application. I also understand that the submission of incorrect data, or data that are not verifiable as described in SATS 1286:2011, may result in the Procurement Authority / Institution imposing any or all of the remedies as provided for in regulation 14 of the Preferential Procurement Regulations, 2017 promulgated under the Preferential Policy Framework Act (PPFA), 2000 (Act No. 5 of 2000).

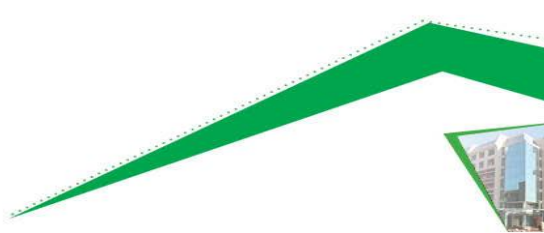
SIGNATURE: _____  _____ **DATE: 23 Oct 2018** _____

WITNESS No. 1 _____  _____ **DATE: 23 Oct 2018** _____

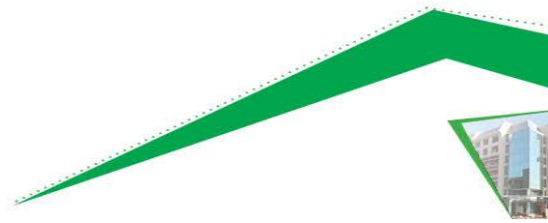
WITNESS No. 2 _____  _____ **DATE: 23 Oct 2018** _____



| Annex C | | | | | | | | | | | | | SATS 1286.2011 | |
|--|---|--------------------------|-------------------------|---|----------------|-------------|----------------------------|---------------------|------------|---|---------------------------------|--|----------------|--|
| Local Content Declaration - Summary Schedule | | | | | | | | | | | | | | |
| (C1) Tender No. | SCMUS-18/19-0888 | | | | | | | | | | | <div style="border: 1px solid black; padding: 5px;"> Note: VAT to be excluded from all calculations </div> | | |
| (C2) Tender description: | Construction of BHISHO JSS School | | | | | | | | | | | | | |
| (C3) Designated product(s) | Steel Products and Structures and Furniture | | | | | | | | | | | | | |
| (C4) Tender Authority: | Department of Public Works (EC) | | | | | | | | | | | | | |
| (C5) Tendering Entity name: | IPHONDO CONSTRUCTION (PTY) LTD | | | | | | | | | | | | | |
| (C6) Tender Exchange Rate: | Pula _____ GBP _____ | | | | | | | | | | | | | |
| (C7) Specified local content % | 100% and 85% | | | | | | | | | | | | | |
| Calculation of local content | | | | | | | | | | | | | Tender summary | |
| Tender item no's | List of items | Tender price (excl. VAT) | Exempted imported value | Tender value net of exempted imported content | Imported value | Local value | Local content % (per item) | Unit of measurement | Tender Qty | Total tender value | Total exempted imported content | Total Imported content | | |
| (C8) | (C9) | (C10) | (C11) | (C12) | (C13) | (C14) | (C15) | | (C16) | (C17) | (C18) | (C19) | | |
| 53, 34, 50 | Mild steel reinforcement to structural concrete work: 12 mm diameter bars | R 35.00 | R 0.00 | R 35.00 | R 0.00 | R 35.00 | 100% | tonnes | 261.95 | R 9 168 | R 0 | R 0 | | |
| 54, 35 | Mild steel reinforcement to structural concrete work: 10 mm diameter bars | R 23.00 | R 0.00 | R 23.00 | R 0.00 | R 23.00 | 100% | tonnes | 240.00 | R 5 520 | R 0 | R 0 | | |
| 25 | Furniture High back Chair | R 1 600.00 | R 0.00 | R 1 600.00 | R 240.00 | R 1 360.00 | 85% | No. | 261.95 | R 356 252 | R 0 | R 62 868 | | |
| | | | | | | | | | | (C20) Total tender value | R 370 940 | | | |
| Signature of tenderer from Annex B | | | | | | | | | | (C21) Total Exempt imported content | R 0 | | | |
| | | | | | | | | | | (C22) Total Tender value net of exempt imported content | R 370 940 | | | |
| | | | | | | | | | | (C23) Total Imported content | R 62 868 | | | |
| | | | | | | | | | | (C24) Total local content | R 308 072 | | | |
| Date: 24-Oct-18 | | | | | | | | | | (C25) Average local content % of tender | 83.05% | | | |

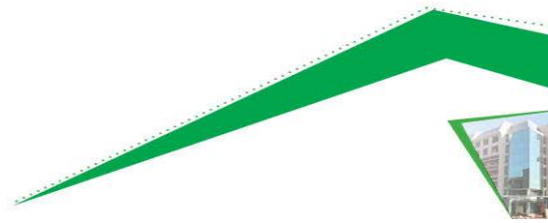


| SATS 1286.2011 | | | | | | | | | | | | |
|--|--|-----------------------|-----------------------------|--|--|---|--------------------------------|---|---|----------------------------|-------------------------|-------------------------|
| Annex D | | | | | | | | | | | | |
| Imported Content Declaration - Supporting Schedule to Annex C | | | | | | | | | | | | |
| (D1) Tender No. | SCMUS-18/19-0888 | | | | | Note: VAT to be excluded from all calculations | | | | | | |
| (D2) Tender description: | Construction of BHISHO JSS School | | | | | | | | | | | |
| (D3) Designated Products: | Furniture products | | | | | | | | | | | |
| (D4) Tender Authority: | Department of Public Works (EC) | | | | | | | | | | | |
| (D5) Tendering Entity name: | IPHONDO CONSTRUCTION (PTY) LTD | | | | | | | | | | | |
| (D6) Tender Exchange Rate: | Pula | | EU | | GBP | | | | | | | |
| A. Exempted imported content | | | | Calculation of imported content | | | | | | Summary | | |
| Tender item no's | Description of imported content | | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Exchange Rate | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Exempted imported value |
| (D7) | (D8) | | (D9) | (D10) | (D11) | (D12) | (D13) | (D14) | (D15) | (D16) | (D17) | (D18) |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| (D19) Total exempt imported value | | | | | | | | | | | R 0 | |
| This total must correspond with Annex C - C 21 | | | | | | | | | | | | |
| B. Imported directly by the Tenderer | | | | Calculation of imported content | | | | | | Summary | | |
| Tender item no's | Description of imported content | | Unit of measure | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Tender Qty | Total imported value |
| (D20) | (D21) | | (D22) | (D23) | (D24) | (D25) | (D26) | (D27) | (D28) | (D29) | (D30) | (D31) |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a | n/a |
| (D32) Total imported value by tenderer | | | | | | | | | | | R 0 | |
| C. Imported by a 3rd party and supplied to the Tenderer | | | | Calculation of imported content | | | | | | Summary | | |
| Description of imported content | Unit of measure | Local supplier | Overseas Supplier | Foreign currency value as per Commercial Invoice | Tender Rate of Exchange | Local value of imports | Freight costs to port of entry | All locally incurred landing costs & duties | Total landed cost excl VAT | Quantity imported | Total imported value | |
| (D33) | (D34) | (D35) | (D36) | (D37) | (D38) | (D39) | (D40) | (D41) | (D42) | (D43) | (D44) | |
| 25 | 2mm Material fabric of a High back chair (1m x 2m) | No. | Walton Chinese fabric | \$12.00 | R 14.00 | R 168.00 | R 37.00 | R 35.00 | R 240.00 | 262 | R 62 868 | |
| (D45) Total imported value by 3rd party | | | | | | | | | | | R 62 868 | |
| D. Other foreign currency payments | | | | Calculation of foreign currency payments | | | | | | Summary of payments | | |
| Type of payment | Local supplier making the payment | Overseas beneficiary | Foreign currency value paid | Tender Rate of Exchange | | | | | | | Local value of payments | |
| (D46) | (D47) | (D48) | (D49) | (D50) | | | | | | | (D51) | |
| EFT | FNB | Walton Chinese fabric | \$12 | R 14.00 | | | | | | | R 168 | |
| (D52) Total of foreign currency payments declared by tenderer and/or 3rd party | | | | | | | | | | | | |
| (D53) Total of imported content & foreign currency payments - (D32), (D45) & (D52) above | | | | | | | | | | | R 62 868 | |
| This total must correspond with Annex C - C 23 | | | | | | | | | | | | |
| Signature of tenderer from Annex B | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| Date: 24-Oct-18 | | | | | | | | | | | | |



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

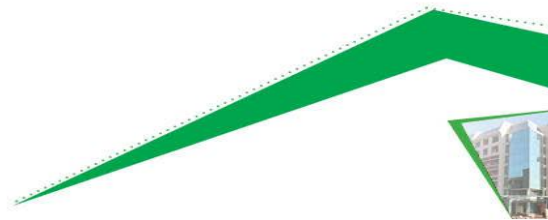
(IF APPLICABLE, ATTACH HERE)



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:

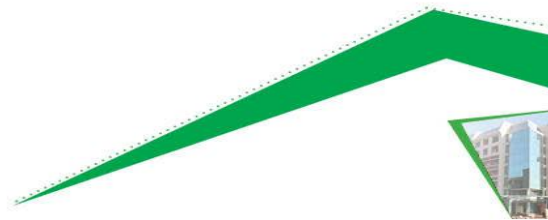
| | |
|--|--|
| Enterprise Name: | |
| Trading Name (If Applicable): | |
| Registration Number: | |
| Enterprise Physical Address: | |
| Type of Entity (CC, (Pty) Ltd, Sole Prop etc.): | |
| Nature of Business: | |
| Definition of “Black People” | As per the Broad-Based Black Economic Empowerment Act 53 of 2003 as Amended by Act No 46 of 2013 “Black People” is a generic term which means Africans, Colored’s 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 On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date |

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 of _____(DD/MM/YYYY) 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.

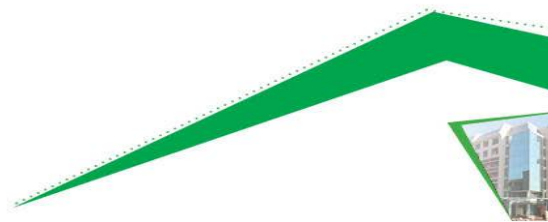
Deponent Signature: _____

Date: _____

Date: _____

Commissioner of Oaths

Signature & stamp



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

I, the undersigned,

| | |
|--------------------------------|--|
| Full name & Surname | |
| Identity number | |

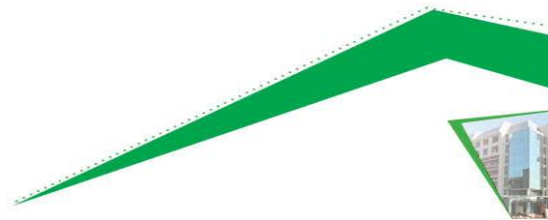
Hereby declare under oath as follows:

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 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 Who became citizens of the Republic of South Africa by naturalization- i. Before 27 April 1994; or On or after 27 April 1994 and who would have been entitled to acquire citizenship by naturalization prior to that date |

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 of _____ (DD/MM/YYYY) 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)

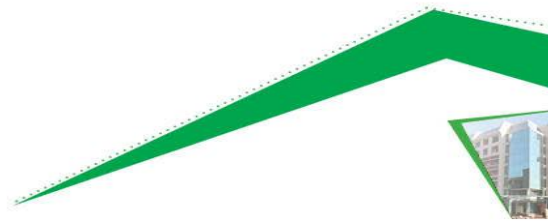
- 5.6.3 A QSE that is at least 51% Black Owned or 100% Black Owned that does not comply with paragraph 3.6.2.3 above, will be discounted by one level from that level awarded in paragraphs 5.3.1 and 5.3.2 respectively.
 - 5.3.4 Despite paragraphs 5.2, 5.3.1 and 5.3.2, an at least 51% Black Owned QSE's 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: _____

Date: _____

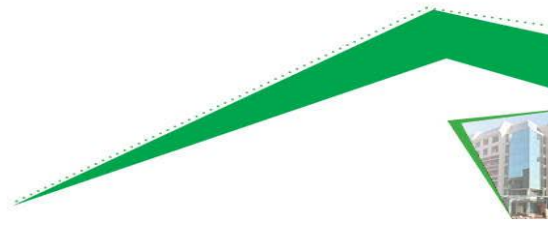
Commissioner of Oaths

Signature & stamp

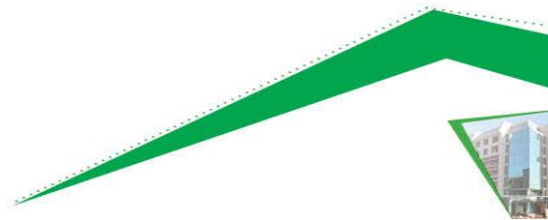


***PROOF OF REGISTRATION ON THE NATIONAL
TREASURY CENTRAL SUPPLIER DATABASE (CSD
REPORT)***

(ATTACH HERE)



VALID CIDB CERTIFICATE OF A TENDERER
(ATTACH HERE)



Annex C
(normative)

FORM OF OFFER AND ACCEPTANCE

| | |
|-----------------------|---|
| Project title | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO number | H05-22/23-0085 |

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)

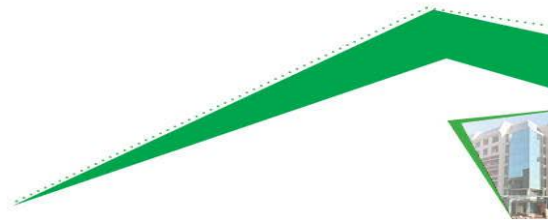
(or other suitable wording)

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
Name
Capacity
for the
tenderer

(Name and address of organization)

Name and signature
of witness 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.

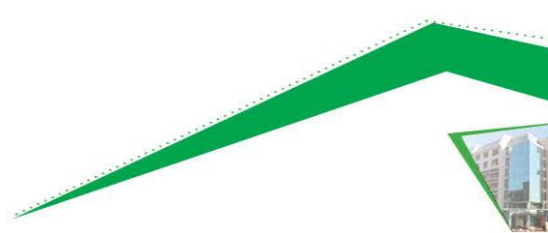
Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five working days of the date of such receipt 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 _____
- 4 Subject _____
Details _____

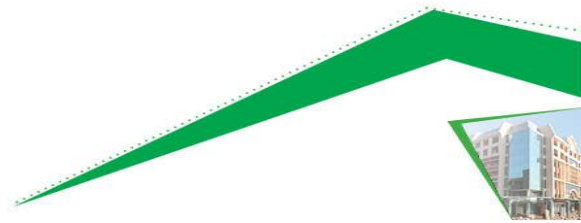
By the duly authorised representatives signing this agreement, the employer and the tenderer agree to and accept the foregoing schedule of deviations as the only deviations from and amendments to the documents listed in the tender data and addenda thereto as listed in the tender schedules, as well as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



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

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



C

RECORD OF ADDENDA TO BID DOCUMENTS

| PROJECT TITLE | | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO | |
|--|-------------|---|---------------------|
| SCMU/HO NUMBER | | H05-22/23-0085 | |
| 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 | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO NUMBER | H05-22/23-0085 |

| 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

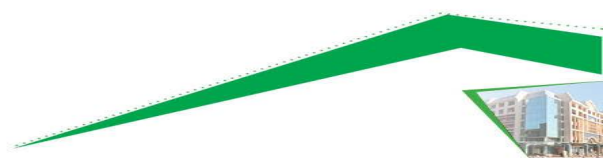
Signed

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./Ms. _____, whose signature appears below, has been duly authorized 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):



F

SCHEDULE OF PROPOSED SUBCONTRACTORS

| | |
|---|---|
| PROJECT TITLE | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO NUMBER | H05-22/23-0085 |
| <p>We notify you that it is our intention to employ the following Subcontractors for work in this contract. The Subcontractors will all be CIDB registered and their CIDB Registration number shall be submitted below. This should also be declared on SBD 6.1 form.</p> <p>If we are awarded a contract, we agree that this notification does not change the requirement for us to submit the names of proposed subcontractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.</p> <p>We confirm that all subcontractors who are or to be contracted are registered on Central Supplier Database (CSD).</p> | |

| No. | Name and address of proposed Subcontractor | Nature and extent of work | Year completed | Value | Contact details |
|-----|--|---------------------------|----------------|-------|-----------------|
| 1 | | | | | |
| | | | | | |
| 2 | | | | | |
| | | | | | |
| 3 | | | | | |



| | | | | | |
|--|--|--|--|--|--|
| | | | | | |
| 4 | | | | | |
| | | | | | |
| 5 | | | | | |
| | | | | | |
| <p>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</p> | | | | | |

Signed

Date

Name

Position

Enterprise name



G

CAPACITY OF THE BIDDER

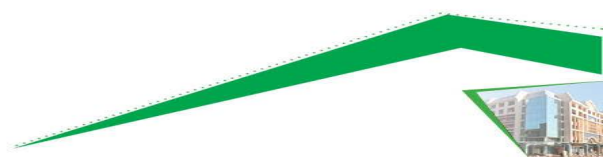
| | |
|--|---|
| PROJECT TITLE | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO NUMBER | H05-22/23-0085 |
| <p>WORK CAPACITY: (The Bidder is requested to furnish the following capacity particulars and to attach additional pages if more space is required. Failure to furnish the particulars may result in the Bid being disregarded.)</p> <p><i>Artisans and Employees: (Artisans and Employees to be ,or are ,employed for this project)</i></p> | |

| Quantity / No. of Resources | Categories of Employee - Key Personnel (part of Business Enterprise) | Professional Registration No. | Date of Employment |
|-----------------------------|--|-------------------------------|--------------------|
| | Site Agent | | |
| | Project Manager | | |
| | 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:



H

RELEVANT PROJECT EXPERIENCE – COMPLETED PROJECTS

Tenderers must submit a max one-page description of at least three projects successfully completed. **Attach a 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 | | | | | |

If there are more projects, 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.

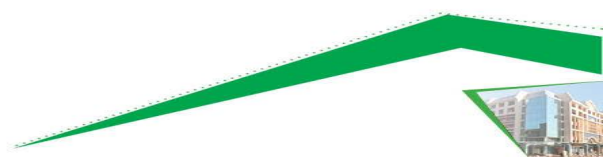
Signed.....

Date.....

Name.....

Position.....

Enterprise name.....



I

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.

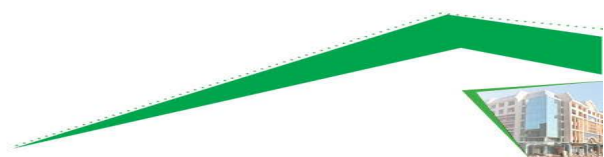
Signed

Date

Name

Position

Enterprise name



J

OTHER OFFERS SUBMITTED AT TIME OF THIS TENDER FOR WHICH RESULTS ARE PENDING (if they exist)
(Any other client's tender must also be included)

| BID NO. / PROJECT NUMBER | PROJECT NAME | CLIENT NAME & CONTACT NO. | VALUE TENDERED IN RANDS | DATE SUBMITTED | CONTACT DETAILS (CLIENT) |
|--------------------------|--------------|---------------------------|-------------------------|----------------|--------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |

If there are more projects, attach a separate page to address this issue (the above table is just for reference purposes).

Signed

Date

Name

Position

Enterprise name



K

SCHEDULE OF TENDERER'S LITIGATION HISTORY

The tenderer shall list below details of any litigation with which the tenderer (including its directors, shareholders or other senior members in previous companies) has been involved with any organ of state or state department within the last ten years. The details must include the year, the litigating parties, the subject matter of the dispute, the value of any award or estimated award if the litigation is current and in whose favour the award, if any, was made.

| NO. | NAME OF CLIENT. | OTHER LITIGATING PARTY | BRIEF DETAILS OF DISPUTE | PROJECT VALUE | DATE RESOLVED OR STATUS OF LITIGATION |
|-----|-----------------|------------------------|--------------------------|---------------|---------------------------------------|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |

Signed

Date

Name

Position

Tenderer name



L

Project Reference Forms - 1

| | |
|------------------------|---|
| Project title: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| Project Number: | H05-22/23-0085 |

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: _____

D. My contact details are:

Telephone: _____ Cellphone: _____ Fax: _____

E-mail: _____



Thus signed at _____ on this _____ day of _____ 2022.

Signature of principal agent

COMPANY STAMP

NOTE:

If reference cannot be verified due to the inability to get hold of the referee or failure on his/her part to respond to a written request to do so, that reference will not score any points. It is the responsibility of the tenderer to put referees who are reachable.

Name of Tenderer

Signature of Tenderer

Date



M

BASELINE RISK ASSESSMENT

| | |
|--|---|
| PROJECT TITLE | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO NUMBER | H05-22/23-0085 |
| 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 |
|--|--|------------------------------|--|-------------------------|---|
| New Installation | Implementation of the approved risk assessment and employees | Electric Shock | N/A | | PPE, |
| Location, exposing & protection of the unknown existing services | Exposure to water, electrical, | Long term breathing problems | Construction activities, vibration, dust | Air pollution | Use of PPE, guarding off site on work areas |
| Construction activities / demolition | Temporary deafness | Permanent deafness | Noise pollution | Noise pollution | Guarding / barricading of site |
| Moving machines | Driven over by machines | Injury to workers | Fuel spillage | Driven over by machines | Signage and slow driving |

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



N

EASTERN CAPE INFRASTRUCTURE INPUT MATERIAL

| | |
|------------------------------------|---|
| PROJECT NAME | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| PROJECT DESCRIPTION (SCOPE) | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| SCMU/HO NUMBER | H05-22/23-0085 |
| CONTRACTOR NAME: | |

1. Below is the list of building material which must be sourced from Eastern Cape based suppliers, manufacturers or accredited agents.
2. On monthly basis, the contractor will report the purchasing of any of this material.
3. The report will then be communicated to PT & OTP on quarterly basis or in whichever intervals, as prescribed by PT & OTP.

A. BUILDING MATERIAL LISTS-BUILDING RELATED STRUCTURES (NEW, REFURBISHMENTS & RENOVATIONS)

| ITEM | BUILDING MATERIAL (TYPE) | QUANTITY | ESTIMATE AMOUNT (Rands) |
|--------------|------------------------------|----------|-------------------------|
| 1 | Palisade Fence | | |
| 2 | Palisade Sliding Gate | | |
| 3 | Palisade Double Swing Gate | | |
| 4 | Steel Rail for Sliding Gate | | |
| 5 | Steel Wheel for Sliding Gate | | |
| 6 | D5 Gate Motor | | |
| 7 | D5 Anti-Theft Bracket | | |
| TOTAL | | | |

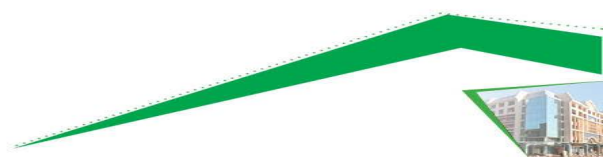
B. CONFIRMATION

1. I..... (**Contractor name**) acknowledge and confirm the above mentioned material will be sourced in the Eastern Cape Province, from Eastern Cape based material suppliers and manufacturers.
2. I confirm that on monthly basis I will produce a proof of purchase of this material used or to be used, either in the form of delivery notes, tax invoices or any formal document which verifies that the material or goods were sourced from an Eastern Cape based supplier or manufacturer.

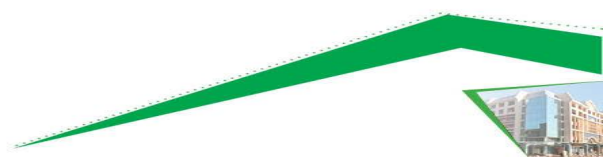
Representative of the Contractor (Name)

Signature

Date



VOLUME 2



PART C1.2: CONTRACT DATA

C1.2 : CONTRACT DATA : RENDERING OF SERVICES (SBD 7.2)

Tender No : HO5-22/23-0085

| | |
|----------------|--|
| Project title: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| Tender No: | H05-22/23-0085 |

| | |
|--|---|
| | <p>The Conditions of Contract are based on SBD 7.2 clauses</p> <p>Copies of these conditions of contract may be obtained from the Association of South African Quantity Surveyors, Master Builders Association, South African Association of Consulting Engineers, South African Institute of Architects, Association of Construction Project Managers, Building Industries Federation South Africa, South African Property Owners Association or Specialist Engineering Contractors Committee.</p> |
|--|---|

| | |
|--|---|
| | <p>CONTRACT VARIABLES</p> <p>THE SCHEDULE</p> <p>The schedule contains all the variables referred to in this document and is divided into part 1: contract data completed by the employer and part 2: contract data completed by the contractor. Part 1 must be completed in full and included in the tender documents. Both part 1 and part 2 form part of this agreement.</p> <p>Spaces requiring information must be filled in, shown as “not applicable” or deleted but not left blank. Where choices are offered, the non-applicable items are to be deleted. Where insufficient space is provided the information should be annexed hereto and cross referenced to the applicable clause of the schedule. Key cross reference clauses are italicised in <i>[]</i> brackets.</p> |
|--|---|

| | |
|------|--|
| 42.0 | Part 1: Contract Data completed by the Employer |
|------|--|

| | |
|--------|--|
| 42.1 | CONTRACTING AND OTHER PARTIES |
| 42.1.1 | <p>Employer: Department of Public Works and Infrastructure Postal address: Independent Avenue Qhasana Building Bhisho 5605 Tel: 040 602 4094/060 983 6970 Physical address: Bhisho</p> |
| [1.2] | |

| | |
|---------------------------------------|--|
| 42.2 | CONTRACT DETAILS |
| 42.2.1 [1.1] | Works description: Refer to document C3 – Scope of Work. |
| 42.2.2 [1.1] | Site description: Refer to document C4 – Site Information. |
| 42.2.4 [41.0] | Specific options that are applicable to a State organ only Where so : |
| [31.1 #] [31.11.2 #] [31.12.2#] | 1) Interest rate legislation: (a) in respect of interest owed by the employer , the interest rate as determined by the Minister of Justice and Constitutional Development from time to time, in terms of section 1(2) of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975), will apply; and |



| | |
|--|--|
| <p>[11.2. #] [31.4.2 #] [40.2.2. #] [26.1.2 #]</p> | <p>(b) in respect of interest owed to the employer, the interest rate as determined by the Minister of Finance, from time to time, in terms of section 80(1)(b) of the Public Finance Management Act, 1999 (Act No. 1 of 1999), will apply <input type="checkbox"/></p> <p>2) Lateral support insurance to be effected by the contractor: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>3) Payment will be made for materials and goods: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>4) Dispute resolution by adjudication: Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>5) defects liability period applicable to the following elements: Describe months (remember longer periods for external works, mechanical, etc.)</p> |
| <p>42.2.6 [15.3]</p> | <p>Period for the commencement of the works after the contractor takes possession of the site: Ten (10) working days.</p> |
| <p>42.2.7 [24.3.1] [30.1]</p> | <p>For the works as a whole: The date for practical completion shall be 4 months from the commencement date, sectional completion will apply, and the penalty per calendar day Shall be R..... c/per Calendar day of Contract Sum.</p> |
| <p>42.2.9 [1.2]</p> | <p>The law applicable to this agreement shall be that of the: Republic of South Africa</p> |



C1.3 CIDB ADJUDICATOR'S AGREEMENT

This agreement is made on the day of between:.....
 ... (name of company / organization) Of
 (address) and.....
 (name of company / organization) 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 authorized to sign for and on behalf of the first Party in the presence of

SIGNED by: _____
 Name: _____
 who warrants that he / she is duly authorized to sign for and behalf of the second Party in the presence of

SIGNED by: _____
 Name: _____
 the Adjudicator in the presence of

Witness
 Name: _____
 Address: _____

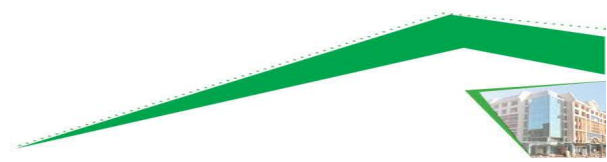
Witness:
 Name _____
 Address: _____

Witness:
 Name: _____
 Address: _____

Date: _____

Date: _____

Date: _____



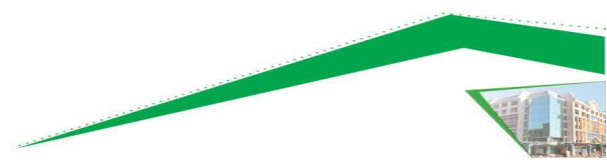
**OCCUPATIONAL HEALTH AND SAFETY WILL BE ADHERED TO ACCORDING
TO THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
SPECIFICATIONS**

IN

**PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR
PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN
BISHO**

EPWP SPECIFICATION WILL BE APPLICABLE.

- **FOR A FULL LIST OF THE SPECIFICATIONS, VISIT: www.epwp.gov.za**
 - **LABOUR RATE WILL BE R200/DAY**
- **CONTACTOR TO PROVIDE PPE FOR ALL GENERAL WORKERS ON SITE**



PART C2.3: BILL OF QUANTITIES



PALISADE FENCE AND GATE INSTALLATION IN NEW DISASTER, TYAMZASHE AND OLD FNB BUILDING – BHISHO

Section 1

| No | Items | Description | Unit | QTY | Supply rate | Install Rate | Price |
|----------------------------|--------------------|------------------------------------|------|-----|-------------|--------------|-------|
| 1.1 | Palisade Fence | 20M x 1.8M Fencing | No. | 1 | | | |
| 1.2 | Palisade Gate | 3M x 1.8M Normal gate | No. | 1 | | | |
| 1.3 | Palisade Gate | 3.5M x 1.8M Normal Gate | No. | 2 | | | |
| 1.4 | Sliding Gate | 4.5M x 1.8M Palisade sliding gate | No. | 1 | | | |
| 1.5 | Steel Rail | 7M Steel Rail for Sliding Gate | No. | 1 | | | |
| 1.6 | Wheels for gates | Steel wheel for Sliding Gate | No. | 2 | | | |
| 1.7 | Sliding Gate | 3.8M x 1.71M Palisade sliding gate | No. | 1 | | | |
| 1.8 | Steel Rail | 7.6M Steel Rail for Sliding Gate | No. | 1 | | | |
| 1.9 | Motor | D5 Gate Motor | No. | 1 | | | |
| 1.10 | Anti-Theft Bracket | D5 Anti-Theft Bracket | No. | 1 | | | |
| Sub Total Section 1 | | | | | | | |

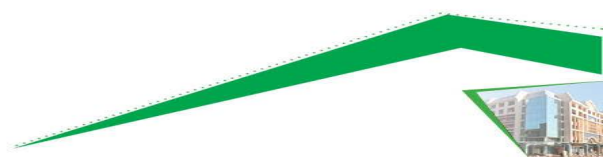


Section 2

| | | | | | | | |
|----------------------------|--|------------------------------------|-----|-----|--|--|--|
| 2.1 | Preliminaries & General for a period of two months Inclusive of Site Establishment - If required (This activity includes the establishment of all resources on site, the maintenance of facilities on site and the removal of the said facilities and refuse upon the completion of the task/project) SHEQ | | sum | 1 | | | |
| 2.2 | Transport | Material delivery to various sites | km | 480 | | | |
| Sub Total Section 2 | | | | | | | |
| | Total (1+2) | | | | | | |
| | Contingency | | | | | | |
| | Sub total | | | | | | |
| | Vat 15% | | | | | | |
| | Total (Vat incl) | | | | | | |

SCOPE OF WORK (TERMS OF REFERENCE)

KINDLY BE ADVISED THAT TENDERER ARE TO SUBMIT AN AUTHORISED COPY OF HIS/HER



RECOGNIZED CERTIFICATE AS A TECHNICIAN OR ARTISAN FOR PALISADE INSTALLATION

NO SUB CONTRACTING OR FRONTING WILL BE ENTERTAINED ON THIS CONTRACT

FAILURE TO COMPLY WITH THE ABOVE NOTE WILL RENDER YOUR TENDER NULL AND VOID

PROSPECTIVE TENDERERS ARE TO HAVE AN OFFICIAL THAT HOLDS VALID SAFE HANDLING OF REFRIGIRANT CERTIFICATE FROM RECOGNIZED CERTIFIED COURSE REQUIRING CONSIDERATION OR REGISTRATION.

All prospective tenderers are to note that installation of palisade fencing that has to conform to the standards.

The contractor shall undertake the new installation of air palisade fencing and gates services as detailed below and in accordance with all the relevant specification.

The installation work shall be executed in accordance with all the relevant codes of practices, statutory regulation, standard, regulation, municipal laws and by-laws and manufacturer's specifications and codes of practice

Palisade Fence

Supply, Deliver, Install and Replace

The Contractor shall supply and install the palisade fence and gates that need to be fixed.

Redundant Equipment

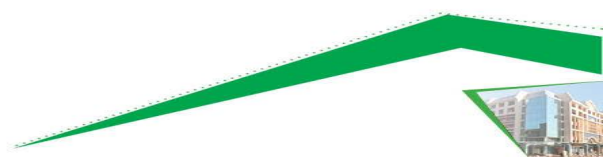
All defective palisade fence and gate that been replaced are to be considered redundant and are to be removed from the site by contractor and handed to Public Works

All the work carried out under the contract will be measured as executed, and priced at the rates contained therein, or based on, the priced schedule of quantities. The individually priced items in the schedule will be adjusted on merit on a basis to be agreed prior to the signing of the contract if required

1.1 EMPLOYERS OBJECTIVES

To supply and install palisade fence, gates and motorized gate for government building to be secured

1.2 OVERVIEW OF THE WORKS



PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO

1.3 EXTENT OF THE WORKS

- The installation of Palisade Fence of 18 meters to close gap between Tyamzashe and Phalo House, Non-motorized Sliding Palisade gates and a Swing Palisade gate
- Install Motorized Sliding Palisade gate for Old FNB Building
- The installation of Palisade Fence of 2 meters to close gap at New Disaster

1.4 LOCATION OF THE WORKS

Bisho

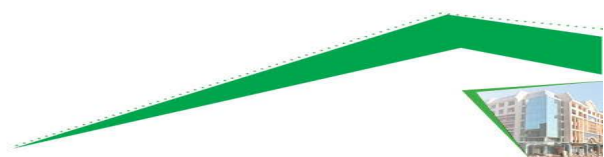
1.5 TEMPORARY WORKS

All temporary work to comply with the Occupational Health and Safety Act (Act 85 of 1993) and its regulations

1.6 EMPLOYER'S DESIGN

N/A

PART C4. SITE INFORMATION





C4.1 SITE INFORMATION

| | |
|------------------------|---|
| Project title: | PALISADE FENCE REPAIR, INSTALLATION OF PALISADE GATES FOR PHALO HOUSE, TYAMZASHE, NEW DISASTER AND OLD FNB BUILDING IN BISHO |
| Project Number: | H05-22/23-0085 |

GENERAL