



KWAZULU-NATAL PROVINCE

TRANSPORT
REPUBLIC OF SOUTH AFRICA

CONTRACT NO. ZNB00294/00000/00/HOD/INF/21/T: ESTABLISHMENT OF A PANEL FOR THE CONSTRUCTION OF ROAD STRUCTURES AND PEDESTRIAN BRIDGES FOR A PERIOD OF 3 YEARS

Name of Tenderer:

This tender closes at 11:00 on Friday 28 May 2021 at the offices of the Department of Transport located at 172 Burger Street, Pietermaritzburg, 3201

LATE SUBMISSIONS WILL NOT BE CONSIDERED

Issued by:

The Department of Transport
172 Burger Street
PIETERMARITZBURG
3201

Contact Name: Mr SK Nene
Telephone: 033 355 8615

Prepared by:

The Department of Transport
172 Burger Street
PIETERMARITZBURG
3201

Contact Name: Mr SK Nene
Telephone: 033 355 8615



PROVINCE OF KWAZULU-NATAL
DEPARTMENT OF TRANSPORT

CONTRACT NO. ZNB00294/00000/00/HOD/INF/21/T: ESTABLISHMENT OF A PANEL FOR THE
CONSTRUCTION OF ROAD STRUCTURES AND PEDESTRIAN BRIDGES FOR A PERIOD OF 3 YEARS

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| C4.2 Example of Contract Signboard Details | Green |

DOCUMENT CHECKLIST

This document checklist is provided to assist the Tenderer.

| ITEMS | CHECKED |
|---|--------------------------|
| 2.1 1 Returnable Schedules in Section T2.2 | <input type="checkbox"/> |
| 2.2 2 Correct Tender Offer carried forward to C1.1 Form of Offer and Acceptance and the Form of Offer duly completed and signed..... | <input type="checkbox"/> |
| 2.3 3 Bill of Quantities: | |
| i) Completed in legible INK only..... | <input type="checkbox"/> |
| ii) Corrections crossed out and initialled | <input type="checkbox"/> |
| 2.4 4 Contract specific data provided by the Contractor | <input type="checkbox"/> |

PART T1: TENDERING PROCEDURES

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T1.1 TENDER NOTICE AND INVITATION TO TENDER

CONTRACT NO. ZNB00294/00000/00/HOD/INF/21/T: ESTABLISHMENT OF A PANEL FOR THE CONSTRUCTION OF ROAD STRUCTURES AND PEDESTRIAN BRIDGES FOR A PERIOD OF 3 YEARS

The Province of KwaZulu-Natal, Department of Transport, invites tenders from contractors, experienced in the construction of road structures and bridges, for the construction of bridges, major culverts and retaining walls on various roads of the department of transport on an, "as and when required" basis. The duration of the panel is 36 months.

Tenderers must have a CIDB contractor grading designation 3CE and higher. Successful tenderers will be grouped per Cost Centre and per CIDB grading.

The Department will be applying pre-qualifying criteria for appointment as a tenderer into the panel in terms of Regulation 4 of the PPPFA Regulations, 2017:

Following is the pre-qualifying criteria for the panel:

- Only tenderers with a B-BBEE contributor status level of 1, 2 or 3 are eligible to have their tenders considered.

Only tenderers who comply with the minimum requirements for experience of key persons and company past performance in similar projects, as stated in the Tender Data, are eligible to be considered for further evaluation

All projects in excess of R10 million invited from the panel will include a condition requiring the bidder to subcontract a minimum of 35% of the value of the contract to Targeted Enterprises (Exempted Micro Enterprise (EME) or Qualifying Small business Enterprise (QSE) which are at least 51% owned by black people) through Contract Participation Goals (CPG).

Tenderers shall be required to demonstrate that they will have in their employ during the contract period the necessary personnel satisfying the requirements of the Scope of Work for labour-intensive competencies for management and supervisory personnel.

Tender documents will be available on the www.kzntransport.gov.za and must be downloaded.

Tender documents will also be available as from 08:00 on Friday 23 April 2021 during working hours (i.e., 08:00 to 16:00 Monday to Friday) until 15:00 on the day prior to the Clarification Meeting. The physical address for collection of tender documents is: Department of Transport, Acquisition Section, 'B' Block, 172 Burger Street, Pietermaritzburg, 3201.

A non-refundable tender deposit fee of R820.00 payable in cash or by bank guaranteed cheque made out in favour of 'Province of KwaZulu-Natal' is payable on collection of the tender documents.

Queries relating to this tender may be addressed to:

Mr SK Nene on telephone no. 033 355 8615, fax no. 033 355 8897, e-mail address:
Simphiwe.nene@kzntransport.gov.za .

A **compulsory Clarification Meeting** with representatives of the Employer will be held virtually via MICROSOFT TEAMS application on **12 May 2021** starting at **09h00**. No latecomers will be admitted.
Meeting Invite Link : <https://bit.ly/ZNB00294STRUCTURESPANEL>

The **closing time** for receipt of Tender documents is **11h00** on **Friday 28 May 2021**. Telegraphic, telephonic, telex, facsimile, electronic, e-mailed and late documents will not be accepted.

Selection of Contractors will be on a quotation basis from the approved pool per Cost Centre. PPPFA will be applied for the tenderer that will be recommended in terms of the preference.

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

T1.2 TENDER DATA

The conditions of tender are the standard conditions of tender contained in Annex C of the Construction Industry Development Board Standard for Uniformity in Engineering and Construction Works Contracts, published in Government Gazette No. 42622 dated 8 August 2019.

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 the tender data 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.

| Clause Number | Data |
|---------------|--|
| C.1.2 | <p>The Tender Documents consist of the following:</p> <p>(a) This Project Document, which contains the following:</p> <p>PART T1: TENDERING PROCEDURES T1.1 Tender Notice and Invitation to Tender T1.2 Tender Data</p> <p>PART T2: RETURNABLE DOCUMENTS T2.1 List of Returnable Documents T2.2 Returnable Schedules</p> <p>PART C1: AGREEMENTS AND CONTRACT DATA C1.1 Form of Offer and Acceptance C1.2 Contract Data C1.3 Performance Guarantee C1.4 Agreement in terms of Section 37(2) of the Occupational Health and Safety Act No. 85 of 1993 C1.5 Retention Money Guarantee C1.6 Transfer of Rights</p> <p>PART C2: PRICING DATA C2.1 Pricing Assumptions C2.2 Bill of Quantities</p> <p>PART C3: SCOPE OF WORKS C3.1 Standard Specifications C3.2 Project Specifications C3.3 Particular Specifications</p> <p>PART C4: SITE INFORMATION C4.1 Locality Plan C4.2 Example of Contract Signboard Details</p> <p>(b) Drawings (issued separately by the Employer).</p> <p>(c) 'General Conditions of Contract for Construction Works, Third Edition (2015)' issued by the South African Institution of Civil Engineering (abbreviated title 'General Conditions of Contract 2015' – 'GCC 2015'). This document is obtainable separately and Tenderers shall obtain their own copy.</p> |

| Clause Number | Data |
|---------------|--|
| | <p>(d) COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020). This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>(e) ‘Occupational Health and Safety Act No. 85 of 1993’, ‘Occupational Health and Safety Amendment Act No. 181 of 1993’, and the ‘Construction Regulations, 2014’ (Government Notice No. R. 489 published in Government Gazette No. 40883 of 2 June 2017,). These documents are obtainable separately and Tenderers shall obtain their own copies.</p> <p>(f) ‘Construction Industry Development Board Act No. 38 of 2000’ as amended and the ‘Regulations in terms of the Construction Industry Development Board Act No. 38 of 2000’ (Government Notice No. R. 692 published in Government Gazette No. 26427 of 9 June 2004, as amended).</p> <p>In addition, Tenderers are advised, in their own interest, to obtain their own copies of the relevant Acts, Regulations and Standards referred to in this document as they are essential for the Tenderer to become acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and participation of targeted enterprises and labour.</p> |
| C.1.4 | <p>The Employer’s Agent is:</p> <p>Name of the firm: KwaZulu-Natal Department of Transport Contact person: Mr Simphiwe Nene Telephone: 033 355 8615 Fax: 033 355 8076 E-mail: Simphiwe.nene@kzntransport.gov.za</p> |
| C.2.1 | <p>Only those tenderers who satisfy the following criteria are eligible to submit tenders.</p> <p>(a) CIDB registration</p> <p>Only those tenderers who are registered with the CIDB, at close of tender, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) of the Construction Industry Development Regulations, for a 3CE and higher class of construction work, are eligible to have their tenders evaluated.</p> <p>Only contractors whose CIDB status is “Active” at the time of evaluation will be considered for further evaluation. Contractors whose status is “Suspended” or “Expired” will not be considered for evaluation and will be disqualified from the bidding process.</p> <p>Joint ventures are eligible to submit tenders provided that:</p> <p>(i) every member of the joint venture is registered with the CIDB;</p> <p>(ii) the lead partner has a contractor grading designation in the 3CE and higher class of construction work; or not lower than one level below the required grading designation in the class of construction work under consideration and possesses the required recognition status; and</p> <p>(iii) 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 3CE and higher class of construction work, or a value determined in accordance with Regulation 25(1B) of the Construction Industry Development Regulations.</p> |

| Clause Number | Data |
|---------------|--|
| | <p>(b) Central Supplier Database</p> <p>Tenderers, or in the event of a joint venture, each member of the joint venture, must be registered on the Central Supplier Database at the closing date for tender submissions. Tenders received from such tenderers who do not comply with this requirement, will be considered non-responsive.</p> <p>Prospective suppliers should self-register on the CSD website www.csd.gov.za.</p> <p>(c) Pre-qualification criteria for preferential procurement</p> <p>Only tenderers with a B-BBEE contributor status level of 1, 2 or 3 are eligible to have their tenders considered.</p> <p>(d) Minimum Requirements for Grade 3CE to 5CE</p> <p>(i) Key Personal:</p> <ul style="list-style-type: none"> • 1 X Contract Manager with minimum requirements: National Diploma in Civil Engineering or 5 years' experience in bridge construction and structural works • 1 X Construction Manager with minimum requirements: National Diploma in Civil Engineering or 5 years' experience in bridge construction and structural works • 1 X Foreman / Supervisor with minimum requirement: NQF 4 or 3 years' experience in bridge construction and structural works <p>(ii) Company Relevant Experience:</p> <p>The evaluation will consider the nature of the reference projects, scope of services provided, and Employer/Client completion certificate.</p> <ul style="list-style-type: none"> • A minimum of 2 appointment letters for road structures projects (bridges major culverts and retaining walls) successfully completed including completion certificate not older than 7 years per project to be provided with contact details of references. <p>(e) Minimum Requirements for Grade 6CE and above</p> <p>(i) Key Personal:</p> <ul style="list-style-type: none"> • 3 x Contract Manager with minimum requirements: Must be registered with ECSA (Pr Eng / Pr Tech Eng / Pr Techni) and / or SACPCMP (Pr CM/ Pr CPM) and have a minimum of 5 years experienced in bridge construction and structural works. • 3 x Construction Manager with minimum requirements: Must be registered with ECSA (Pr Eng / Pr Tech Eng / Pr Techni) and / or SACPCMP (Pr CM/ Pr CPM) and have a minimum of 3 years experienced in bridge construction and structural works. • 3 X Foreman / Supervisor with minimum requirement: NQF 4 or 3 years' experience in bridge construction and structural works |

| Clause Number | Data |
|---------------|--|
| | <p>(ii) Company Relevant Experience:</p> <p>The evaluation will consider the nature of the reference projects, scope of services provided, and Employer/Client completion certificate.</p> <ul style="list-style-type: none"> A minimum of 4 appointment letters for road structures projects (bridges major culverts and retaining walls) successfully completed including completion certificate not older than 7 years per project to be provided with contact details of references. |
| C.2.7 | <p>The arrangements and venue for the compulsory Clarification Meeting are:</p> <p>Venue: Due to risk associated with COVID19 pandemic and National Lockdown, the briefing session will be held virtually via the MICROSOFT TEAMS application.</p> <p>Date: Wednesday , 12 May 2021 at 09H00 for (Log in time: 08H30 to 09H00); meeting link: https://bit.ly/ZNB00294STRUCTURESPANEL</p> <p>Contact person: Mr Simphiwe Nene Telephone: 033 355 8615 Fax: 033 355 8076 E-mail: simphiwe.nene@kzntransport.gov.za</p> |
| C.2.11 | <p>The tenderer shall not retype the tender document.</p> <p><u>Any tender submitted using a document that has been retyped shall be considered non-responsive and rejected in terms of clause C.3.8 of the Conditions of Tender.</u></p> |
| C.2.12 | <p>The requirements are as described in clause A2.1.4.2'ALTERNATIVE DESIGNS' of the 'COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020 edition)'.</p> |
| C.2.13 | <p>C.2.13.3 Tender offers shall be submitted as an original only. Under no circumstances whatsoever may the tender forms be retyped or redrafted. Photocopies of the original tender documentation may be used, but an original signature must appear on such photocopies.</p> <p>C.2.13.5 The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p>Location of Tender Box: Outside the Foyer, KZN Department of Transport Physical Address: 172 Burger Street, Pietermaritzburg Identification Details: Contract No. ZNB00294/00000/00/HOD/INF/21/T</p> <p>C.2.13.6 A two-envelope system <u>will not be followed.</u></p> |

| Clause Number | Data | | | | | | | | |
|---|---|---------------------------------|-----------------|---|----|--|-----|---|-----|
| C.2.15 | <p>The closing time for submission of Tender Offers is: 11:00 on Friday 28 May 2021</p> <p>Telegraphic, telephonic, telex, facsimile, electronic, e-mail and late tenders will not be accepted.</p> | | | | | | | | |
| C.2.16 | <p>The tender offer validity period is twenty-four (24) weeks, calculated from the date of bid closure.</p> | | | | | | | | |
| C.2.18 | <p>The tenderer must submit to the Employer the names of all management and supervisory staff that will be employed to supervise the labour-intensive portion of the works together with satisfactory evidence that such staff members satisfy the eligibility requirement (refer to Returnable Schedule H).</p> | | | | | | | | |
| C.2.19 | <p>Access shall be provided for inspections and testing by personnel acting on behalf of the Employer.</p> | | | | | | | | |
| C.2.23 | <p>The certificates as required in the Returnable Schedules and Forms must be provided with the tender for each party to a consortium / joint venture.</p> | | | | | | | | |
| C.3.4 | <p>The time and location for opening of the tender submissions are: Time: 11:00 Date: Friday 28 May 2021</p> <p>Location / Venue: Acquisition Section, 'B' Block Boardroom, 172 Burger Street, Pietermaritzburg, 3201</p> | | | | | | | | |
| C.3.5 | <p>A two-envelope system will not be followed.</p> | | | | | | | | |
| C3.11.1 | <p>The evaluation of tender offers will be based on administrative compliance, pre-qualification criteria. Functionality, price and preference in accordance with the Preferential Procurement Regulations 2017, as amended will be considered at quotation evaluation stage.</p> <p>The scope of work for this contract is classified in the following table.</p> <table border="1" data-bbox="363 1415 1465 1666"> <thead> <tr> <th data-bbox="363 1415 1289 1451"><i>Please mark appropriate:</i></th> <th data-bbox="1289 1415 1465 1451">YES / NO</th> </tr> </thead> <tbody> <tr> <td data-bbox="363 1451 1289 1541">Simple/straightforward/routine work - where the tasks or activities are of a straightforward nature in terms of which inputs are relatively well known and outputs can be readily defined.</td> <td data-bbox="1289 1451 1465 1541">NO</td> </tr> <tr> <td data-bbox="363 1541 1289 1608">Complex work - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.</td> <td data-bbox="1289 1541 1465 1608">YES</td> </tr> <tr> <td data-bbox="363 1608 1289 1666">Specialist work - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact.</td> <td data-bbox="1289 1608 1465 1666">YES</td> </tr> </tbody> </table> | <i>Please mark appropriate:</i> | YES / NO | Simple/straightforward/routine work - where the tasks or activities are of a straightforward nature in terms of which inputs are relatively well known and outputs can be readily defined. | NO | Complex work - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs. | YES | Specialist work - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact. | YES |
| <i>Please mark appropriate:</i> | YES / NO | | | | | | | | |
| Simple/straightforward/routine work - where the tasks or activities are of a straightforward nature in terms of which inputs are relatively well known and outputs can be readily defined. | NO | | | | | | | | |
| Complex work - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs. | YES | | | | | | | | |
| Specialist work - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact. | YES | | | | | | | | |

| Clause Number | Data |
|---------------|--|
| | <p>(b) Price and preference</p> <p>Tenders will be evaluated on price and preference in accordance with the Preferential Procurement Regulations, 2017.</p> <p>Preference points must be claimed using Returnable Schedule D - SDB 6.1 in accordance with the tenderer's B-BBEE status level of contributor.</p> <p>The tenderer's B-BBEE Status Level Verification Certificate must comply with the requirements of Returnable Schedule E and be submitted as an attachment to the returnable schedule.</p> <p><u>Total Score for Price and Preference</u> The points scored for a Tenderer in respect of Price will be added to the points scored in respect of Preference. Only the tender with the highest number of points may be selected, except in those instances permissible by legislation, practice notes or relevant policies.</p> |
| C.3.13 | <p>(e) The legal requirements for acceptance of the tender offer are:</p> <p>(i) Tender Defaulters Register - the Tenderer or any of its principals is <u>not</u> listed on the register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act of 2004 as a person prohibited from doing business with the public sector.</p> <p>(ii) Abuse of the SCM System - the Tenderer has <u>not</u> abused the Employer's Supply Chain Management System and has <u>not</u> been given a written notice to the effect that he has failed to perform on any previous contract.</p> <p>(iii) Declaration - the Tenderer has indicated and declared whether a spouse, child or parent of the Tenderer is in the service of the State.</p> <p>(iv) Fraud and Corruption - the Employer is satisfied that the Tenderer or any of his principals have <u>not influenced</u> the tender offer and acceptance by the following criteria:</p> <ul style="list-style-type: none"> • having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining of this Contract; • having acted in a fraudulent or corrupt manner in obtaining this Contract; • having approached an officer or employee of the Employer or the Employer's Agent with the object of influencing the award of a Contract in the Tenderer's favour; • having entered into any agreement or arrangement, whether legally binding or not, with any other person, firm or company to refrain from Tendering for this Contract or as to the amount of the Tender to be submitted by either party; or • having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender. <p>The Employer may, in addition to using any other legal remedies, repudiate the Tender offer and acceptance and declare the Contract invalid should it have been concluded already.</p> |
| C.3.17 | <p>The number of paper copies of the signed contract to be provided by the Employer is one (1).</p> |

PART T2: RETURNABLE DOCUMENTS

T2.1 LIST OF RETURNABLE DOCUMENTS

The following schedules and forms are contained in this document and are to be properly completed as required:

- (a) Returnable Schedules in T2.2.
- (b) C1.1 Form of Offer and Acceptance, C1.1.1: Offer, on page C3.
- (c) Contract Specific Data Provided by the Contractor in C1.2.3.
- (d) Pricing Data in C2.2: Bill of Quantities.

T2.2 RETURNABLE SCHEDULES

| | | |
|---|--|-----|
| A | CERTIFICATE OF ATTENDANCE AT CLARIFICATION MEETING | T17 |
| B | RECORD OF ADDENDA TO TENDER DOCUMENTS | T18 |
| C | COMPULSORY ENTERPRISE QUESTIONNAIRE | T19 |
| D | STANDARD BIDDING DOCUMENTS | T20 |
| | SBD 1: INVITATION TO BID | T20 |
| | SBD 4: DECLARATION OF INTEREST | T22 |
| | SBD 8: DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES | T38 |
| | SBD 9: CERTIFICATE OF INDEPENDENT BID DETERMINATION | T41 |
| E | B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | T43 |
| F | CERTIFICATE OF AUTHORITY FOR SIGNATORY | T44 |
| G | CONSTRUCTION EXPERIENCE | T50 |
| H | KEY PERSONNEL | T51 |
| I | CONSTRUCTION EQUIPMENT | T54 |
| J | PROPOSED SUBCONTRACTORS | T55 |
| K | HEALTH AND SAFETY DECLARATION | T58 |
| L | DEVIATIONS AND QUALIFICATIONS | T60 |
| M | SCHEDULE OF ALTERNATIVE TENDERS | T61 |
| N | TENDERER'S DECLARATION WITH REGARD TO OPERATIONAL ADDRESS | T65 |

NOTE: The Tenderer is required to complete each schedule and form listed above to the best of his ability as the evaluation of tenders and the eventual contract will be based on the information provided by the Tenderer. Failure of a Tenderer to complete the schedules and forms to the satisfaction of the Employer may lead to rejection on the grounds that the tender is non-responsive.

A. COMPULSORY VIRTUAL BRIEFING SESSION

Institution involved: **KwaZulu-Natal Department of Transport**

BID No.: **ZNB00294/00000/00/HOD/INF/21/T**

Service: **Establishment of a Panel for the Construction of Road Structures and Pedestrian Bridges for a Period of 3 Years**

All interested bidders are required to attend the compulsory virtual briefing session with the representatives of the Employer which will be held as per below instructions:

Due to risk associated with COVID19 pandemic and National Lockdown, the briefing session will be held virtually via the MICROSOFT TEAMS application.

Date: 12 May 2021

Briefing time: 09H00 (Log in time: 08H30 to 09H00)

meeting log in link: <https://bit.ly/ZNB00294STRUCTURESPANEL>

Procedure for accessing meeting:

- Click on link or copy and paste onto internet browser (Preferably Google Chrome or internet explorer)
- Enter your name and company details
- Enter meeting

Acceptable proof of attendance to the briefing session must be submitted with the tender document containing the following:

- Completion of the electronic attendance register

Failure to attend the compulsory virtual briefing session will invalidate your tender.

C. COMPULSORY ENTERPRISE QUESTIONNAIRE

| | | | |
|--|-------------------------|------------------------------------|--|
| The following particulars must be furnished. In the case of a joint venture, separate enterprise questionnaires in respect of each partner must be completed and submitted. | | | |
| Section 1: Name of enterprise: | | | |
| Section 2: VAT registration number, if any: | | | |
| Section 3: cidb registration number, if any: | | | |
| Section 4: CSD number: | | | |
| Section 5: Particulars of sole proprietors and partners in partnerships: | | | |
| Name* | Identity number* | Personal income tax number* | |
| | | | |
| | | | |
| * Complete only if sole proprietor or partnership and attach separate page if more than 3 partners | | | |
| Section 6: Particulars of companies and close corporations | | | |
| Company registration number: | | | |
| Close corporation number: | | | |
| Tax reference number: | | | |
| Section 7: SBD4 issued by National Treasury must be completed for each tender and be attached as a tender requirement. | | | |
| Section 8: SBD 6 issued by National Treasury must be completed for each tender and be attached as a tender requirement. | | | |
| Section 9: SBD8 issued by National Treasury must be completed for each tender and be attached as a tender requirement. | | | |
| Section 10: SBD9 issued by National Treasury must be completed for each tender and be attached as a tender requirement. | | | |
| The undersigned, who warrants that he / she is duly authorised to do so on behalf of the enterprise: | | | |
| i) authorizes the employer to verify the tenderers tax clearance status from the South African Revenue Services that it is in order; | | | |
| ii) confirms that the neither the name of the enterprise or the name of any partner, manager, director or other person, who wholly or partly exercises or may exercise, control over the enterprise appears on the Register of Tender Defaulters established in terms of the Prevention and Combating of Corrupt Activities Act of 2004; | | | |
| iii) confirms that no partner, member, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise appears, has within the last five years been convicted of fraud or corruption; | | | |
| iv) confirms that I / we are not associated, linked or involved with any other tendering entities submitting tender offers and have no other relationship with any of the tenderers or those responsible for compiling the scope of work that could cause or be interpreted as a conflict of interest; and | | | |
| iv) confirms that the contents of this questionnaire are within my personal knowledge and are to the best of my belief both true and correct. | | | |
| Signed | | Date | |
| Name | | Position | |
| Enterprise name | | | |

Failure to complete, sign and date this form shall result in the tender being considered non-responsive and rejected in terms of clause C.3.8 of the Conditions of Tender.

D. STANDARD BIDDING DOCUMENTS

**SECTION A
INVITATION TO BID**

SBD1

| | | | | | |
|--|---|--|---|--|-------------|
| YOU ARE HEREBY INVITED TO TENDER FOR REQUIREMENTS OF THE KWAZULU-NATAL DEPARTMENT OF TRANSPORT | | | | | |
| BID NUMBER: | ZNB00294/00000/00/HOD/INF/21/T | CLOSING DATE: 28 MAY 2021 | CLOSING TIME: 11:00 | | |
| DESCRIPTION | ESTABLISHMENT OF A PANEL FOR THE CONSTRUCTION OF ROAD STRUCTURES AND PEDESTRIAN BRIDGES FOR A PERIOD OF 3 YEARS | | | | |
| TENDER RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS) | | | | | |
| THE FOYER | | <i>Monday to Friday: 08:00 until 16:00</i> | | | |
| DEPARTMENT OF TRANSPORT | | Under no circumstances must suppliers submit their Tender offers/ responses to the official whose name appears on the enquiries. | | | |
| 172 BURGER STREET | | | | | |
| PIETERMARITZBURG | | | | | |
| BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO | | | TECHNICAL ENQUIRIES MAY BE DIRECTED TO: | | |
| CONTACT PERSON | Sandile Nkala | | CONTACT PERSON | Simphiwe Nene | |
| TELEPHONE NUMBER | 033 355 8975 | | TELEPHONE NUMBER | 033 355 8615 | |
| FACSIMILE NUMBER | 033 355 8091 | | FACSIMILE NUMBER | 031 355 8076 | |
| E-MAIL ADDRESS | Sandile.Nkala@kzntransport.gov.za | | E-MAIL ADDRESS | Simphiwe.Nene@kzntransport.gov.za | |
| SUPPLIER INFORMATION | | | | | |
| NAME OF BIDDER | | | | | |
| POSTAL ADDRESS | | | | | |
| STREET ADDRESS | | | | | |
| TELEPHONE NUMBER | CODE | | NUMBER | | |
| CELLPHONE NUMBER | | | | | |
| FACSIMILE NUMBER | CODE | | NUMBER | | |
| E-MAIL ADDRESS | | | | | |
| VAT REGISTRATION NUMBER | | | | | |
| SUPPLIER COMPLIANCE STATUS | TAX COMPLIANCE SYSTEM PIN: | | OR | CENTRAL SUPPLIER DATABASE NO: | MAAA |
| B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE | TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | | B-BBEE STATUS LEVEL SWORN AFFIDAVIT | [TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| [A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EME & QSE) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE] | | | | | |
| ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF] | | ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED? | <input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW] | |
| QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS | | | | | |
| IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A BRANCH IN THE RSA? | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? | | | <input type="checkbox"/> YES | <input type="checkbox"/> NO | |
| IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW. | | | | | |

**PART B
TERMS AND CONDITIONS FOR BIDDING**

| |
|--|
| 1. BID SUBMISSION: |
| 1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION. |
| 1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT. |
| 1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT. |
| THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7). |
| 2. TAX COMPLIANCE REQUIREMENTS |
| 2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS. |
| 2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS. |
| 2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA. |
| 2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID. |
| 2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER. |
| 2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED. |
| 2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE." |

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

SIGNATURE OF BIDDER:

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

DATE:

SBD4

DECLARATION OF INTEREST

Every question must be answered individually on this form and the required information must be provided, whether a relationship is present or not. Failure to do so will invalidate your tender.

1. Any legal person, including persons employed by the State¹, or persons having a kinship with persons employed by the State, including a blood relationship, may make an offer or offers in terms of this invitation to tender. In view of possible allegations of favouritism, should the resulting tender, or part thereof, be awarded to persons employed by the State, or to persons connected with or related to them, it is required that the tenderer or his/her authorised representative declare whether:

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

2. **In order to give effect to the above, the following questions must be answered and the required information provided and submitted with the tender.**

2.1 The names of all directors/ shareholders²/members/partners/individual owners/trustees and their individual identity numbers and tax reference numbers are to be inserted in the table below. If applicable, State Employee / PERSAL numbers must be indicated in the last column.

| Full Name | Position held (director, shareholder, member, partner, individual owner, trustee, etc.) | Identity Number (or Passport Number in the case of a foreign national) | Personal Income Tax Reference Number | State Employee Number / Persal Number if applicable |
|-----------|---|--|--------------------------------------|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

If the space provided above is insufficient, details as specified above can be attached on separate pages. However, if such separate pages are attached, this must be clearly indicated in the table above.

¹“State” means:

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

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

2.2. Full names of tenderer and his or her representative:

Name of tenderer:.....

Name of tenderer's representative:

2.3. Identity Number:

Identity Number of tenderer's representative:

2.4. Position (e.g., director/shareholder/member/partner/individual owner/trustee) occupied in the company/close corporation/partnership/sole proprietorship/trust (referred to hereinafter as the "tendering entity"):

Position of tenderer's representative:

2.5. Registration number of tendering entity:

.....

2.6. Tax reference number of tendering entity:

.....

2.7. VAT registration number of tendering entity:

.....

If the space provided for any of paragraphs 2.8 to 2.14 below is insufficient, the required information can be attached on separate pages. However, if such separate pages are attached, this must be clearly indicated in the relevant paragraph below.

2.8. Are you or any person connected with the tenderer presently employed by the State? **Kindly mark the applicable answer with a tick** √.

| | |
|-----|--|
| YES | |
| NO | |

If yes, furnish the following particulars:

2.8.1. Name of director/shareholder/member/partner/individual owner/trustee/other connected person:

.....

2.8.2. Name of State institution which employs you or the person connected to the tenderer:

.....

2.8.3. Position occupied in the State institution:

.....

2.8.4. Any other particulars:

.....

.....

.....

2.9. If the State presently employs you or any person connected with the tenderer, was the appropriate authority to undertake remunerative work outside employment in the public sector obtained from the State? **Kindly mark the applicable answer with a tick** ✓.

| | |
|-----|--|
| YES | |
| NO | |

2.9.1. If yes, attach proof of such authority to the tender document. (Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the tender). **Kindly mark the applicable block with a tick** ✓ **to indicate whether such proof has been attached to the tender document.**

| | |
|-----|--|
| YES | |
| NO | |

2.9.2. If no, furnish reasons for the non-submission of such proof:

.....

.....

.....

2.10. Did you or your spouse or any of the tendering entity's directors/shareholders/members/partners/individual owners/trustees or their spouses conduct business with the State in the previous twelve months? **Kindly mark the applicable answer with a tick** ✓.

| | |
|-----|--|
| YES | |
| NO | |

2.10.1. If yes, furnish particulars:

.....

.....

.....

2.11. Do you or any person connected with the tenderer have any relationship (family, friend, other) with a person employed by the State and who may be involved with the evaluation or adjudication of the tender? **Kindly mark the applicable answer with a tick** ✓.

| | |
|-----|--|
| YES | |
| NO | |

2.11.1. If yes, furnish particulars:

.....

.....

.....

2.12. Are you or any person connected with the tenderer aware of any relationship (family, friend, other) between any other tenderer and any person employed by the State who may be involved with the evaluation and/or adjudication of this tender? **Kindly mark the applicable answer with a tick** ✓.

| | |
|-----|--|
| YES | |
| NO | |

2.12.1. If yes, furnish particulars:

.....

.....

.....

2.13. Do you or any of the tendering entity's directors/shareholders/members/partners/individual owners/trustees have any interest in any other related companies that are or could be tendering for this contract? **Kindly mark the applicable answer with a tick** √.

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

2.13.1. If yes, furnish particulars:

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

2.14. Have you or any of the tendering entity's directors/ shareholders/ members/ partners/ individual owners/ trustees or the tendering entity in general provided any gifts, rewards, awards, sponsorships, donations or hospitality to the Province of KwaZulu-Natal Department of Transport or any of its employees or their families in the last 12 months? **Kindly mark the applicable answer with a tick** √.

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

2.14.1. If yes, furnish particulars, including the estimated value:

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

3. DECLARATION

I, THE UNDERSIGNED (*full name of signatory*)

REPRESENTING (*name of tendering entity*)

IN MY CAPACITY AS

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPH 2 ABOVE IS CORRECT (WHERE APPLICABLE, I HAVE TAKEN REASONABLE DILIGENT STEPS AS REQUIRED BY S76 OF THE COMPANIES ACT No. 71 of 2008, TO ENSURE THAT THE INFORMATION PROVIDED IS CORRECT).

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

SIGNATURE:

DATE:

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

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

| Item | Question | Yes | No |
|-------|--|---------------------------------|--------------------------------|
| 4.1 | <p>Is the bidder or any of its directors listed on the National Treasury's Database of Restricted Suppliers as companies or persons prohibited from doing business with the public sector?</p> <p>(Companies or persons who are listed on this Database were informed in writing of this restriction by the Accounting Officer/Authority of the institution that imposed the restriction after the <i>audi alteram partem</i> rule was applied).</p> <p>The Database of Restricted Suppliers now resides on the National Treasury's website(www.treasury.gov.za) and can be accessed by clicking on its link at the bottom of the home page.</p> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.1.1 | If so, furnish particulars: | | |
| 4.2 | <p>Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)?</p> <p>The Register for Tender Defaulters can be accessed on the National Treasury's website (www.treasury.gov.za) by clicking on its link at the bottom of the home page.</p> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.2.1 | If so, furnish particulars: | | |
| 4.3 | <p>Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?</p> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.3.1 | If so, furnish particulars: | | |
| 4.4 | <p>Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?</p> | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 4.4.1 | If so, furnish particulars: | | |

CERTIFICATION

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

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

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder

CERTIFICATE OF INDEPENDENT BID DETERMINATION

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

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

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

SBD 9

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

CONTRACT NO. ZNB00294/00000/00/HOD/INF/21/T: ESTABLISHMENT OF A PANEL FOR THE CONSTRUCTION OF ROAD STRUCTURES AND PEDESTRIAN BRIDGES FOR A PERIOD OF 3 YEARS

in response to the invitation for the bid made by the PROVINCE OF KWAZULU-NATAL, DEPARTMENT OF TRANSPORT, do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: that:
(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of and to sign the bid, on behalf of the bidder.
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - a. has been requested to submit a bid in response to this bid invitation;
 - b. could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and
 - c. provides the same goods and services as the bidder and/or is in the same line of business as the bidder.
6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraph 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - a. prices;
 - b. geographical area where the products or services will be rendered (market allocation);
 - c. methods, factors or formulas used to calculate prices;
 - d. the intention or decision to submit or not submit a bid;
 - e. the submission of a bid which does not meet the specifications and conditions of the bid; or
 - f. bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening and of the awarding of the contract.
10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 as amended and/or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and/or such bidders may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Full name of signatory

.....
Capacity of signatory

Failure to complete, sign and date this form shall result in the tender being considered non-responsive and rejected in terms of clause C.3.8 of the Conditions of Tender.

E. B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE

Notes to tenderer:

1. submit proof of B-BBEE Status Level of Contributor by submitting a copy of a valid B-BBEE Verification Certificate issued in accordance with the Amended Construction Sector Code published in Notice 931 of 2017 of Government Gazette No. 41287 of 1 December 2017.
2. The certificate shall:
 - (i) have been issued by a verification agency accredited by the South African National Accreditation System (SANAS); or
 - (ii) in the case of an Exempted Micro Enterprise (EME) with a total annual revenue of less than R3 million, be in the form of a sworn affidavit or a certificate issued by the Companies and Intellectual Property Commission (CIPC), in respect of their ownership and annual turnover, for the year ending not earlier than 12 (twelve) months prior to the tender closing date; and
 - (iii) have a date of issue not earlier than 12 (twelve) months prior to the tender closing date.
3. A consortium or joint venture (including unincorporated consortia and joint ventures) must submit a consolidated B-BBEE Status Level Verification Certificate. In addition, the consolidated B-BBEE Status Level Verification Certificate for unincorporated joint ventures shall only be applicable to this project (Tender No. to be indicated on the certificate).
4. An enterprise will qualify as an Exempted Micro Enterprise (EME) if it has a total annual revenue of R10 million or less, and is deemed to have the following B-BBEE Status in accordance with their black ownership levels:
 - (i) if less than 30% Black Owned then “**Level Five Contributor**”;
 - (ii) if at least 30% Black Owned but less than 51% Black Owned then “**Level Four Contributor**”;
 - (iii) if at least 51% Black Owned but less than 100% Black Owned, then “**Level Two Contributor**”;
 - (iv) if 100% Black Owned then “**Level One Contributor**”.
5. An enterprise will qualify as a Qualifying Small Enterprise (QSE) if it has a total annual revenue of more than R10 million but less than R50 million.
6. Tenderers are advised that any misrepresentation in the affidavits is a criminal offence.

F. CERTIFICATE OF AUTHORITY FOR SIGNATORY

The Tenderer must indicate the enterprise status by ticking the appropriate box hereunder.

| (I) SOLE PROPRIETOR | (II) CLOSE CORPORATION | (III) PARTNERSHIP | (IV) COMPANY | (V) JOINT VENTURE / CONSORTIUM | |
|---------------------------|------------------------------|----------------------|-----------------|--------------------------------------|--|
| | | | | Incorporated | |
| | | | | Unincorporated | |

The Tenderer must complete the relevant certificate(s) set out hereafter or must provide a certificate in the form of a resolution of the partners or directors authorising the signatory on behalf of the enterprise(s) **and such resolution shall include a specimen signature of the signatory.**

Failure to complete, sign and date the relevant certificate(s) set out hereafter or failure to provide the certificate(s) in the form of a resolution as described above shall result in the tender being considered non-responsive and rejected in terms of clause C.3.8 of the Conditions of Tender.

(I) CERTIFICATE FOR SOLE PROPRIETOR

I....., hereby confirm that I am the sole owner of the

business trading as:

Specimen Signature of Sole Owner:

Date:

(II) CERTIFICATE FOR CLOSE CORPORATION

I / We, the undersigned, being the key members in the business trading as.....
..... hereby authorise Mr/Ms, acting in
the capacity of, to sign all documents in connection
with the tender for Contract No. and any contract resulting from it on our
behalf.

Signatures of Members:

| NAME | ADDRESS | SIGNATURE | DATE |
|------|---------|-----------|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Note: *This certificate is to be completed and signed by all of the key members upon whom rests the direction of the affairs of the Close Corporation as a whole.*

Specimen Signature of Signatory:

Date:

(III) CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as

.....

hereby authorise Mr/Ms

acting in the capacity of, to sign all documents in connection with the

tender for Contract No. and any contract resulting from it on

our behalf.

| NAME | ADDRESS | SIGNATURE | DATE |
|------|---------|-----------|------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

Note: *This certificate is to be completed and signed by all of the key partners upon whom rests the direction of the affairs of the Partnership as a whole.*

Specimen Signature of Signatory:

Date:

(IV) CERTIFICATE FOR COMPANY

I, chairperson of the Board of Directors

of, hereby confirm that by resolution of the Board

(copy attached) taken on 20.....,

Mr/Ms, acting in the capacity of

....., was authorised to sign all documents in connection with this tender and any contract resulting from it on behalf of the company.

Signature of Chairman:

Specimen Signature of Signatory:

Date:

(V) CERTIFICATE FOR JOINT VENTURE / CONSORTIUM

[This Returnable Schedule is to be completed by a Joint Venture / Consortium]

We, the undersigned, are submitting this tender offer in Joint Venture / Consortium and hereby authorise Mr/Ms....., authorised signatory of the company, acting in the capacity of Lead Partner, to sign all documents in connection with the tender offer and any contract resulting therefrom on our behalf.

| NAME OF COMPANY | ADDRESS | DULY AUTHORISED SIGNATORY |
|-----------------|---------|--|
| Lead Partner | | Signature..... Name..... Designation..... Date..... |
| | | Signature..... Name..... Designation..... Date..... |
| | | Signature..... Name..... Designation..... Date..... |
| | | Signature..... Name..... Designation..... Date..... |

In addition to this Certificate of Authority on behalf of the JV or Consortium, separate Certificates of Authority are also required from each parent company to the Joint Venture or Consortium. These must be in the form of a resolution of the partners or directors authorising the signatory on behalf of the enterprise to sign the JV or Consortium Certificate of Authority.

For example, if a joint venture partner is a limited liability company, then a resolution of the board of directors for that company is required to demonstrate that the person signing on behalf of the JV has the authority to do so from the parent company. The tenderer must do this either by using the relevant pro forma certificate (I), (II), (III) or (IV), as provided in this Returnable Schedule F, for that particular type of parent organisation, or by providing a certificate in the form of a resolution of the partners or directors authorising the signatory on behalf of the enterprise **and such resolution shall include a specimen signature of the signatory.**

H. KEY PERSONNEL

H1. KEY PERSONNEL - MANAGEMENT

The Tenderer must insert in the spaces provided below a list of the key personnel to be employed in the management of the construction of the Works, together with a resume of their experience with particular reference to the construction of similar Works.

The Tenderer shall attach the curriculum vitae of the listed key management personnel to the page included below for this purpose.

| DESIGNATION | NAME | PROJECT TYPE | VALUE OF WORK | YEAR COMPLETED |
|-------------------------|------|--------------|---------------|----------------|
| CONTRACTS MANAGER | | | | |
| CONSTRUCTION MANAGER | | | | |
| CONCRETE FOREMAN | | | | |

Attach additional pages if more space is required

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

H2. KEY PERSONNEL – LABOUR INTENSIVE ACTIVITIES

Contractors shall employ in labour-intensive works only those supervisory and management staff that have completed the required Skills Programme in terms of Appendix C of the “Guidelines for the implementation of labour-intensive infrastructure projects under the Expanded Public Works Programme (EPWP) Third Edition 2015”:

- Foremen / Supervisors at NQF level 4 “National Certificate: Supervision of Civil Engineering Construction Processes”;
- Site Agent / Construction Manager at NQF level 5 "Manage Labour-Intensive Construction Processes" or equivalent Quality Council for Trades and Occupations (QCTO) qualifications at NQF level 5 or 7.

Tenderers’ attention is drawn to the required minimum supervisor to worker ratio for this project stated in clause F2.3 of Part F of the Particular Specifications.

The Tenderer must insert in the spaces provided below the relevant details of the personnel to be employed in the construction of the Works possessing the required qualifications in the supervision or management of LIC projects. A copy of the relevant qualification certificate for each such person shall be attached to the next page below.

| DESIGNATION | NAME | NAME OF TRAINING INSTITUTION | QUALIFICATION OBTAINED IN THE SUPERVISION OR MANAGEMENT OF LIC PROJECTS | YEAR QUALIFICATION OBTAINED |
|-------------|------|------------------------------|---|-----------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

Attach additional pages if more space is required

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

CURRICULUM VITAE OF KEY PERSONNEL - MANAGEMENT

Refer to H1.

Curriculum Vitae of key management personnel to be attached to this page.

and

QUALIFICATIONS OF KEY PERSONNEL – LABOUR INTENSIVE ACTIVITIES

Refer to H2.

Relevant qualification certificates to be attached to this page for each person possessing the required qualifications in the supervision or management of LIC projects.

I. CONSTRUCTION EQUIPMENT

The following are lists of major construction equipment that I / we presently own or will acquire for this contract if my / our tender is accepted.

(a) Details of major construction equipment owned by me / us:

| DESCRIPTION (<i>type, size and capacity</i>) | QUANTITY | YEAR OF MANUFACTURE |
|--|----------|---------------------|
| | | |
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| | | |
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| | | |
| | | |
| | | |
| | | |

Attach additional pages if more space is required

(b) Details of major construction equipment that will be acquired:

| DESCRIPTION (<i>type, size and capacity</i>) | QUANTITY | HOW ACQUIRED | |
|--|----------|--------------|--------|
| | | HIRE / BUY | SOURCE |
| | | | |
| | | | |
| | | | |
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| | | | |
| | | | |

Attach additional pages if more space is required

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

J. PROPOSED SUBCONTRACTORS

I/We hereby notify you that it is my/our intention to employ the following subcontractors for work under this contract. If I/we am/are awarded a contract I/we agree that this notification does not change the requirement for me/us to submit the names of proposed subcontractors in accordance with the requirements of the contract for such appointments.

Acceptance of this tender shall not be construed as approval of any or all of the listed subcontractors. Should any or all of the subcontractors not be approved subsequent to the acceptance of the tender, it shall in no way invalidate this tender, and the tendered unit rates for the various items of work shall remain final and binding, even in the event of a subcontractor not listed below being approved by the Employer.

| NAME OF SUBCONTRACTOR | CSD NUMBER | DESIGNATED GROUP AND OWNERSHIP % | B-BBEE LEVEL | NATURE OF WORK | PERCENTAGE TO BE SUBCONTRACTED |
|-----------------------|------------|----------------------------------|--------------|----------------|--------------------------------|
| | | | | | |
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Attach additional pages if more space is required.

NB: The subcontractors listed above will not contribute to the achievements of the objectives specified in Section C3.3 Part G of this tender document.

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

K. CONTRACTOR'S HEALTH AND SAFETY DECLARATION

In terms of Regulation 5(1)(h) of the OHS Act 1993 Construction Regulations 2014 (referred to as 'the Regulations' hereafter), a Contractor may only be appointed to perform construction work if the Employer is satisfied that the Contractor has the necessary competencies and resources to carry out the work safely in accordance with the Occupational Health and Safety Act No 85 of 1993, as amended and the OHS Act 1993 Construction Regulations 2014.

To that effect a person duly authorised by the Tenderer must complete and sign the declaration hereafter in detail.

Declaration by Tenderer

1. I, the undersigned, hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act No. 85 of 1993 (as amended by the Occupational Health and Safety Amendment Act No. 181 of 1993), and the OHS Act 1993 Construction Regulations 2014.
2. I hereby declare that my company has the competence and the necessary resources to safely carry out the construction work under this contract in compliance with the Construction Regulations and the Employer's Health and Safety Specification.
3. I propose to achieve compliance with the Regulations by one of the following:
 - (a) From my own competent resources as detailed in 4(a) hereafter: ***Yes / No**
 - (b) From my own resources or still to be appointed, and trained until competency is achieved, as detailed in 4(b) hereafter: ***Yes / No**
 - (c) From outside sources by appointment of competent specialist subcontractors as detailed in 4(c) hereafter: ***Yes / No**

(* = delete whatever is not applicable)

4. Details of resources I propose:

Note: Competent resources shall include safety personnel such as the construction manager, construction health and safety officer and construction supervisor as defined in Regulation 8, and competent persons as defined in the OHS Act 1993 Construction Regulations 2014, as applicable to this contract.

- (a) Details of the competent and qualified key persons from my company's own resources, who will form part of the contract team:

| NAME OF COMPETENT PERSONS | POSITION TO BE FILLED BY COMPETENT PERSONS |
|---------------------------|--|
| | |
| | |
| | |
| | |
| | |

- (b) Details of training of persons from my company's own resources (or to be hired) who still have to be trained to achieve the necessary competency:
 - (i) By whom will training be provided?
 - (ii) When will training be undertaken?
 - (iii) List the positions to be filled by persons to be trained or hired:
- (c) Details of competent resources to be appointed as subcontractors if competent persons cannot be supplied from own company:

Name of proposed subcontractor:

Qualifications or details of competency of the subcontractor:

.....
.....

- 5. I hereby undertake, if my tender is accepted, to provide, before commencement of the works under the contract, a suitable, sufficiently documented and coherent site-specific Health and Safety Plan in accordance with Regulation 7(1)(a) of the Construction Regulations, which plan shall be subject to approval by the Employer.
- 6. I confirm that copies of my company's approved Health and Safety Plan, the Employer's Health and Safety Specification as well as the OHSA 1993 Construction Regulations 2014 will be provided on site and will at all times be available for inspection by the Contractor's personnel, the Employer's personnel, the Employer's Agent, Construction Health and Safety Agent, visitors, and officials and inspectors of the Department of Labour.
- 7. I hereby confirm that adequate provision has been made in my tendered rates and prices in the schedule of quantities to cover the cost of all resources, actions, training and all health and safety measures envisaged in the OHSA 1993 Construction Regulations 2014, and that I will be liable for any penalties that may be applied in terms of the said Regulations (Regulation 33) as a result of contravening or failing to comply with the provisions of the Act and the Regulations.
- 8. I agree that my failure to complete and execute this declaration to the satisfaction of the Employer will mean that I am unable to comply with the requirements of the OHSA 1993 Construction Regulations 2014, and accept that my tender will be prejudiced and may be rejected at the discretion of the Employer.

SIGNATURE:

DATE:

(of person authorised to sign on behalf of the Tenderer)

P. TENDERER’S DECLARATION WITH REGARD TO OPERATIONAL ADDRESS

1.1 MUNICIPAL INFORMATION

Municipality where business is situated:

.....

Registered Account Number:

.....

Stand Number:.....

{Proof of residential address must be attached}

1.2 The tenderer/s should indicate with a single tick below which Cost Centre (select only one) the tenderer/s will be rendering his/her services.

| | | | | | | | | | | | |
|---------------------------|-----------------------------|-----------------|---------------|---------------------|-----------------|------------------|------------------|---------------|---------------------|--------------|-----------------|
| PORT SHEPSTONE (DC 21) | PIETERMARITZBURG (DC 22) | ESTCOURT (DC23) | DUNDEE (DC24) | NEWCASTLE (DC25) | ULUNDI (DC 26A) | VRYHEID (DC 26B) | HILUHLUWE (DC27) | ESHOWE (DC28) | KWADUKUZA (DC29) | IXOPO (DC43) | ETHEKWINI (ETH) |
| | | | | | | | | | | | |

Grade 3 to Grade 5 contractors are limited to provide services only in one district as per the above selection. Grade 6 and higher level grades to work across the province.

For Grade 2 to Grade 5 contractors: Failure to indicate your preferred Cost Centre or selecting more than one Cost Centre shall result in the tender being considered non-responsive and rejected in terms of clause C.3.8 of the Conditions of Tender.

PLEASE NOTE:

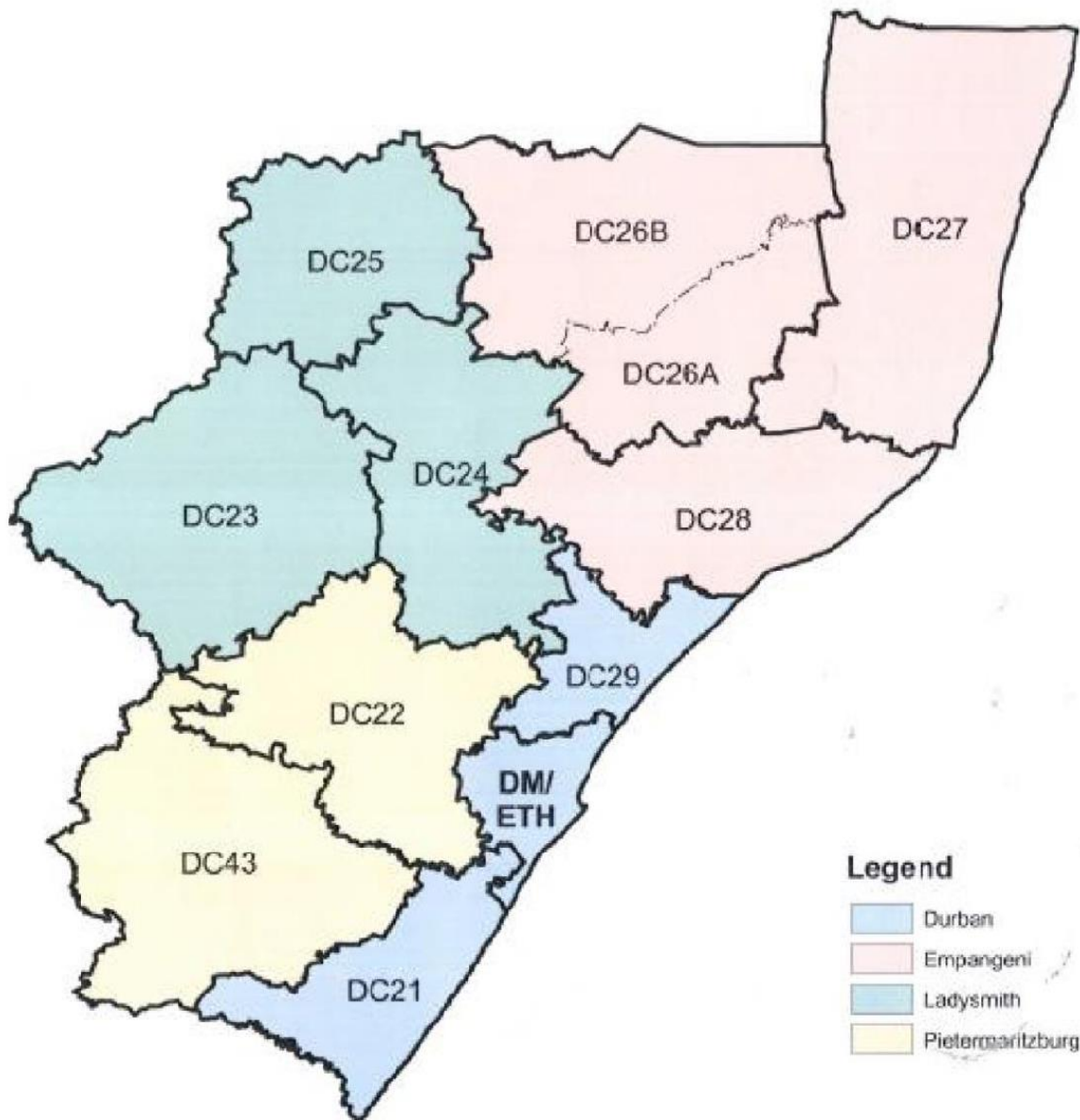
Any appeals regarding the award of this bid should be lodged within 5 working days from the date of the publication of bid results in the Government Tender Bulletin which is published every week on Friday and may be down loaded from the website www.tenderbulletin.gov.za.

The address provided for the lodging of appeals is:

The Chairperson
Bid Appeals Tribunal
Private Bag X9082
Pietermaritzburg
3200

FAX NO.: (033) 897 4501

Super Regions and District Municipalities



Legend

- Durban
- Empangeni
- Ladysmith
- Pietermaritzburg

Durban Super Region:
DC 21 Port Shepstone
DM / ETC Durban Metro / Ethekwini
DC 29 Sanger

Pietermaritzburg Super Region:
DC 22 Pietermaritzburg
DC 43 Ixopo

Ladysmith Super Region:
DC 23 Ladysmith
DC 24 Dundee
DC 25 Newcastle

Empangeni Super Region:
DC 26B Ulundi
DC 26A Vryheid
DC 27 Hluhluwe
DC 28 Eshowe