



**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

HEAD OF DEPARTMENT (ACTING)
E. MOHLAHO
PUBLIC WORKS & INFRASTRUCTURE

TENDER NUMBER: DPWFS (T) 005/2019

TENDER DOCUMENTATION

**APPOINTMENT OF A SUITABLY QUALIFIED
CONTRACTOR, CONSORTIA OR JOINT
VENTURE FOR UPGRADING OF THE WATER
RETICULATION NETWORK AT GOVERNMENT
OFFICES IN PHUTHADITJABA ON BEHALF OF
THE FREE STATE DEPARTMENT PUBLIC
WORKS AND INFRASTRUCTURE**

OCTOBER 2019

TENDER NUMBER:

DPWFS (T) 005/2019

DESCRIPTION:

UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



public works & infrastructure

Department of Public Works & Infrastructure FREE STATE PROVINCE

THE DEPARTMENT OF PUBLIC WORKS & INFRASTRUCTURE

Physical address: 155 OR Tambo House Cnr St Andrews Street and Markgraaff Street Bloemfontein 9301	Post box number: P.O. Box 690 Bloemfontein 9301
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DIRECTORATE: SUPPLY CHAIN MANAGEMENT Contact Person: Name: Mr. Molebatsi Phasumane Telephone: 066 307 2629 Email: phasumanem@fsworks.gov.za	DIRECTORATE: WORKS DESIGN UNIT Contact Person: Name: Ms. Anna Mosia Telephone: 058 718 3657 Email: mosiaa@fsworks.gov.za
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TENDERER:

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PRICES INCLUSIVE OF VALUE ADDED TAX:

(a) 70% or less of Contract Amount implemented by the main contractor:
R.....

(b) 30 % or more of Contract Value for set-aside for Black owned **CDP participants in Thabo Mofutsanyana District**: R.....

TOTAL PRICE IN WORDS:

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CRS NUMBER:



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C5.1	CIDB registration certificate in the grading designation stipulated in clause 2.1 above,
C5.2	A valid Tax Clearance Certificate issued by the South African Revenue Services.
C5.3	Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate),
C5.4	Valid Proof of Registration on the National Treasury's Central Supplier's Database must be accompany this bid
C5.5	Certified copy of a Workmen's Compensation Certificate, Act 4 of 2002,
C5.6	Certified copy of Unemployment Insurance Certificate, Act 4 of 2002,
C5.7	Certified copy of Certificate of Incorporation (if tenderer is a Company),
C5.8	Certified copy of Founding Statement (if tenderer is a Closed Corporation),
C5.9	Certified copy of Partnership Agreement (if tenderer is a Partnership),
C5.10	Certified copy of Identity Document (if tenderer is a One-man concern),
C5.11	Joint Venture Agreement (if tenderer is a Joint Venture),
C5.12	Competent Construction Manager with relevant and traceable general building experience (CV)
C5.13	Curriculum Vitae of all supervisory.
C5.14	OHS Plan (Based on Site Specifications)

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NETWORK AT GOVERNMENT OFFICES IN
PHUTHADITJABA OFFICES**



**public works &
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Department of
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FREE STATE PROVINCE

THE TENDER

PART T1: TENDERING PROCEDURES

TENDER NUMBER: DPWFS (T) 005/2019

DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



T1.1 - Tender Notice and Invitation to Tender

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DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



TENDER NO: DPWFS (T) 005/2019

DESCRIPTION: THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA

T1.1 Tender Notice and Invitation to Tender

The Department of Public Works and Infrastructure, invites suitably qualified general mechanical engineering contractors to submit tenders for the **upgrading of the water reticulation network at Government Offices in Phuthaditjaba**

Tenderers should have a CIDB contractor grading designation of 6 CE or higher.

1. EVALUATION CRITERIA:

1.1. STAGE ONE: MANDATORY REQUIREMENTS

Mandatory Requirements

- 1.1.1 Contractors must provide the unique security pin issued by the South African Revenue Services before the closing of this bid.
- 1.1.2 Contractors must be registered and active on the Central Supplier Database before the date of closing of this bid. A valid CSD master registration number must be provided to that effect.
- 1.1.3 Tenderers must have a CIDB contractor grading of 6 CE or Higher. Only those who satisfy criteria stated in the Tender Data may submit Tender offers. (Valid proof must be attached)
- 1.1.4 Pre-qualification criteria for preferential procurement:
 - a) A minimum of B-BBEE level one (1) of contribution certificate or higher, i.e. B-BBEE Certificate Level 2 contribution and below will not be considered. (Where trust, consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender. An original or certified copy of the original must be attached.
 - b) Only tenderers subcontracting a minimum of 30% of the contract value (scope of works) to the CDP participants
- 1.1.5 Minimum 30% of the contract value must be sub-contracted to contractors registered on the Departmental Contractor Development Programme Database of the Department.
- 1.1.6 Attach a valid municipal services (water, sanitation, rates and electricity) clearance certificate or municipal bill statement with a Current Bill of Account not owing more than ninety (90) days or a valid lease agreement.
- 1.1.7 Duly completed and signed SBD 1 – Invitation to Tender.
- 1.1.8 Duly completed and signed SBD 6.2 – Requirements for local production and content for steel products and components for construction.
- 1.1.9 Duly completed and signed Annexure A – Record of Addenda to tender documents (SIPDM form).
- 1.1.10 Duly completed and signed Annexure B – Propose amendments and qualifications (SIPDM form).
- 1.1.11 Duly completed and signed Annexure D – Compulsory declaration (SIPDM form).
- 1.1.12 Attach a valid letter of good standing issued by the Department of Labour.
- 1.1.13 Attendance of the mandatory clarification meeting details of which are provided in the advert and in this tender document.

1.2 Non – Mandatory requirements required for evaluation purposes:

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DESCRIPTION: **UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES**



- 1.2.1 A valid Tax Compliance Status which will be verified by a unique security Personal Identification number (PIN) issued by the South African Revenue Services and/or CSD report showing a compliant tax status (where Consortium / Joint Venture / Sub-contractors are involved, each party to the association must have a compliant tax status) which will be confirmed at the time of award.
- 1.2.2 Completed and signed schedule of equipment offered. (Refer to the relevant section in the specification).
- 1.2.3 Duly completed and signed SBD 6.1 – Preference points claim form in terms of the Preferential Procurement Regulations 2017.
- 1.2.4 Duly Signed and Completed Annexure C – Preferencing schedule - B-BBEE Status (SIPDM form).
- 1.2.5 The installation technician must always be available on site throughout the duration of the contract. Failure to adhere to this requirement will be regarded as a breach of the contract.
- 1.2.6 Duly completed and signed Annual Financial Declaration.
- 1.2.7 Attach appointment letters and completion certificates where similar nature of works were carried by the contractor.
- 1.2.8 Attach curriculum vitae of relevant staff.

1.3 **STAGE TWO: EVALUATION CRITERIA**

- 1.3.1 The evaluation on functionality criteria will be evaluated based on the following information:
 - Attach verifiable experience of key staff who have previously worked on similar projects.
 - Attach relevant experience and skill of the main contractor or sub-contractor in working on similar construction projects.
 - Attach proof of locality of the main contractor. (Fully functional operational office of the bidder).
 - Each bidder must obtain a minimum of 70 points out of 100 points for functionality in order to qualify for evaluation on price and preference using the 80 / 20 preference points systems.
 - Functionality (Separate from price) _____ 100 points

Scoring scale: 1 = Poor; 2 = Fair; 3 = Average; 4 = Good; and 5 = Very Good

CRITERION	GUIDELINE FOR CRITERION	WEIGHT
CAPACITY OF THE CONTRACTOR TO EXECUTE THE WORKS	Capacity of the Contractor to execute the works. In order to qualify here, the Contractor will have to demonstrate their capacity/ ability to execute the works needed	40
	<i>This will be linked to the value ranges above 3 million.</i> <ul style="list-style-type: none"> • 5 Projects – 40 points • 4 Projects – 32 Points • 3 Projects – 24 Points • 2 Projects – 16 Points • 1 Projects – 8 Point 	
	Projects of a similar construction method at above Level that were successfully completed (Stamped completion certificates must be submitted as proof)	
QUALIFICATION AND EXPERIENCE OF KEY STAFF	Qualifications of the Construction Manager, Construction Supervisor The Contractor will have to provide CVs indicating the number of years of experience the above mentioned personnel have and their qualifications in the Built Environment.	30
	Relevant Built Environment Qualifications (Civil Engineering Technologist) Adequacy of experience(CV) 5 years and over – 30 Points 4 years and over (less than 5 years) – 24points 3 years and over (less than 4 years) – 18 Points 2 years and over (less than 3 years) – 12 Points 1 year and over (less than 2 years) – 6 Points	

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PROPOSED CONSTRUCTION PLAN (PCP)	Here, Contractors will have to show their proposed construction programme from start to finish (24 months)	20
	<ul style="list-style-type: none">Proposed Project Construction Program (PCP) with clear timeframes and cash flow projections	
	Failure to attach any documents will result in a service provider not getting any points	
	<ul style="list-style-type: none">PCP Poor based on the project scope – 4 pointPCP is Average based on the project scope – 8 pointsPCP is Good based on the project scope – 12 pointsPCP is Very Good based on the project scope – 16 pointsPCP is Excellent based on the project scope –20 points	
LOCALITY	Free State Based Contractors. <ul style="list-style-type: none">Locally– 10 PointsNot Locally Developed Technology System – 5 Points	10
TOTAL		100

(Bidders must at least score a minimum of 50% of the points required on each of the four (4) criteria's listed above)

1.4 **STAGE THREE: EVALUATION ON PRICE AND PREFERENCE**

- 1.4.1 Pricing on the project in order to achieve the objectives of the Preferential Procurement Regulations.
- 1.4.2 The Department is committed to achieving the government's objectives of the transformation of the economy economic transformation as set out in the Preferential Procurement Policy Framework Act, the B-BBEE act and the Preferential Procurement Regulations of 2017.
- 1.4.3 The 80/20 preference point system applicable to price quotations and tenders with a rand value between R30 000 and R50 million (all applicable taxes included), will be used for evaluation this bid.
- 1.4.4 The scoring of points for price and preference system in terms of the 80/20 preference point system where the lowest price score 80 points for price.
- 1.4.5 Calculating of points for B-BBEE status level of contribution points will be awarded to a tenderer for attaining the B-BBEE status level of contribution in accordance with the below process.

Table 1:

Price	80
Level of contribution towards B-BBEE	20
Total	100

- A maximum of 80 points is allocated for price on the following basis: 80/20
- Where
- Ps =Points scored for price of bid under consideration
- Pt =Price of bid under consideration
- Pmin =Price of lowest acceptable bid
- Points awarded for B-BBEE status level of contributor

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Clarification Meeting:

A compulsory clarification site inspection meeting with representatives of the Employer will take place as follows:

Date : Friday, 18th October 2019

Time : 12H00

Venue : 803 Mosese Street, Phuthaditjaba, Department of Public Works and Infrastructure, Old Government Offices

A non-refundable tender deposit of R587.00 is payable in cash or by bank guaranteed cheque made out in favour of the Employer, payable at 1st floor Room 102 of OR Tambo House, Cnr St. Andrew Street and Markgraaff Street, Bloemfontein between 08:00 and 12:00, and 13:00 and 14:45, of which proof is required on collection of the tender documents. Alternatively download the document for free from www.etenders.gov.za.

Documents may be collected during working hours after 08:00 until 16:00 from Tuesday, 8th October 2019.

The physical address for collection of tender documents is:

**FREE STATE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
Cnr St Andrews Street and Markgraaff Street
OR Tambo House
Room 101B, 1st Floor
Bloemfontein
9301**

BIDS ARE TO BE COMPLETED IN ACCORDANCE WITH THE CONDITIONS AND BID RULES CONTAINED IN THE BID DOCUMENTS. BID DOCUMENTS MUST BE PROPERLY INDEXED AND NEATLY BOUNDED.

The closing date and time for tenders is 11h00 on Wednesday, 20 November 2019

Telegraphic, telephonic, telefax, facsimile and late tenders will not be accepted.

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

Queries relating to the issue of these documents may be addressed to **Mr. Molebatsi Phasumane** on **066 307 2629** phasumanem@fsworks.gov.za OR **Ms. Anna Mosia** Tel. No **058 718 3657** / mosiaa@fsworks.gov.za . Tenders may only be submitted on the tender documentation issued.

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PART T1: TENDERING PROCEDURES

T1.2 - Tender Data

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FREE STATE PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

TENDER NO: DPWFS (T) 005/2019

DESCRIPTION: THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA

T1.2 TENDER Data

Project title:	APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR, CONSORTIA OR JOINT VENTURE FOR UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA		
Tender No:	DPWFS (T) 005/2019		
Advertising date:	7 October 2019	Closing Date:	20 November 2019
Closing time:	11:00	Validity Period	90 Days (Calendar Days)
Compulsory Clarification Date:	18 October 2019	Compulsory Clarification Venue:	803 Mosese Street, Phuthaditjaba, Department of Public Works and Infrastructure, Old Government Offices Latitude: 28°32'04"S Longitude: 28°47'47"E
Time:	12:00		
Tenders are to be delivered to the following address on the stipulated closing date and time:	Department of Public Works and Infrastructure: Ground Floor (Main Entrance Foyer) at OR Tambo House (Old Lebohang Building); St Andrew Street; Bloemfontein		

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The conditions of tender are the Standard Conditions of Tender as contained in Annex F of the CIDB Standard for Uniformity in Construction Procurement (July 2015) as published in Government Gazette No 38960, Board Notice 136 of 2015. (See www.cidb.org.za) which are reproduced without amendment or alteration for the convenience of tenderers as an Annex to this Tender Data.

The Standard Conditions of Tender make 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 standard conditions of tender. Each item of data given below is cross-referenced to the clause in the Standard Conditions of Tender to which it mainly applies.

The additional conditions of tender are:

Clause Number	Tender Data
F.1.1	The employer is the DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE, Free State Provincial Government.
F.1.2	<p>For this contract the following documents will be adopted. The single volume procurement document issued by the employer comprise of the following:</p> <p>The Tender Part T1: Tendering Procedures T1.1 Tender notice and invitation to tender T1.2 Tender data Annexure A Standard Conditions of Tender</p> <p>Part T2: Returnable Documents T2.1 List of returnable documents T2.2 Returnable schedules</p> <p>The Contract Part C1: Agreements and Contract Data C1.1 Form of offer and acceptance C1.2 Contract data</p> <p>Part C2: Pricing data C2.1 Pricing Instructions C2.2 Activity schedules / Bills of Quantities</p> <p>Part C3: Scope of work</p> <p>Part C4 : Site information</p> <p>Part C5 : Additional returnable documents</p>

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F.1.4	<p>The Employer's agent for the purpose of this tender is deemed to be the authorised and designated representative of the Employer.</p> <p>Technical Queries – Mr. Deon Fourie 051 – 403 7825 / fouried@fsworks.gov.za</p> <p>Bidding Process – Mr. Molebatsi Phasumane 051 – 492 3861 / 78 phasumanem@fsworks.gov.za / Room 101B, OR Tambo House, Cnr St Andrews Street and Markgraaff Street, Bloemfontein, 9301</p>
F.2.1	<p>Only those tenderers who satisfy the following eligibility criteria are eligible to submit tenders:</p> <ul style="list-style-type: none">• CIDB rating 6 CE or higher who satisfy criteria stated in the Tender Data may submit Tender offers.• Joint ventures are eligible to submit tenders provided that:<ul style="list-style-type: none">○ every member of the joint venture is registered with the CIDB;○ the lead partner has a contractor grading designation in the CE class of construction work; and○ The combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a CE class of construction work. <p>Tenderers that satisfy the criteria stated in the tender data and the tenderer or any of his principals is not under any restriction to do business with the employer</p>
F.2.7	<p>Tenderers are expected to attend the compulsory clarification meeting the details of which are outlined in the Tender Notice and Invitation to tender.</p>
F.2.8	<p>Tenderers may request clarification of the tender documents by notifying the employer at least three (3) working days before the closing time and date stated in the tender data.</p>
F.2.12	<p>No alterative tender offers will be considered</p>
F.2.13.3	<p>The list of Returnable Documents identifies which of the documents a tenderer must complete when submitting a tender offer. The tenderer must submit his tender offer by completing all of the Returnable Documents and signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the Returnable Documents back to the Department.</p>
F.2.13.4	<p>Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom; the employer shall hold liable for the purpose of the tender offer.</p>
F.2.13.5	<p>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:</p> <p>Location of tender box: Main Entrance Foyer of OR Tambo House, Cnr St Andrews Street and Markgraaff Street, Bloemfontein, 9301, Free State Province</p> <p>Identification details: Tenders are to be clearly marked with the tender number, project description and name and address of the tenderer.</p> <p>DPWFS (T) 005/2019: APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR, CONSORTIA OR JOINT VENTURE FOR UPGRADING OF THE WATER RETICULATION NETWORK AT</p>

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GOVERNMENT OFFICES IN PHUTHADITJABA	
F2.13.9	Telephonic, telegraphic, telex, facsimile or e-mailed tender offers will not be accepted.
F.2.14	Tenderers are alerted 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 non-responsive.
F.2.15	The closing time for submission of tender offers is as stated in the Tender Notice and Invitation to Tender.
F.2.15	The closing time and location for the submission of tender offers is: Time: 11h00 on 20 November 2019 Location: Main Entrance Foyer of OR Tambo House, Cnr St Andrews Street and Markgraaff Street, Bloemfontein, 9301, Free State Province
F.2.16	The tender offer validity period is 90 calendar days
F.2.18	The tenderer shall, when requested by the Employer to do so, submit the names of all management and supervisory staff that will be employed to supervise the labor-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirements.
F.2.23	The tenderer is required to submit with his tender the following documentation / information: <ul style="list-style-type: none">• CIDB registration certificate in the grading designation stipulated in clause 2.1 above,• A valid Tax Clearance Certificate issued by the South African Revenue Services.• Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate),• Valid Proof of Registration on the National Treasury's Central Supplier's Database must be accompany this bid• Certified copy of a Workmen's Compensation Certificate, Act 4 of 2002,• Certified copy of Unemployment Insurance Certificate, Act 4 of 2002,• Certified copy of Certificate of Incorporation (if tenderer is a Company),• Certified copy of Founding Statement (if tenderer is a Closed Corporation),• Certified copy of Partnership Agreement (if tenderer is a Partnership),• Certified copy of Identity Document (if tenderer is a One-man concern),• Joint Venture Agreement (if tenderer is a Joint Venture),• Curriculum Vitae of the person who prepares the Contractor's Health and Safety Plan, and• Curriculum Vitae of the Health and Safety Officer the successful tenderer intends appointing in accordance with the Occupational Health and Safety Act (Act 85 of 1993).• Curriculum Vitae of all supervisory staff

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F.3.4	Tenders will be opened immediately after the closing time for tenders. The location for opening of the tender offers, immediately after the closing time thereof shall be at: Main Entrance Foyer of OR Tambo House, Cnr St Andrews Street and Markgraaff Street, Bloemfontein, 9301, Free State Province
F.3.5	A two-envelope procedure will not be followed.
F.3.11.1	The procedure for the evaluation of responsive tenders is: Method 2 with functionality.
F.3.11.2	Scoring Financial Offer: Tender offers will be scored using the following formula: $N_{FO} = P_m/P \times W_1$ where N_{FO} = number of tender evaluation points awarded for the financial offer. W_1 = the percentage score given for financial offer as stated in the Notice and Invitation to Tender T1.1 P_m = the comparative offer of the most favourable tender offer. P = the comparative offer of tender offer under consideration. where W_1 = the number of tender evaluation points for financial offer and equals: 1) 90 where the financial value inclusive of VAT of all responsive tenders received have a value in excess of R 50 000 000; or 2) 80 where the financial value inclusive of VAT of one or more responsive tender offers equals or is less than R 50 000 000. Scoring Preferences: Up to 20 points will be awarded to the tenderer who completes the preferencing schedule and who is found to be eligible for the preference claimed.
F.3.11.3	The functionality criteria and maximum score in respect of each of the criteria for a particular service are as follows: a) Tender offers scoring less than a minimum of 70 points in respect of the 100 total evaluation points for functionality will be regarded as non-responsive and removed from any further evaluation.
F3.13.1	Tender offers will only be accepted if: 1.3 Contractors must provide the unique security pin issued by the South African Revenue Services before the closing of this bid. 1.4 Contractors must be registered and active on the Central Supplier Database before the date of closing of this bid. A valid CSD master registration number must be provided to that effect. 1.5 It is estimated that tenderers must have a CIDB contractor grading of 6 CE. Valid proof must be attached) 1.6 Attach a proof of qualifications for an installation technician who is accredited by the SAQCC GAS as qualified Gas Practitioner. The accreditation certificate (certified copy) must be active and not older than 3 years. 1.7 A minimum of B-BBEE level one (1) of contribution certificate or higher, i.e. B-BBEE Certificate Level 2 or lower contribution will not be considered. (Where trust, consortium or

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joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate for every separate tender).

- 1.8 Municipal services (water, sanitation, rates and electricity) clearance certificate or a Current Bill of Account not owing more than one hundred and twenty (120) days or a Lease Agreement.
- 1.9 Duly completed and signed SBD 1 – Invitation to Tender.
- 1.10 Duly completed and signed SBD 6.2 – Requirements for local production and content for steel products and components for construction.
- 1.11 Duly completed and signed Annexure A – Record of Addenda to tender documents (SIPDM form).
- 1.12 Duly completed and signed Annexure B – Propose amendments and qualifications (SIPDM form).
- 1.13 Duly completed and signed Annexure C – Preferencing schedule for Broad Based Black Economic Empowerment.
- 1.14 Duly completed and signed Annexure D – Compulsory declaration (SIPDM form).
- 1.15 Attach a valid letter of good standing issued by the Department of Labour.
- 1.16 Attendance of the mandatory clarification meeting details of which are provided in the advert and in this tender document.

F.3.18 The number of paper copies of the signed contract to be provided by the employer is one.

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PART T1: TENDERING PROCEDURES

T1.2 – Tender Data

Annexure A

Standard Conditions of Tender

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Standard Conditions of Tender

(As contained in Annexure F of the CIDB Standard for Uniformity in Construction Procurement - Board Notice 136 Government Gazette No 38960 of 10 July 2015)

F.1 General

F.1.1 Actions

F.1.1.1

The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in F.2 and F.3, timeously and with integrity, and behave equitably, honestly and transparently, comply with all legal obligations and not engage in anticompetitive practices.

F.1.1.2

The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderers shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process at the start of any deliberations relating to the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

- Note:*
- 1) *A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.*
 - 2) *Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.*

F.1.1.3

The employer shall not seek and a tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

F.1.2 Tender Documents

The documents issued by the employer for the purpose of a tender offer are listed in the tender data.

F.1.3 Interpretation

F.1.3.1

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The tender data and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

F.1.3.2

These conditions of tender, the tender data and tender schedules which are only required for tender evaluation purposes, shall not form part of any contract arising from the invitation to tender.

F.1.3.3

For the purposes of these conditions of tender, the following definitions apply:

- a) **Conflict of interest** means any situation in which:
 - i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfill his or her duties impartially;
 - ii) an individual or organization is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
 - iii) incompatibility or contradictory interests exist between an employee and the organisation which employs that employee.
- b) **comparative offer** means the price after the factors of a non-firm price and all Unconditional discounts it can be utilised to have been taken into consideration;
- c) **Corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;
- d) **Fraudulent practice** means the misrepresentation of the facts in order to influence the Tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels;
- e) **organization** means a company, firm, enterprise, association or other legal entity, Whether incorporated or not, or a public body;
- f) **functionality** means the measurement according to the predetermined norms of a Service or commodity designed to be practical and useful, working or operating, taking into account quality, reliability, viability and durability of a service and technical capacity and ability of a tenderer.

F.1.4 Communication and employer's agent

Each communication between the employer and a tenderer shall be to or from the employer's agent only, and in a form that can be read, copied and recorded. Writing shall be in the English language. The employer shall not take any responsibility for non-receipt of communications from or by a tenderer. The name and contact details of the employer's agent are stated in the tender data.

F.1.5 Cancellation and Re-Invitation of Tenders

F.1.5.1 An organ of state may, prior to the award of the tender, cancel a 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.

F.1.5.2 The decision to cancel a tender must be published in the CIBD website and in the government Tender Bulletin for the media in which the original tender invitation was advertised.

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F.1.6 Procurement procedures

F.1.6.1 General: Unless otherwise stated in the tender data, a contract will, subject to F.3.13, be concluded with the tenderer who in terms of F.3.11 is the highest ranked or the tenderer scoring the highest number of tender evaluation points, as relevant, based on the tender submissions that are received at the closing time for tenders.

F.1.6.2 Competitive negotiation procedure

F.1.6.2.1 Where the tender data require that the competitive negotiation procedure is to be followed, tenderers shall submit tender offers in response to the proposed contract in the first round of submissions. Notwithstanding the requirements of F.3.4, the employer shall announce only the names of the tenderers who make a submission. The requirements of F.3.8 relating to the material deviations or qualifications which affect the competitive position of tenderers shall not apply.

F.1.6.2.2 All responsive tenderers, or not less than three responsive tenderers that are highest ranked in terms of the evaluation method and evaluation criteria stated in the tender data, shall be invited in each round to enter into competitive negotiations, based on the principle of equal treatment and keeping confidential the proposed solutions and associated information. Notwithstanding the provisions of F.2.17, the employer may request that tenders be clarified, specified and fine-tuned in order to improve a tenderer's competitive position provided that such clarification, specification, fine-tuning or additional information does not alter any fundamental aspects of the offers or impose substantial new requirements which restrict or distort competition or have a discriminatory effect.

F.1.6.2.3 At the conclusion of each round of negotiations, tenderers shall be invited by the employer to make a fresh tender offer, based on the same evaluation criteria, with or without adjusted weightings. Tenderers shall be advised when they are to submit their best and final offer.

F.1.6.2.4 The contract shall be awarded in accordance with the provisions of F.3.11 and F.3.13 after tenderers have been requested to submit their best and final offer.

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F.1.6.3 Proposal procedure using the two stage-system

F.1.6.3.1 Option 1

Tenderers shall in the first stage submit technical proposals and, if required, cost parameters around which a contract may be negotiated. The employer shall evaluate each responsive submission in terms of the method of evaluation stated in the tender data, and in the second stage negotiate a contract with the tenderer scoring the highest number of evaluation points and award the contract in terms of these conditions of tender.

F.1.6.3.2 Option 2

F.1.6.3.2.1 Tenderers shall submit in the first stage only technical proposals. The employer shall invite all responsive tenderers to submit tender offers in the second stage, following the issuing of procurement documents.

F.1.6.3.2.2 The employer shall evaluate tenders received during the second stage in terms of the method of evaluation stated in the tender data, and award the contract in terms of these conditions of tender.

F.2 Tenderer's obligations

F.2.1 Eligibility

F.2.1.1 Submit a tender offer only if the tenderer satisfies the criteria stated in the tender data and the tenderer, or any of his principals, is not under any restriction to do business with employer.

F.2.1.2 Notify the employer of any proposed material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used by the employer as the basis in a prior process to invite the tenderer to submit a tender offer and obtain the employer's written approval to do so prior to the closing time for tenders.

F.2.2 Cost of tendering

F.2.2.1 Accept that, unless otherwise stated in the tender data, the employer will not compensate the tenderer for any costs incurred in the preparation and submission of a tender offer, including the costs of any testing necessary to demonstrate that aspects of the offer complies with requirements.

F.2.2.2 The cost of the tender documents charged by the employer shall be limited to the actual cost incurred by the employer for printing the documents. Employers must attempt to make available the tender documents on its website so as not to incur any costs pertaining to the printing of the tender documents.

F.2.3 Check documents

Check the tender documents on receipt for completeness and notify the employer of any discrepancy or omission.

F.2.4 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.

F.2.5 Reference documents

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Obtain, as necessary for submitting a tender offer, copies of the latest versions of standards, specifications, conditions of contract and other publications, which are not attached but which are incorporated into the tender documents by reference.

F.2.6 Acknowledge addenda

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.

F.2.7 Clarification meeting

Attend, where required, a clarification meeting at which tenderers may familiarize themselves with aspects of the proposed work, services or supply and raise questions. Details of the meeting(s) are stated in the tender data.

F.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five working days before the closing time stated in the tender data.

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F.2.9 Insurance

Be aware that the extent of insurance to be provided by the employer (if any) might not be for the full cover required in terms of the conditions of contract identified in the contract data. The tenderer is advised to seek qualified advice regarding insurance.

F.2.10 Pricing the tender offer

F.2.10.1 Include in the rates, prices, and the tendered total of the prices (if any) all duties, taxes (except Value Added Tax (VAT), and other levies payable by the successful tenderer, such duties, taxes and levies being those applicable 14 days before the closing time stated in the tender data.

F.2.10.2 Show VAT payable by the employer separately as an addition to the tendered total of the prices.

F.2.10.3 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.

F.2.10.4 State the rates and prices in Rand unless instructed otherwise in the tender data. The conditions of contract identified in the contract data may provide for part payment in other currencies.

F.2.11 Alterations to documents

Not make any alterations or additions to the tender documents, except to comply with instructions issued by the employer, or necessary to correct errors made by the tenderer. All signatories to the tender offer shall initial all such alterations.

F.2.12 Alternative tender offers

F.2.12.1 Submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. The alternative tender offer is to be submitted with the main tender offer together with a schedule that compares the requirements of the tender documents with the alternative requirements the tenderer proposes.

F.2.12.2 Accept that an alternative tender offer may be based only on the criteria stated in the tender data or criteria otherwise acceptable to the employer.

F.2.13 Submitting a tender offer

F.2.13.1 Submit a tender offer to provide the whole of the works, services or supply identified in the contract data and described in the scope of works, unless stated otherwise in the tender data.

F.2.13.2 Return all returnable documents to the employer after completing them in their entirety, either electronically (if they were issued in electronic format) or by writing in black ink.

F.2.13.3 Submit the parts of the tender offer communicated on paper as an original plus the number of copies stated in the tender data, with an English translation of any documentation in a language other than English, and the parts communicated electronically in the same format as they were issued by the employer.

F.2.13.4 Sign the original and all copies of the tender offer where required in terms of the tender data. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint

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ventures shall state which of their signatories will be the lead partner whom the employer shall hold liable for the purpose of the tender offer.

F.2.13.5 Seal the original and each copy of the tender offer as separate packages marking the packages as "ORIGINAL" and "COPY". Each package shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

F.2.13.6 Where a two-envelope system is required in terms of the tender data, place and seal the returnable documents listed in the tender data in an envelope marked "financial proposal" and place the remaining returnable documents in an envelope marked "technical proposal". Each envelope shall state on the outside the employer's address and identification details stated in the tender data, as well as the tenderer's name and contact address.

F.2.13.7 Seal the original tender offer and copy packages together in an outer package that states on the outside only the employer's address and identification details as stated in the tender data.

F.2.13.8 Accept that the employer will 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.

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F.2.14 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 non-responsive.

F.2.15 Closing time

F.2.15.1 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. The employer shall **not** accept tender offers submitted by telegraph, telex, facsimile or e-mail, unless stated otherwise in the tender data.

F.2.15.2 Accept that, if the employer extends the closing time stated in the tender data for any reason, the requirements of these conditions of tender apply equally to the extended deadline.

F.2.16 Tender offer validity

F.2.16.1 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.

F.2.16.2 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.

F.2.17 Clarification of tender offer after submission

Provide clarification of a tender offer in response to a request to do so from the employer during the evaluation of tender offers. This may include providing a breakdown of rates or prices and correction of arithmetical errors by the adjustment of certain rates or item prices (or both). No change in the competitive position of tenderers or substance of the tender offer is sought, offered, or permitted.

Note: Sub-clause F.2.17 does not preclude the negotiation of the final terms of the contract with a preferred tenderer following a competitive selection process, should the Employer elect to do so.

F.2.18 Provide other material

F.2.18.1 Provide, on request by the employer, any other material that has a bearing on the tender offer, the tenderer's commercial position (including notarized joint venture agreements), preferencing arrangements, or samples of materials, considered necessary by the employer for the purpose of a full and fair risk assessment. Should the tenderer not provide the material, or a satisfactory reason as to why it cannot be provided, by the time for submission stated in the employer's request, the employer may regard the tender offer as non-responsive.

F.2.18.2 Dispose of samples of materials provided for evaluation by the employer, where required.

F.2.19 Inspections, tests and analysis

Provide access during working hours to premises for inspections, tests and analysis as provided for in the tender data.

F.2.20 Submit securities, bonds, policies, etc.

If requested, submit for the employer's acceptance before formation of the contract, all securities, bonds, guarantees, policies and certificates of insurance required in terms of the conditions of contract identified in the contract data.

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F.2.21 Check final draft

Check the final draft of the contract provided by the employer within the time available for the employer to issue the contract.

F.2.22 Return of other tender documents

If so instructed by the employer, return all retained tender documents within 28 days after the expiry of the validity period stated in the tender data.

F.2.23 Certificates

Include in the tender submission or provide the employer with any certificates as stated in the tender data.

F.3 The employer's undertakings

F.3.1 Respond to requests from the tenderer

F.3.1.1 Unless otherwise stated in the tender data, respond to a request for clarification received up to five working days before the tender closing time stated in the Tender Data and notify all tenderers who drew procurement documents.

F.3.1.2 Consider any request to make a material change in the capabilities or formation of the tendering entity (or both) or any other criteria which formed part of the qualifying requirements used to prequalify a tenderer to submit a tender offer in terms of a previous procurement process and deny any such request if as a consequence:

- a) An individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;
- b) The new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or
- c) In the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

F.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until seven days before the tender closing time stated in the Tender Data. If, as a result a tenderer applies for an extension to the closing time stated in the Tender Data, the Employer may grant such extension and, shall then notify all tenderers who drew documents.

F.3.3 Return late tender offers

Return tender offers received after the closing time stated in the Tender Data, unopened, (unless it is necessary to open a tender submission to obtain a forwarding address), to the tenderer concerned.

F.3.4 Opening of tender submissions

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F.3.4.1 Unless the two-envelope system is to be followed, open valid tender submissions in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data. Tender submissions for which acceptable reasons for withdrawal have been submitted will not be opened.

F.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the tender data, the name of each tenderer whose tender offer is opened, the total of his prices, preferences claimed and time for completion, if any, for the main tender offer only.

F.3.4.3 Make available the record outlined in F.3.4.2 to all interested persons upon request.

F.3.5 Two-envelope system

F.3.5.1 Where stated in the tender data that a two-envelope system is to be followed, open only the technical proposal of valid tenders in the presence of tenderers' agents who choose to attend at the time and place stated in the tender data and announce the name of each tenderer whose technical proposal is opened.

F.3.5.2 Evaluate functionality of the technical proposals offered by tenderers, then advise tenderers who remain in contention for the award of the contract of the time and place when the financial proposals will be opened. Open only the financial proposals of tenderers, who score in the functionality evaluation more than the minimum number of points for functionality stated in the tender data, and announce the score obtained for the technical proposals and the total price and any points claimed on BBBEE status level. Return unopened financial proposals to tenderers whose technical proposals failed to achieve the minimum number of points for functionality.

F.3.6 Non-disclosure

Not disclose to tenderers, or to any other 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.

F.3.7 Grounds for rejection and disqualification

Determine whether there has been any effort by a tenderer to influence the processing of tender offers and instantly disqualify a tenderer (and his tender offer) if it is established that he engaged in corrupt or fraudulent practices.

F.3.8 Test for responsiveness

F.3.8.1 Determine, on opening and before detailed evaluation, whether each tender offer properly received:

- a) complies with the requirements of these Conditions of Tender,
- b) has been properly and fully completed and signed, and
- c) Is responsive to the other requirements of the tender documents.

F.3.8.2 A responsive tender is one that conforms to all the terms, conditions, and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would:

- a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,
- b) change the Employer's or the tenderer's risks and responsibilities under the contract, or

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c) Affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.

Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.

F.3.9 Arithmetical errors

F.3.9.1 Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with F.3.11 for:

- a) The gross misplacement of the decimal point in any unit rate;
- b) Omissions made in completing the pricing schedule or bills of quantities; or c) arithmetic errors in:
 - If) line item totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or
 - ii) The summation of the prices.

F.3.9.2 The employer must correct the arithmetical errors in the following manner:

- a) Where there is a discrepancy between the amounts in words and amounts in figures, the amount in words shall govern.
- b) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.
- c) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

Consider the rejection of a tender offer if the tenderer does not correct or accept the correction of the arithmetical error in the manner described above.

F.3.10 Clarification of a tender offer

Obtain clarification from a tenderer on any matter that could give rise to ambiguity in a contract arising from the tender offer.

F.3.11 Evaluation of tender offers

F.3.11.1 General

Appoint an evaluation panel of not less than three persons. Reduce each responsive tender offer to a comparative offer and evaluate them using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

F.3.11.2 Method 1: Price and Preference

In the case of a price and preference:

- 1) Score tender evaluation points for price
- 2) Score points for BBBEE contribution
- 3) Add the points scored for price and BBBEE.

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F.3.11.3 Method 2: Functionality, Price and Preference

In the case of a functionality, price and preference:

- 1) Score functionality, rejecting all tender offers that fail to achieve the minimum number of points for functionality as stated in the Tender Data.
- 2) No tender must be regarded as an acceptable tender if it fails to achieve the minimum qualifying score for functionality as indicated in the tender invitation.
- 3) Tenders that have achieved the minimum qualification score for functionality must be evaluated further in terms of the preference points system prescribed in paragraphs 4 and 5 below.

The 80/20 preference point system for acquisition of goods, works or services with a Rand value equal to or above R30 000 and up to R50 million

4) (a)(i) The following formula must be used to calculate the points out of 80 for price in respect of tenders(including price quotation) with a rand value equal to, or above R30 000 and up to a Rand value of R 50 million, inclusive of all applicable taxes:

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

Where:-

P_s = Points scored for comparative price of tender or offer under consideration;

P_t = Comparative price of tender or offer under consideration; and

P_{min} = Comparative price of lowest acceptable tender or offer.

- (4)(a)(ii) An employer of state may apply the formula in paragraph (i) for price quotations with a value less than R50 000, if and when appropriate:
- (4)(b) Subject to subparagraph (4) (c), points must be awarded to a tender for attaining the B-BBEE status level of contributor in accordance with the table below:

B-BBEE status level of contributor	Number of points
1	20
2	18
3	14
4	12
5	8
6	6
7	4
8	2
Non-compliant contributor	0

- (4)(C) A maximum of 20 points may be allocated in accordance with subparagraph (4) (b)

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- (4)(d) The points scored by tender in respect of B-BBEE contribution contemplated in contemplated in subparagraph (4) (b) must be added to the points scored for price as calculated in accordance with subparagraph (4)(a).
- (4)(e) Subject to paragraph 4.3.8 the contract must be awarded to the tender who scores the highest total number of points.

The 90/ 10 preference points system for acquisition of goods, works or services with a Rand value above R 50 million

- (5)(a) The following formula must be used to calculate the points out of 90 for price in respect of tenders with a Rand value above R50 million, inclusive of all applicable taxes:

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

Where:-

P_s = Points scored for comparative price of tender or offer under consideration;

P_t = Comparative price of tender or offer under consideration; and

P_{min} = Comparative price of lowest acceptable tender or offer.

- (5)(b) Subject to subparagraph (5) (c), points must be awarded to a tender for attaining the B- BBEE status level of contributor in accordance with the table below:

B-BBEE status level of contributor	Number of points
1	10
2	9
3	6
4	5
5	4
6	3
7	2
8	1
Non-compliant contributor	0

- (5)(c) A maximum of 10 points may be allocated in accordance with subparagraph (5) (b).
- (5)(d) The points scored by tender in respect of B-BBEE contribution contemplated in contemplated in subparagraph (5) (b) must be added to the points scored for price as calculated in accordance with subparagraph (5)(a).
- (5)(e) Subject to paragraph 4.3.8 the contract must be awarded to the tender who scores the highest total number of points.

F.3.11.6 Decimal places

Score price, preference and functionality, as relevant, to two decimal places.

F.3.11.7 Scoring Price

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Score price of remaining responsive tender offers using the following formula:

$$NFO = W_1 \times A$$

Where: NFO is the number of tender evaluation points awarded for price.

W₁ is the maximum possible number of tender evaluation points awarded for price as stated in the Tender Data.

A is a number calculated using the formula and option described in Table F.1 as stated in the Tender Data.

Table F.1: Formulae for calculating the value of A

Formula	Comparison aimed at achieving	Option 1 ^a	Option 2 ^a
1	Highest price or discount	$A = (1 + (\frac{P - P_m}{P})) P_m$	$A = P / P_m$
2	Lowest price or percentage commission / fee	$A = (1 - (\frac{P - P_m}{P})) P_m$	$A = P_m / P$

^a P_m is the comparative offer of the most favourable comparative offer.
P is the comparative offer of the tender offer under consideration.

F.3.11.8 Scoring preferences

Confirm that tenderers are eligible for the preferences claimed in accordance with the provisions of the tender data and reject all claims for preferences where tenderers are not eligible for such preferences.

Calculate the total number of tender evaluation points for preferences claimed in accordance with the provisions of the tender data.

F.3.11.9 Scoring functionality

Score each of the criteria and sub criteria for quality in accordance with the provisions of the Tender Data.

Calculate the total number of tender evaluation points for quality using the following formula:

$$NQ = W_2 \times SO / MS$$

where: SO is the score for quality allocated to the submission under consideration;
MS is the maximum possible score for quality in respect of a submission; and
W₂ is the maximum possible number of tender evaluation points awarded for the quality as stated in the tender data

F.3.12 Insurance provided by the employer

If requested by the proposed successful tenderer, submit for the tenderer's information the policies and / or certificates of insurance which the conditions of contract identified in the contract data, require the employer to provide.

F.3.13 Acceptance of tender offer

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Accept the tender offer, if in the opinion of the employer, it does not present any risk and only if the tenderer:

- a) is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,
- b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,
- c) has the legal capacity to enter into the contracted, is not insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act, 2008, bankrupt or being wound up, has his affairs administered by a court or a judicial officer, has suspended his business activities, or is subject to legal proceedings in respect of any of the foregoing,
- e) Complies with the legal requirements, if any, stated in the tender data, and
- f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

F.3.14 Prepare contract documents

F.3.14.1 If necessary, revise documents that shall form part of the contract and that were issued by the employer as part of the tender documents to take account of:

- a) Addenda issued during the tender period,
- b) Inclusion of some of the returnable documents, and
- c) Other revisions agreed between the employer and the successful tenderer.

F.3.14.2 Complete the schedule of deviations attached to the form of offer and acceptance, if any.

F.3.15. Complete adjudicator's contract

Unless alternative arrangements have been agreed or otherwise provided for in the contract, arrange for both parties to complete formalities for appointing the selected adjudicator at the same time as the main contract is signed.

F.3.16 Notice to unsuccessful tenderers

F.3.16.1 Notify the successful tenderer of the employer's acceptance of his tender offer by completing and returning one copy of the form of offer and acceptance before the expiry of the validity period stated in the tender data, or agreed additional period.

F.3.16.2 After the successful tenderer has been notified of the employer's acceptance of the tender, notify other tenderers that their tender offers have not been accepted.

F.3.17 Provide copies of the contracts

Provide to the successful tenderer the number of copies stated in the Tender Data of the signed copy of the contract as soon as possible after completion and signing of the form of offer and acceptance.

TENDER NUMBER: DPWFS (T) 005/2019

DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



F.3.18 Provide written reasons for actions taken

Provide upon request written reasons to tenderers for any action that is taken in applying these conditions of tender, but withhold information which is not in the public interest to be divulged, which is considered to prejudice the legitimate commercial interests of tenderers or might prejudice fair competition between tenderers.

F3.19 Transparency in the procurement process

F3.19.1 The CIDB prescripts require that tenders must be advertised and be registered on the CIDB if-Tender system.

F3.19.2 The employer must adopt a transparency model that incorporates the disclosure and accountability as transparency requirements in the procurement process.

F3.19.3 The transparency model must identify the criteria for selection of projects, project information template and the threshold value of the projects to be disclosed in the public domain at various intervals of delivery of infrastructure projects.

F3.19.4 The client must publish the information on a quarterly basis which contains the following information:

- Procurement planning process
- Procurement method and evaluation process
- Contract type
- Contract status
- Number of firms tendering
- Cost estimate
- Contract title
- Contract firm(s)
- Contract price
- Contract scope of work
- Contract start date and duration
- Contract evaluation reports

F3.19.5 The employer must establish a Consultative Forum which will conduct a random audit in the implementation of the transparency requirements in the procurement process.

F3.19.6 Consultative Forum must be an independent structure from the bid committees.

F3.19.7 The information must be published on the employer's website.

F 3.19.8 Records of such disclosed information must be retained for audit purposes.

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DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



PART T2: RETURNABLE DOCUMENTS

T2.1 - List of Returnable Documents

TENDER NUMBER: DPWFS (T) 005/2019

DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



FREE STATE PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

TENDER NO: DPWFS (T) 005/2019

Description: APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA ON BEHALF OF THE FREE STATE DEPARTMENT PUBLIC WORKS AND INFRASTRUCTURE

T2.1 List of Returnable Documents

The tenderer must complete the following returnable documents:

List of Returnable Documents required (Mandatory)

- 1.1 A minimum of BBB-EE level one(1) of contribution certificate or higher ,i.e.-BBEE certificate Level 2 contribution and below will not be considered.(Where trust, consortium or joint venture(Including unincorporated consortia and joint venture)must submit a consolidated B-BBEE status level verification certificate for every separate tender) trust
- 1.2 Potential bidders must be registered as CIDB grading level 6 CE or higher(Valid proof must be attached)
- 1.3 A valid proof of registration on the National Treasury's central supplier database.
- 1.4 A valid tax clearance certificate or unique pin issued by SARS to verify Tax compliance status.
- 1.5 Municipal service ((water, sanitation, rates and electricity) clearance certificate or current or an account not owing more than one hundred and twenty(120) days or an active lease agreement.
- 1.6 Duly completed and signed SBD 1 – Invitation to Tender.
- 1.7 Duly complete and signed SBD 6.1 - Preference points claim form in terms of the preferential procurement regulation 2017.
- 1.8 Duly completed and signed SBD 6.2 – Requirements for local production and content for steel products and components for construction.
- 1.9 Duly completed and signed Annexure A – Record of Addenda to tender documents.
- 1.10 Duly completed and signed Annexure B – Propose amendments and qualifications.
- 1.11 Duly completed and signer Annexure C – Preferencing schedule: Broad-Based Black Economic Empowerment status.
- 1.12 Duly completed and signed Annexure D – Compulsory declaration (SIPDM form).
- 1.13 Duly completed and signed Annual Financial Declaration
- 1.14 Attach a valid letter of good standing issued by the Department of Labour.
- 1.15 Attendance of the mandatory clarification meeting details of which are provided in the advert and in this tender document.

1.16

1 Required for tender evaluation purposes

- Schedule of Plant and Equipment
- Schedule of the Tenderer's Experience (Particulars of Tenderers Projects)
- Certificate of Resolution of Board of Directors.
- Certificate of Resolution of Board of Directors to enter into a Consortia or Joint Venture.
- Certificate of Special Resolution of Consortia or Joint Venture.

C1.1 Offer and Acceptance

Tender
Part T2: Returnable documents

T2.2
Returnable documents

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C1.2 Contract Data (Part 2)

C2 Bills of quantities

C3 Scope of Works

C5 Additional Returnable Schedules for tender evaluation purposes

- CIDB registration certificate in the grading designation stipulated in clause 2.1 above,
- A valid Tax Clearance Certificate issued by the South African Revenue Services.
- Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate),
- Valid Proof of Registration on the National Treasury's Central Supplier's Database must accompany this bid
- Certified copy of a Workmen's Compensation Certificate, Act 4 of 2002,
- Certified copy of Unemployment Insurance Certificate, Act 4 of 2002,
- Certified copy of Certificate of Incorporation (if tenderer is a Company),
- Certified copy of Founding Statement (if tenderer is a Closed Corporation),
- Certified copy of Partnership Agreement (if tenderer is a Partnership),
- Certified copy of Identity Document (if tenderer is a One-man concern),
- Joint Venture Agreement (if tenderer is a Joint Venture),
- Curriculum Vitae of the person who prepares the Contractor's Health and Safety Plan, and
- Curriculum Vitae of the Health and Safety Officer the successful tenderer intends appointing in accordance with the Occupational Health and Safety Act (Act 85 of 1993).
- Curriculum Vitae of all supervisory staff
- OHS Plan

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DESCRIPTION: UPGRADING OF THE WATER RETICULATION
NETWORK AT GOVERNMENT OFFICES IN
PHUTHADITJABA OFFICES



PART T2: RETURNABLE DOCUMENTS

T2.2 - Returnable Schedules

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DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



Annexure A: Record of Addenda to tender documents

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

	Date	Title of Details
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

Attach additional pages if more space is required.

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

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Annexure B: 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.

Page	Clause or item	Proposal

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

TENDER NUMBER: DPWFS (T) 005/2019

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Annexure C: Prefencing schedule: Broad-Based Black Economic Empowerment status

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A large, empty rectangular box with a black border, occupying the majority of the page. This area is typically used for submitting tender documents, drawings, or other project-related information.

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DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



Preamble

Section 10(b) of the Broad-Based Black Economic Empowerment Act of 2003 (Act No. 53 of 2003) states that “Every organ of state and public entity must take into account and, as far as is reasonably possible, apply any **relevant code of good practice** issued in terms of this Act in developing and implementing a preferential procurement policy.”

A number of codes of good practice have been issued in terms of Section 9(1) of the B-BBEE Act of 2003, including a generic code of good practice and various sector codes. The sector codes vary the metrics, weightings and targets used in the generic code of good practice to establish the overall performance of an entity and its B-BBEE status.

The B-BBEE status needs to be assessed in accordance with the applicable code.

1 Conditions associated with the granting of preferences

Tenderers who claim a preference shall provide sufficient evidence of their B-BBEE status in accordance with the requirements of section 2 in respect of the applicable code as at the closing time for submissions, failing which their claims for preferences will be rejected.

2 Sufficient evidence of qualification

2.1 Exempted micro-enterprises

Sufficient evidence of qualification as an Exempted Micro-Enterprise is:

- a) a registered auditor's certificate or similar certificate issued by an accounting officer as contemplated in the Close Corporations Act of 1984 in respect of the entity's last financial year, or a 12-month period which overlaps with its current financial year; or
- b) A certificate issued by a verification agency and which is valid as at the closing date for submissions.

2.2 Enterprises other than micro-exempted enterprises

Sufficient evidence of B-BBEE status is a n original or certified copy of the certificate issued by a verification agency accredited by the South African National Accreditation System (SANAS) or registered auditors approved by the Independent Regulatory Board for Auditors (IRBA) and which is valid as at the closing date for submissions.

3 Tender preferences claimed

The scoring shall be as follows:

B-BBEE status determined in accordance with the preferencing schedule for Broad-Based Black Economic Empowerment	% Maximum points for preference
Form not completed or non-compliant contributor	0
Level 8 contributor	10
Level 7 contributor	20
Level 6 contributor	30
Level 5 contributor	40
Level 4 contributor	50
Level 3 contributor	80
Level 2 contributor	90

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Level 1 contributor	100

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4 Declaration

The tenderer declares that

- a) the tendering entity is a level contributor as stated in the submitted evidence of qualification as at the closing date for submissions
- b) the tendering entity has been measured in terms of the following code (tick applicable box):

Generic code of good practice

Other – specify

-
-
- c) the contents of the declarations made in terms of a) and b) above are within my personal knowledge and are to the best of my belief both true and correct

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the tenderer, confirms that he/she understands the conditions under which such preferences are granted and confirms that the tenderer satisfies the conditions pertaining to the granting of tender preferences.

Signature:

Name:

Duly authorized to sign on behalf of:

Telephone:

Fax: Date:

Name of witness: Signature of witness:

- Note:
- 1) Failure to complete the declaration will lead to the rejection of a claim for a preference.
 - 2) Supporting documentation of the above-mentioned claim for a preference must be submitted with the tender submission to be eligible for a preference.

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Annexure D: Compulsory Declaration

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

Section 1: Enterprise details

Name of enterprise	
Contact person	
Email	
Telephone	
Cell	
Fax	
Physical address	
Postal address	

Section 2: Particulars of companies and close corporations

Company / Closed Corporation registration number	
--	--

Section 3: SARS information

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

Section 4: CIDB registration number

CIDB Registration number (if applicable)	
--	--

Section 5: Particulars of principals

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

Full name of principal	Identity number	Personal tax reference number

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Attach separate page if necessary

Section 6: Record in the service of the state

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

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

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

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

Attach separate page if necessary

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

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

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

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

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

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

Attach separate page if necessary

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

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

Yes No (tick appropriate box)

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

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Section 9: Declaration

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

- i) neither the name of the tendering entity, nor any of its principals, appears on:
 - a) the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004 (Act No. 12 of 2004); or
 - b) National Treasury's Database of Restricted Suppliers (see www.treasury.gov.za)
- ii) the tendering entity or any of its principals has not been convicted of fraud or corruption by a court of law (including a court outside of the Republic of South Africa) within the last five years;
- iii) any principal who is presently employed by the state has the necessary permission to undertake remunerative work outside such employment (attach permission to this declaration);
- iv) the tendering entity is not associated, linked or involved with any other tendering entities submitting tender offers;
- v) the tendering entity has not engaged in any prohibited restrictive horizontal practices, including consultation, communication, agreement, or arrangement with any competing or potential tendering entity regarding prices, geographical areas in which goods and services will be rendered, approaches to determining prices or pricing parameters, intentions to submit a tender or not, the content of the submission (specification, timing, conditions of contract, etc.) or intention to not win a tender;
- vi) the tendering entity has no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest;
- vii) neither the tenderer nor any of its principals owes municipal rates and taxes or municipal service charges to any municipality or a municipal entity, and are not in arrears for more than three months;
- viii) SARS may, on an on-going basis during the term of the contract, disclose the tenderer's tax compliance status to the Employer and, when called upon to do so, obtain the written consent of any subcontractors who are subcontracted to execute a portion of the contract that is entered into in excess of the threshold prescribed by National Treasury, for SARS to do likewise.

Signed.....

Date.....

Name.....

Position.....

Enterprise name.....

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

NOTE 2: Section 30(1) of the Public Service Act, 1994, prohibits an employee (person who is employed in posts on the establishment of departments) from performing or engaging remunerative work outside his or her employment in the relevant department, except with the written permission of the executive authority of the department. When in operation, Section 8(2) of the Public Administration Management Act, 2014, will prohibit an employee of the public administration (i.e. municipalities and all national departments, national government components listed in Part A of Schedule 3 to the Public Service Act, provincial departments including the office of the premier listed in Schedule 1 of the Public Service Act and

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provincial departments listed in schedule 2 of the Public Service Act, and provincial government components listed in Part B of schedule 3 of the Public Service Act) or persons contracted to executive authorities in accordance with the provisions of section 12A of the Public Service Act of 1994 or persons performing similar functions in municipalities, from conducting business with the State or to be a director of a public or private company conducting business with the State. The offence for doing so is a fine or imprisonment for a period not exceeding five years, or both. It is also a serious misconduct which may result in the termination of employment by the employer.

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

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

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

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

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Annual Financial Statements Declaration

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

- 1) The enterprise's financial year end is
- 2) The enterprise's financial statements have been prepared in accordance with the provisions of the Companies Act of 2008 or the Close Corporation Act of 1984, as applicable
- 3) The enterprise has compiled its financial accounts [tick one box]:
 internally independently
- 4) The following statement applies to the enterprise [tick one box and provide relevant information]
 enterprise has had its financial statements audited;
name of auditor
- enterprise is required by law to have an independent review of its financial statements
name of independent reviewer
- enterprise has not had its financial statements audited and is not required by law to have an independent review or audit of such statements
- 5) The attached income statement and balance sheet is a true extract from the financial statements complying with applicable legislation for the preceding financial year within 12 months of the financial year end.
[Attach the income statement and the balance sheet contained in the financial statement]
- 6) The annual turnover for the last financial year is R
- 7) The total assets as at the end of the last financial year is R
- 8) The total liabilities as at the end of the financial year is R

I hereby declare that the contents of this Declaration are within my personal knowledge, and save where stated otherwise are to the best of my belief both true and correct.

Signed

Date

.....
Name

.....
Position

.....
Tenderer

TENDER NUMBER:

DPWFS (T) 005/2019

DESCRIPTION:

UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



public works & infrastructure

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

SBD 1

PART A
INVITATION TO BID

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE					
BID NUMBER:	DPWFS (T) 005/2019	CLOSING DATE:	20 November 2019	CLOSING TIME:	11H00
DESCRIPTION	APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR, CONSORTIA OR JOINT VENTURE FOR UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA ON BEHALF OF THE FREE STATE DEPARTMENT PUBLIC WORKS AND INFRASTRUCTURE				
THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).					
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT <i>(STREET ADDRESS)</i>					
Main Entrance Foyer of OR Tambo House, Cnr St Andrews Street and Markgraaff Street, Bloemfontein, 9301, Free State Province					
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					
	TCS PIN:		OR	CSD No:	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE [TICK APPLICABLE BOX]	<input type="checkbox"/> Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT	<input type="checkbox"/> Yes	
	<input type="checkbox"/> No			<input type="checkbox"/> No	
IF YES, WHO WAS THE CERTIFICATE ISSUED BY?					
AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA) AND NAME THE APPLICABLE IN THE TICK BOX	<input type="checkbox"/>	AN ACCOUNTING OFFICER AS CONTEMPLATED IN THE CLOSE CORPORATION ACT (CCA)			
	<input type="checkbox"/>	A VERIFICATION AGENCY ACCREDITED BY THE SOUTH AFRICAN ACCREDITATION SYSTEM (SANAS)			
	<input type="checkbox"/>	A REGISTERED AUDITOR			
		NAME:			
[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]					

TENDER NUMBER:

DPWFS (T) 005/2019

DESCRIPTION:

UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



public works & infrastructure

Department of Public Works & Infrastructure
FREE STATE PROVINCE

<p>1. ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES ENCLOSE PROOF]</p>	<p>2. ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>[IF YES ANSWER PART B:3 BELOW]</p>
<p>3. SIGNATURE OF BIDDER</p>	<p>.....</p>	<p>4. DATE</p>	<p>.....</p>
<p>5. CAPACITY UNDER WHICH THIS BID IS SIGNED (Attach proof of authority to sign this bid; e.g. resolution of directors, etc.)</p>		<p>.....</p>	
<p>6. TOTAL NUMBER OF ITEMS OFFERED</p>	<p>.....</p>	<p>7. TOTAL BID PRICE (ALL INCLUSIVE)</p>	<p>.....</p>
<p>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:</p>		<p>TECHNICAL INFORMATION MAY BE DIRECTED TO:</p>	
<p>DEPARTMENT/ PUBLIC ENTITY</p>	<p></p>	<p>CONTACT PERSON</p>	<p></p>
<p>CONTACT PERSON</p>	<p></p>	<p>TELEPHONE NUMBER</p>	<p></p>
<p>TELEPHONE NUMBER</p>	<p></p>	<p>FACSIMILE NUMBER</p>	<p></p>
<p>FACSIMILE NUMBER</p>	<p></p>	<p>E-MAIL ADDRESS</p>	<p></p>
<p>E-MAIL ADDRESS</p>	<p></p>	<p></p>	<p></p>



**PART B
TERMS AND CONDITIONS FOR BIDDING**

1. BID SUBMISSION:

- 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
- 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR ONLINE
- 1.3. BIDDERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.4. WHERE A BIDDER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE BID DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO BIDDING INSTITUTION.
- 1.5. 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 LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

- 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
- 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.
- 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.
- 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE BID.
- 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.
- 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.

3. QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS

- 3.1. IS THE BIDDER A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? YES
 NO
- 3.2. DOES THE BIDDER HAVE A BRANCH IN THE RSA? YES NO
- 3.3. DOES THE BIDDER HAVE A PERMANENT ESTABLISHMENT IN THE RSA?
YES NO
- 3.4. DOES THE BIDDER HAVE ANY SOURCE OF INCOME IN THE RSA?
YES NO

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

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**public works &
infrastructure**

Department of
Public Works & Infrastructure
FREE STATE PROVINCE

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



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

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 not to 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 or 90/10 preference point system will be applicable to this tender (*delete whichever is not applicable for this tender*).

1.3 Points for this bid shall be awarded for:

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

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

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

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

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

2. DEFINITIONS

- (a) “**B-BBEE**” means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;

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

3. POINTS AWARDED FOR PRICE

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

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

$$\begin{matrix}
 80/20 & \text{or} & 90/10 \\
 P_s = 80 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right) & \text{or} & P_s = 90 \left(1 - \frac{P_t - P_{\min}}{P_{\min}} \right)
 \end{matrix}$$

Where

Ps = Points scored for price of bid under consideration

Pt = Price of bid under consideration

Pmin = 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"/>
-----	--------------------------	----	--------------------------

v) 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.

<p>WITNESSES</p> <p>1.</p> <p>2.</p>	<p style="text-align: center;">..... SIGNATURE(S) OF BIDDERS(S)</p> <p>DATE:</p> <p>ADDRESS</p> <p>.....</p> <p>.....</p>
--	---

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 tenders 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 tenders 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 Annex A of SATS 1286:2011) for this bid is/are as follows:

Description of services, works or goods

Stipulated minimum threshold



_____	0%
_____	0%
_____	0%

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 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):
.....

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.

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- (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: _____

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**public works &
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SCHEDULE OF PROPOSED SUB-CONTRACTORS

Schedule of Proposed Subcontractors



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

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.

We confirm that all Subcontractors who are contracted to for this project are registered with the CIDB – (Level 3GB 3 to 6GB)

	Name and address of proposed Subcontractor	Nature and extent of work	Previous experience Of the Subcontractor.	Indicate the value of work to be sub-contracted as % of Total Value of the contract	BEE Contributor Level of the subcontractor
1.					
2.					
3.					
4.					
5.					

Signed_____

Date_____

Name_____

Position_____

Tenderer_____

T2.2t: TAX CLEARANCE REQUIREMENTS

IT IS A CONDITION OF BIDDING THAT -

1. The taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the Receiver of Revenue to meet his / her tax obligations.
2. In bids where Consortia / Joint Ventures / Sub-contractors are involved each party must submit a separate Tax Clearance Certificate. Copies of the Application for Tax
3. Clearance Certificates are available at any Receiver's Office.

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SCHEDULE OF PLANT AND EQUIPMENT

TENDER NUMBER:

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Schedule of Plant and Equipment



The following are lists of major items of relevant equipment that I / we presently own or lease and will have available for this contract or will acquire or hire for this contract if my / our tender is accepted.

(a) Details of major equipment that is owned by and immediately available for this contract.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

(b) Details of major equipment that will be hired, or acquired for this contract if my / our tender is acceptable.

Quantity	Description, size, capacity, etc.

Attach additional pages if more space is required.

Signed.....

Date.....

Name.....

Position.....

Tenderer.....

TENDER NUMBER: DPWFS (T) 005/2019

DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



Schedule of the Tenderer's Experience (Particulars of Tenderers Projects)

FORM: PARTICULARS OF TENDERERS PROJECTS			
Project title:	APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA ON BEHALF OF THE FREE STATE DEPARTMENT PUBLIC WORKS AND INFRASTRUCTURE		
Tender no:	DPWFS (T) 005/2019	Closing date:	20 November 2019
Advertising date:	7 October 2019	Validity period:	90 days

Note: The Tenderer is required to furnish the following particulars and to attach additional pages if more space is required. Failure to furnish the particulars will result in the tender offer being disqualified from further consideration.

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

1.1. **Current projects: Appointment letter(s) must be provided to buttress the information supplied below.**

Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
1						
2						
3						
4						
5						

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Projects currently engaged in	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Present progress
6						
7						
8						
9						
10						
11						
12						

Name of Tenderer	Signature	Date

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1.2. Completed projects: Both appointment letter(s) and completion certificates linked to the project(s) listed below must be provided to buttress the information provided.

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

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Projects completed in the previous 5 (five) years	Name of Employer or Representative of Employer	Contact tel. no.	Contract sum	Contractual commencement date	Contractual completion date	Date of Certificate of Practical Completion
10						
11						
12						
13						

Name of Tenderer	Signature	Date

TENDER NUMBER:

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Department of Public Works & Infrastructure FREE STATE PROVINCE

RESOLUTION OF BOARD OF DIRECTORS

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

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

Held at _____ (place)

on _____ (date)

RESOLVED that:

- 1 The Enterprise submits a Tender to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(project description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

- 2 *Mr/Mrs. /Ms.: _____

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

and who will sign as follows: _____

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

Table with 4 columns: Name, Capacity, Signature, and a numbered row (1-8).

Note: 1. * Delete which is not applicable. 2. NB. This resolution must be signed by all the Directors / Members / Partners of the Tendering Enterprise.

ENTERPRISE STAMP 23

TENDER NUMBER: DPWFS (T) 005/2019

DESCRIPTION: UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA OFFICES



RESOLUTION OF BOARD OF DIRECTORS TO ENTER INTO CONSORTIA OR JOINT VENTURES

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

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

held at _____ (place) on

(date) **RESOLVED that:**

1 The Enterprise submits a Tender, in consortium/joint venture with the following Enterprises:

(List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the consortium/joint venture)

to the Department of Public Works and Infrastructure, Free State Province in respect of the following project:

(Project description as per Tender Document)

Tender Number: _____ (Tender Number as per Tender Document)

2 *Mr./Mrs. /Ms.: _____

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

and who will sign as follows: _____

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

3 The Enterprise accept joint and several liability with the parties listed under item 1 above for the due fulfillment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.

4 The Enterprise choose as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

Physical address: _____

_____ (code)

Postal Address: _____

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_____ (code)

Telephone number: _____ (code)

Fax number: _____ (code)

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

Note:

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

ENTERPRISE STAMP

SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

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

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

7 _____

8 _____

Held at _____ *(place)*

on _____ *(date)*

RESOLVED that:

A. The above-mentioned Enterprises submit a tender in consortium/joint venture to the Department of Public and Infrastructure Works, Free State Province in respect of the following project:

(Project description as per Tender Document)

Tender Number: _____ *(Tender Number as per Tender Document)*

B. Mr/Mrs. /Ms.: _____

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

and who will sign as follows: _____

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

C. The Enterprises constituting the consortium/joint venture, notwithstanding its composition, shall conduct all business under the name and style of:

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

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

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

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

Physical address: _____

_____ (code)

Postal Address: _____

_____ (code)

Telephone number: _____ (code)

Fax number: _____

THE CONTRACT

PART C1: AGREEMENT AND CONTRACT DATA

C1.1 - Form of Offer and Acceptance

C1.1 Form of Offer and Acceptance

Offer

The employer, identified in the acceptance signature block, has solicited offers to enter into a contract for the procurement of: **APPOINTMENT OF A SUITABLY QUALIFIED CONTRACTOR THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA ON BEHALF OF THE FREE STATE DEPARTMENT PUBLIC WORKS AND INFRASTRUCTURE**

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)

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 Date

Name

Capacity

for the Tenderer

(Name and

address of
organization)

.....

Name and
signature
of witness

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
- Part C5: Additional returnable Documents

and drawings and documents or parts thereof, which may be incorporated by reference into Parts 1 to 5 above.

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

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any 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 fulfill 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.

Signature Date

Name **E. MOHLAHLO**

Capacity **HOD (Acting): DEPARTMENT OF PUBLIC WORKS FREE STATE AND INFRASTRUCTURE**

**for the
Employer** DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE
P.O Box 690
Bloemfontein

Name and

Signature of witness

Date

Schedule of Deviations

1. Subject

 Details

.....

.....

2. Subject

 Details

.....

.....

3. Subject

 Details

.....

.....

4. Subject

 Details

.....

.....

5. Subject
Details
.....
.....

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

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

PART C1: AGREEMENT AND CONTRACT DATA

C1.2 - Contract Data

CONTRACT PERIOD

18 MONTHS

FREE STATE PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

TENDER NO: DPW&IFS (T) 005 /2019

Description: THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJABA

C1.2 Contract Data

The GCC General Conditions of Contract 2014 Agreement makes several references to the Contract Data for specific data, which together with these conditions collectively describe the risks, liabilities and obligations of the contracting parties and the procedures for the administration of the Contract. The Contract Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the GCC 2014.

Part 1: Contract Data completed by the Employer

Clause	Item and data
42.1	CONTRACTING AND OTHER PARTIES
42.1.1	The Employer is the Department of Public Works and Infrastructure, Free State Provincial Government
[1.2]	The address of the Employer is: Telephone: 051 492 3908 Facsimile: 086- 272-1897 Address (physical): Cnr. St Andrews Street & Markgraaff Street, Bloemfontein Address (postal): PO Box 690, Bloemfontein, 9300
42.1.2	The Principal Agent is
[5.1]	Telephone: Facsimile: Address (physical): Address (postal):
42.1.3	Agent (1) is
[5.2]	Agent's service: Telephone: Facsimile: Address (physical): Address (postal):
42.1.4	Agent (2) is
[5.2]	Agent's service: Telephone:

Facsimile:
Address (physical):
Address (postal) :

42.1.5
[5.2]

Agent (3) is
Agent's service:
Telephone:
Facsimile:
Address (physical):
Address (postal):

42.1.6
[5.2]

Agent (4) is
Agent's service:
Telephone:
Facsimile:
Address (physical):
Address (postal):

42.1.7
[5.2]

Agent (5) is
Agent's service:
Telephone:
Facsimile:
Address (physical):
Address (postal):

42.1.8
[5.2]

Agent (6) is
Agent's service:
Telephone:
Facsimile:
Address (physical):
Address (postal):

42.2

Contract Details

42.2.1

The **Works** comprise: **UPGRADING OF THE WATER RETICULATION NETWORK AT GOVERNMENTAL OFFICES IN PHUTHADITJABA**

42.2.2

The **Site** comprise: **Tenderers are specifically requested to inspect the site beforehand so as to become acquainted with the location of the site, conditions, access roads, layout of various buildings, availability of water, electricity, etc. No claim with regards to the aforementioned will be recognized.**

- 42.2.4 The Employer is an organ of **State**
 [41.0]
 31.11.2
- 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.
 - Lateral support insurance is not to be effected by the **contractor**
 - Payment will be made for materials and goods
 - Dispute determinations shall be by arbitration
- [11.2]
 31.4.2
 40.2.2
- Extended **defects** liability period will apply to the following elements:
 - General building work : 12 months
 - Electrical installation : 12 months unless stated otherwise
 - Civil works : 12 months
- 26.1.2
- Any leakages to roofs or damage caused as a result thereof within six (12) months after completion of the work due to poor materials or competency of workmen, shall be repaired by the contractor at his cost. If no heavy rainfall is experienced during the aforesaid period, such period will be extended until sufficient heavy rainfalls provide a test of competency
- 42.2.5 Possession of the **site** is to be given within five (5) days after the contractor provided the employer with the construction guarantee in accordance with the provisions of 14.0
 [15.2.1]
- 42.2.6 **The period for the commencement of the works after the contractor takes possession of the site is 7 working days.**
 [15.3]
- 42.2.7 **For the works as a whole:
 The date for practical completion is eighteen (18) MONTHS INCLUSIVE OF ALL STATUTORY AND BUILDER'S HOLIDAYS from the letter of acceptance.**
- The penalty per calendar day is 1.75 cents per R100,00 of the contract value.*
- 42.2.9 The law applicable to the agreement shall be that of the Republic of South Africa.
 [1.2]
- 42.3 Insurances
- 42.3.1 Contract insurance to be effected by the contractor
 [10.1,10.2,12.1]
- 42.3.1 Contract works insurance is to be effected by the **contractor** for a sum not less than the **contract sum** with a deductible in an amount that the **contractor** deems appropriate.
 [10.1,10.2,12.1]
- 42.3.2 The supplementary insurance is required. Such insurance shall comprise a Coupon Policy for Special Risks issued by the South African Special Risk Insurance Association.
 [10.1,10.2,12.1]
- 42.3.3 Public liability insurance to be effected by the **contractor** for the sum of R 5,000, 000-00 per claim with a deductible in an amount that the **contractor** deems appropriate.
 [11.1, 12.1]
- 42.3.4 **Support insurance to be effected by the contractor for the sum of R0, 00 with a deductible in an amount that the contractor deems appropriate.**
 11.2, 12.1
- 42.4 Documents
- 42.4.1 A waiver of the **contractor's** lien or right of continuing possession is required.
 [3.3, 15.1.3, 31.16.2]
- 42.4.2 Three. Copies of the construction document are to be supplied to the **contractor** free of charge.
 [3.7]

- 42.4.3 Bills of Quantities/lump sum documents schedule of rates is drawn up in accordance with Standard System of Measurement Building Work – latest edition
- 42.4.4 [15.1.1] On acceptance of the tender the bills of quantities/lump sum document **is to be submitted within** working five (5) working days
- 42.4.5 [3.4] GCC Engineering General Conditions are not to be included in the contract document.
- 42.4.6 [31.5.3] [31.3] The contract value is to be adjusted using CPAP indices. The base month for the application of CPAP is the month in which the tender closed.
The latest day of the month for the issue of an interim payment certificate is the 30th.
- 14.5 The employer will not provide advanced payments against an advanced payment guarantee
- 14.2 and 14.4 The **construction guarantee** is to be a fixed guarantee in an amount of 10% of the contract sum.

Part 2: Contract Data completed by the Contractor

Clause	Item and data
1.2	<p>The name of the Contractor is.</p> <p>The address of the contractor is:</p> <p>Telephone:</p> <p>Facsimile:</p> <p>Address (physical):</p> <p style="padding-left: 20px;">.....</p> <p style="padding-left: 20px;">.....</p> <p>Address (postal):</p> <p style="padding-left: 20px;">.....</p> <p style="padding-left: 20px;">.....</p>

PART C2: PRICING DATA

C2.1 – PRICING INSTRUCTION

PART C2: PRICING DATA

C2.1 – PRICING INSTRUCTION

C2.1 Pricing Instructions

- 1 The Bills of Quantities have been drawn up in accordance with the Standard System of Measuring Civil Work (as amended) published and issued by the Association of South African Quantity Surveyors (Seventh Edition (Revised)), 2015. Where applicable the:
 - a) civil engineering work has been drawn up in accordance with the provisions of the latest edition of SABS 1200 Standardised Specifications for Civil Engineering Works.
 - b) mechanical work has been drawn up in accordance with the provisions of the Model Bills of Quantities for Mechanical Work, published by the South African Association of Quantity Surveyors, July 2005).
 - c) electrical work has been drawn up in accordance with the provisions of the Model Bills of Quantities for Electrical Work, published by the South African Association of Quantity Surveyors, (July, 2005).
- 2 The agreement is based on the GCC Series 2014 General Conditions of Contract, prepared by the SAICE (SA Institute of Civil Engineers). The additions, deletions and alterations to the GCC as well as the contract specific variables are as stated in the Contract Data. Only the headings and clause numbers for which allowance must be made in the Bills of Quantities are recited.
- 3 Preliminary and general requirements are based on the GCC Series 2014. Only the headings and clause numbers for which allowance must be made in the Bills of Quantities are recited.
- 4 It will be assumed that prices included in the Bills of Quantities are based on Acts, Ordinances, Regulations, By-laws, International Standards and National Standards that were published 28 days before the closing date for tenders. (Refer to www.stanza.org.za or www.iso.org for information on standards).
- 5 The drawings listed in the Scope of Works used for the setting up of these Bills of Quantities are kept by the Principal Agent or Engineer and can be viewed at any time during office hours up until the completion of the works.
- 6 Reference to any particular trademark, name, patent, design, type, specific origin or producer is purely to establish a standard for requirements. Products or articles of an equivalent standard may be substituted.
- 7 Where any item is not relevant to this specific contract, such item is marked N/A (signifying “not applicable”)
- 8 The Contract Data and the standard form of contract referenced therein must be studied for the full extent and meaning of each and every clause set out in Section 1 (Preliminaries) of the Bills of Quantities
- 9 The Bills of Quantities is not intended for the ordering of materials. Any ordering of materials, based on the Bills of Quantities, is at the Contractor’s risk.
- 10 The amount of the Preliminaries to be included in each monthly payment certificate shall be assessed as an amount prorated to the value of the work duly executed in the same ratio as the preliminaries bears to the total of prices excluding any contingency sum, the amount for the Preliminaries and any amount in respect of contract price adjustment provided for in the contract.
- 11 Where the initial contract period is extended, the monthly charge shall be calculated on the basis as set out in 10 but taking into account the revised period for completing the works.
- 12 The amount or items of the Preliminaries shall be adjusted to take account of the theoretical financial effect which changes in time or value (or both) have on this section. Such adjustments shall be based on adjustments in the following categories as recorded in the Bills of Quantities:
 - a) an amount which is not to be varied, namely Fixed (F)
 - b) an amount which is to be varied in proportion to the contract value, namely Value Related (V); and
 - c) an amount which is to be varied in proportion to the contract period as compared to the initial construction period excluding revisions to the construction period for which no adjustment to the contractor is not entitled to in terms of the contract, namely Time Related (T).

- 13 Where no provision is made in the Bills of Quantities to indicate which of the three categories in 12 apply or where no selection is made, the adjustments shall be based on the following breakdown:
- a) 10 percent is Fixed;
 - b) 15 percent is Value Related
 - c) 75 percent is Time Related.
- 14 The adjustment of the Preliminaries shall apply notwithstanding the actual employment of resources in the execution of the works. The contract value used for the adjustment of the Preliminaries shall exclude any contingency sum, the amount for the Preliminaries and any amount in respect of contract price adjustment provided for in the contract. Adjustments in respect of any staged or sectional completion shall be prorated to the value of each section.

A DETAILED BILL OF QUANTITIES WITH ALL THE SPECIFICATIONS IS ATTACHED.

PART C2: PRICING DATA

C2.2 - BILLS OF QUANTITIES

PART C3: SCOPE OF WORKS

C3.1 – Description of Works ATTACH DRAWINGS

FREE STATE PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

TENDER NO: DPWFS (T) 005 /2019

Description: THE UPGRADE OF THE WATER RETICULATION NETWORK OF THE GOVERNMENTAL OFFICES AREA IN PHUTHADITJHABA.

C3 Scope of Work

3.1 DESCRIPTION OF THE WORKS

3.1.1. Employer's objectives

The employer's objective is to facilitate a new functional water supply to all the users within the yard area, with sufficient flow and pressure.

3.1.2. Extent of the works

It is important to note that all development and construction criteria, building methods and material to be used must comply with the National Building Regulations, SANS Specification as well as Norms and Standards of Free State Department of Social Development .

- 1) The work entails the addition of a complete water network comprising of a main supply ring feed, with various links to buildings within a large office and workshop area.
- 2) The water network is further enhanced with the installation of a back-up reservoir with pressure pump station to boost overall pressure and to reach higher offices.
- 3) The network will be installed with the current network active. Individual building switch-overs will be conducted at a time once the main pipe is ready and the sub-networks commenced.
- 4) The main pipe will be specialist work while the sub-network could be simpler and requires normal plumbing knowledge.
- 5) Numerous services could be encountered thus excavations will be done by hand and the actual route be determined on site based on the availability of services' positioning at that time. Internal roads will be crossed by the main pipe line.
- 6) All pipes (subsoil) will be HDPE while only the reservoir and pump station will be fitted with galvanized steel pipes.

3.1.3 Location of the works

The work is to be executed at the Regional Office of Government in Phuthaditjhaba that falls within the Thabo Mafutsanyane district and local municipality at the corner of Motebang and Parlaiment road. Entrance from Motebang rd.

3.1.4 Temporary works

All the works will be executed within the property boundary of the site..

3.2 Drawings

Tender drawings stage are attached in the document

3.3 Procurement

3.3.1. Preferential procurement procedures

The works shall be executed in accordance with the conditions attached to preferences granted in accordance with the referencing schedule.

PART C4: SITE INFORMATION

C4 – Site Information

FREE STATE PROVINCIAL GOVERNMENT

DEPARTMENT OF PUBLIC WORKS AND INFRASTRUCTURE

TENDER NO: DPW&IFS (T) 005 /2019

Description: UPGRADING OF WATER RETICULATION NETWORK AT GOVERNMENT OFFICES IN PHUTHADITJABA.

Site Information

The area is located at approximately the following geographic coordinates:

Latitude: 28°32'04''S Longitude: 28°47'47''E

- 1) The site is an office and workshop area on a slope situated near the former Parliamentary buildings within Phuthaditjaba. The site will be active and roads will need to be crossed to install the pipes.
- 2) Site storage of material would be possible as the site is fenced off, but security active will not be available for the contractor's work and material safety.
- 3) Accommodation of workers will not be permitted on site except for security personnel working in shifts.(Contractor to supply accommodation)

Locality Map:

PART C5: ADDITIONAL RETURNABLE DOCUMENTS

TENDERERS NOTE:

The Additional Returnable Schedules for tender evaluation purposes must be attached in this section of the Bid document. These documents are as follows:

- CIDB registration certificate in the grading designation stipulated in clause 2.1 above,
- A valid Tax Clearance Certificate issued by the South African Revenue Services.
- Certified copy of VAT Registration Certificate (if VAT number is not included in tax clearance certificate),
- Valid Proof of Registration on the National Treasury's Central Supplier's Database must be accompany this bid
- Certified copy of a Workmen's Compensation Certificate, Act 4 of 2002,
- Certified copy of Unemployment Insurance Certificate, Act 4 of 2002,
- Certified copy of Certificate of Incorporation (if tenderer is a Company),
- Certified copy of Founding Statement (if tenderer is a Closed Corporation),
- Certified copy of Partnership Agreement (if tenderer is a Partnership),
- Certified copy of Identity Document (if tenderer is a One-man concern),
- Joint Venture Agreement (if tenderer is a Joint Venture),
- Competent Construction Manager (CV and SACPCMP Registration) as per Construction regulations 8 (1)
- Curriculum Vitae of all supervisory as per Construction Regulations 8 (7)
- OHS Plan (Based on Site Specifications)
- Construction Programme