



## **KWAZULU-NATAL PROVINCE**

**TRANSPORT**  
REPUBLIC OF SOUTH AFRICA

**ZNB001389/00000/00/HOD/INF/22/T: THE APPOINTMENT OF A PROFESSIONAL CIVIL ENGINEERING SERVICE PROVIDER TO PROVIDE TECHNICAL SUPPORT FOR EACH DISTRICT OFFICE FOR A PERIOD OF 3 YEARS.**

**Name of Bidder.....**

**Central Supplier's Database (CSD) No. MAAA.....**

**This tender closes at 11:00 on Saturday 30 July 2022 Department of Transport: Pietermaritzburg Regional Office located at 1 Woodlands Road, Mountain Rise, Pietermaritzburg, 3201  
LATE SUBMISSIONS WILL NOT BE CONSIDERED**

PROVINCE OF KWAZULU-NATAL  
DEPARTMENT OF TRANSPORT

**ZNB001389/00000/00/HOD/INF/22/T:  
THE APPOINTMENT OF A PROFESSIONAL CIVIL ENGINEERING SERVICE PROVIDER TO PROVIDE  
TECHNICAL SUPPORT FOR EACH DISTRICT OFFICE FOR A PERIOD OF 3 YEARS.**

**Tender section of document: Pages T1 – T23**  
**Contract section of document: Pages C1 – C47**

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**DOCUMENT CHECKLIST**

This document checklist is provided to assist the Tenderer.

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

## PART T1: TENDERING PROCEDURES

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**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 which is published every week on Friday and may be downloaded from the website, [www.kzntransport.gov.za](http://www.kzntransport.gov.za) and [www.kzntreasury.gov.za](http://www.kzntreasury.gov.za)

The publication is also published in the following platforms, [www.etenders.gov.za](http://www.etenders.gov.za), [www.kzntransport.gov.za](http://www.kzntransport.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

## T1.1 TENDER NOTICE AND INVITATION TO TENDER

### ZNB001389/00000/00/HOD/INF/22/T: THE APPOINTMENT OF A PROFESSIONAL CIVIL ENGINEERING SERVICE PROVIDER TO PROVIDE TECHNICAL SUPPORT FOR EACH DISTRICT OFFICE FOR A PERIOD OF 3 YEARS.

The Province of KwaZulu-Natal, Department of Transport, requests tender proposals from Professional Civil Engineering Service Providers to provide technical support for each District Office for a period of 3 years.

The tender documents will be available on the e-tender website: name **THE APPOINTMENT OF A PROFESSIONAL CIVIL ENGINEERING SERVICE PROVIDER TO PROVIDE TECHNICAL SUPPORT FOR EACH DISTRICT OFFICE FOR A PERIOD OF 3 YEARS**: Reference number: **ZNB001389/00000/00/HOD/INF/22/T** and on KZNDOT website [www.kzntransport.gov.za](http://www.kzntransport.gov.za) and must be downloaded.

Queries relating to this tender may be addressed to:

Bidding procedure enquiries:	Technical enquiries:
Ms Londiwe Mshengu Telephone: 033 355 8600 E-mail: <a href="mailto:Londiwe.mshengu@kzntransport.gov.za">Londiwe.mshengu@kzntransport.gov.za</a>	Mr Simphiwe Nene and Ms Silindo Mthembu Telephone: 033 355 8615 or 035 787 1442 E-mail: <a href="mailto:Simphiwe.nene@kzntransport.gov.za">Simphiwe.nene@kzntransport.gov.za</a> E-mail: <a href="mailto:Silindo.mthembu@kzntransport.gov.za">Silindo.mthembu@kzntransport.gov.za</a>

**Deadline for the submission of all technical enquiries is the 15<sup>th</sup> July 2022 at 16h00.**

A **Non-Compulsory Clarification Meeting** with representatives of the Employer will be held virtually via MICROSOFT TEAMS application on **05 July 2022** starting at **09h00**.

Meeting Invite Link : <https://bit.ly/ZNB01389> ( The link will be active during the day of the non-compulsory clarification meeting)

The closing time for receipt of tenders is 11:00 on Saturday 30 July 2022. Telegraphic, telephonic, telex, facsimile, electronic, e-mail and late tenders will not be accepted.

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

## T1.2 TENDER DATA

The Tender Data shall be read with the Standard Conditions of Tender in order to expand on the Tenderer's obligations and the Employer's undertakings in administering the tender process in respect of the project under consideration.

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 call for expressions of interest to which it mainly applies.

Clause Number	Governing Regulations
D.1.2	<p>The <b>Tender Documents</b> consist of the following:</p> <p><b>PART T1: SUBMISSION PROCEDURE</b>  T1.1 Notice and Invitation to Tender  T1.2 Submission Data</p> <p><b>PART T2: RETURNABLE DOCUMENTS</b>  T2.1 List of Returnable Documents  T2.2 Submission Schedules</p> <p>(a) <b>Engineering Profession Act No. 46 of 2000</b> (Government Notice No. R. 1821 published in Government Gazette No. 21821 of 1 December 2000).</p> <p>(b) <b>National Treasury Government Procurement General Conditions of Contract</b></p> <p>(c) <b>'COTO Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020)</b>. This document is obtainable separately and Bidders shall obtain their own copy.</p> <p>(d) <b>'Occupational Health and Safety Act No. 85 of 1993', 'Occupational Health and Safety Amendment Act No. 181 of 1993', and the 'Construction Regulations, 2014'</b> (Government Notice No. R. 489 published in Government Gazette No. 40883 of 2 June 2017,). These documents are obtainable separately and Bidders shall obtain their own copies.</p> <p>(e) <b>'Construction Industry Development Board Act No. 38 of 2000'</b> as amended and the <b>'Regulations in terms of the Construction Industry Development Board Act No. 38 of 2000'</b> (Government Notice No. R. 692 published in Government Gazette No. 26427 of 9 June 2004, as amended).</p> <p>In addition, Bidders 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 Bidders to become acquainted with the basics of construction management, the implementation of preferential construction procurement policies, and participation of targeted enterprises and labour.</p>

Clause Number	Governing Regulations
D.1.4	<p>The Employer's Agent is:</p> <p>Name of the firm: KZN Department of Transport            Contact person: Mr Simphiwe Nene / Ms Silindo Mthembu            E-mail: <a href="mailto:Simphiwe.nene@kzntransport.gov.za">Simphiwe.nene@kzntransport.gov.za</a>  <a href="mailto:Silindo.mthembu@kzntransport.gov.za">Silindo.mthembu@kzntransport.gov.za</a></p>
D.2.1	<p>Only those Bidders who satisfy the following criteria are eligible to submit tenders.</p> <p>(a) 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. Prospective suppliers should self-register on the CSD website <a href="http://www.csd.gov.za">www.csd.gov.za</a>.</p>
D.2.5	<p>The arrangements and venue for the <b>Non-Compulsory</b> Clarification Meeting are:</p> <p>Venue: The briefing session will be held virtually via the MICROSOFT TEAMS application.            Date: <b>Tuesday, 05 July 2022 at 09H00 meeting link:</b> <a href="https://bit.ly/ZNB_01389">https://bit.ly/ZNB_01389</a>            Contact person: Ms Londiwe Mshengu            E-mail: <a href="mailto:Londiwe.mshengu@kzntransport.gov.za">Londiwe.mshengu@kzntransport.gov.za</a></p>
D.2.6	<p>All Tenderers that are registered for Value Added Tax (VAT) with the South African Revenue Service (SARS) must include VAT in their tender offer.</p>
D.2.7	<p>D.2.7.1 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>D.2.7.2 The Employer's address for delivery of tender offers and identification details to be shown on each tender offer package are:</p> <p><b>Location of Tender Box:</b> Pietermaritzburg Regional Office  <b>Physical Address:</b> 1 Woodlands Road, Mountain Rise, Pietermaritzburg  <b>Identification Details:</b> ZNB001389/00000/00/HOD/INF/22/T</p>

Clause Number	Governing Regulations
D.2.9	The closing time for submission of Tender Offers is: <b>11:00 on Saturday 30 July 2022</b> Telegraphic, telephonic, telex, facsimile, electronic, e-mail and late tenders will not be accepted.
D.2.16	The tender offer validity period is twelve (12) weeks, calculated from the date of tender closure.
D.3.4	The time and location for opening of tender submissions are: Time: <b>11:00</b> Date: <b>Saturday 30 July 2022</b> Location / Venue: Pietermaritzburg, 1 Woodlands Road, Mountain Rise, Pietermaritzburg, 3201



D.3.6	<p>The legal requirements for acceptance of the tender offer are:</p> <ul style="list-style-type: none"> <li>(i) <b>Tender Defaulters Register</b> - the Bidder 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.</li> <li>(ii) <b>Abuse of the SCM System</b> - the Bidder has <u>not</u> abused the Employer's Supply Chain Management System.</li> <li>(iii) <b>Fraud and Corruption</b> - the Employer is satisfied that the Bidder or any of his principals have <u>not influenced</u> the expressions of interest evaluation and award by the following criteria: <ul style="list-style-type: none"> <li>• having offered, promised or given a bribe or other gift or remuneration to any person in connection with the obtaining of this Contract;</li> <li>• having acted in a fraudulent or corrupt manner in obtaining this Contract;</li> <li>• 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;</li> <li>• 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</li> <li>• having disclosed to any other person, firm or company other than the Employer, the exact or approximate amount of his proposed Tender</li> </ul> </li> </ul> <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>						
D3.7	<p>The evaluation of tender submission will be based on the administrative requirements and the following:-</p> <p><u>Mandatory criteria:</u></p> <ul style="list-style-type: none"> <li>i. National Treasury Central Supplier Database Registration</li> <li>ii. Only Professional Civil Engineering service providers with the valid ECSA Commitment for Undertaking registration for Mentorship.</li> </ul> <table border="1" data-bbox="347 1406 1460 1966"> <thead> <tr> <th data-bbox="347 1406 954 1458">Mandatory criteria</th> <th data-bbox="954 1406 1460 1458">Minimum Requirements</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 1458 954 1727"> <p><b>Lead Civil Engineer/ Project Manager's Experience</b></p> <p><b>NOTES:</b> Experience shall be calculated post qualification.</p> <p>Clear and contactable references to be included.</p> <p><i>Applicable resources, (organogram to be provided with CV's and certified qualifications)</i></p> </td> <td data-bbox="954 1458 1460 1727"> <p>Lead Civil Engineer/ Project Manager (Pr Eng/ Pr Tech Eng/ Pr CPM) with a minimum relevant experience of 6 years post qualification.</p> </td> </tr> <tr> <td data-bbox="347 1727 954 1966"> <p><b>Proposed District Office Resourcing</b></p> <p><i>Applicable resources, (organogram to be provided with CV's and certified qualifications)</i></p> </td> <td data-bbox="954 1727 1460 1966"> <p>Minimum 5 registered personnel with the following professional registration: - Pr Eng or Pr Tech or Pr Techni or Pr CPM</p> </td> </tr> </tbody> </table>	Mandatory criteria	Minimum Requirements	<p><b>Lead Civil Engineer/ Project Manager's Experience</b></p> <p><b>NOTES:</b> Experience shall be calculated post qualification.</p> <p>Clear and contactable references to be included.</p> <p><i>Applicable resources, (organogram to be provided with CV's and certified qualifications)</i></p>	<p>Lead Civil Engineer/ Project Manager (Pr Eng/ Pr Tech Eng/ Pr CPM) with a minimum relevant experience of 6 years post qualification.</p>	<p><b>Proposed District Office Resourcing</b></p> <p><i>Applicable resources, (organogram to be provided with CV's and certified qualifications)</i></p>	<p>Minimum 5 registered personnel with the following professional registration: - Pr Eng or Pr Tech or Pr Techni or Pr CPM</p>
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	<p><b>Mentor</b></p> <p><i>Applicable resources, (organogram to be provided with CV's and certified qualifications)</i></p>	<p>Mentor (Pr Eng or Pr Tech Eng) with a minimum relevant experience of 5 years post registration.</p>									
<p><b>Note:</b> All personnel to be in employ of the bidding enterprise or letter of intent for personnel outside the employ of the bidding enterprise to be included with CV. Bidding with multiple enterprises will not be allowed.. The Department reserve the right to assess the mandatory criteria ongoing to ensure compliance. The Department will check the professional registration with the relevant body. The Department must be apprised immediately if there is any change to the personnel identified in the tender document. Failure to comply with this requirement shall lead to contract termination. Any replacement must have equal or higher experience.</p>											
<p>D3.8</p>	<p><b>OBJECTIVE CRITERIA</b></p> <ul style="list-style-type: none"> <li>- In addition to the lowest price selection, the KwaZulu-Natal Department of Transport applies the objective criteria in the evaluation of bids.</li> <li>- Bidders will only be awarded one district irrespective of qualifying in all districts.</li> <li>- Bidders are therefore requested to rank their preferred district of operation from 1-11.</li> <li>- Allocation to districts will be based on preferred district provided by the bidder according to the price tendered (Refer to Page C45).</li> <li>- The Department reserves the right to award a District Office to a bidder that did not tender the lowest price if the first lowest bidder has been awarded to another District Office.</li> <li>- To ensure value for money, the Department will negotiate prices with service providers who are awarded contracts where the lowest price bidder has been passed over on the basis of the application of the objective criteria in terms of the above paragraphs and market related price.</li> </ul>										
<p>D3.9</p>	<p>The scope of work is summarised in the following table and professional service providers will provide support to CIDB grade 1 to grade 6 contractors work.</p> <table border="1" data-bbox="347 1485 1461 1917"> <thead> <tr> <th data-bbox="347 1485 858 1626">Nature of scope of work</th> <th data-bbox="858 1485 1350 1626">Typical means for service provider to demonstrate capability to perform the contract</th> <th data-bbox="1350 1485 1461 1626">Yes / No</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 1626 858 1798"> <p><b>Simple/straightforward/routine work</b> - 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.</p> </td> <td data-bbox="858 1626 1350 1798"> <p>Basic level of professional and technical qualifications and experience.</p> </td> <td data-bbox="1350 1626 1461 1798"> <p><b>Yes</b></p> </td> </tr> <tr> <td data-bbox="347 1798 858 1917"> <p><b>Complex work</b> - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.</p> </td> <td data-bbox="858 1798 1350 1917"> <p>Considerable skill and expertise to carry out the work with demonstrated experience in comparable projects.</p> </td> <td data-bbox="1350 1798 1461 1917"> <p><b>Yes</b></p> </td> </tr> </tbody> </table>		Nature of scope of work	Typical means for service provider to demonstrate capability to perform the contract	Yes / No	<p><b>Simple/straightforward/routine work</b> - 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.</p>	<p>Basic level of professional and technical qualifications and experience.</p>	<p><b>Yes</b></p>	<p><b>Complex work</b> - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.</p>	<p>Considerable skill and expertise to carry out the work with demonstrated experience in comparable projects.</p>	<p><b>Yes</b></p>
Nature of scope of work	Typical means for service provider to demonstrate capability to perform the contract	Yes / No									
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<p><b>Complex work</b> - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.</p>	<p>Considerable skill and expertise to carry out the work with demonstrated experience in comparable projects.</p>	<p><b>Yes</b></p>									

	<p><b>Specialist work</b> - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact.</p>	<p>As for specialist project plus response to (ability to relate to) the proposed scope of work/project design/approach paper which establishes the way the Bidder or tenderer intends to perform the contract and adequacy of proposed work plan and proposed methodology.</p>	<p><b>Yes</b></p>
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## 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 Employer in C1.2.2.
- (d) Contract Specific Data Provided by the Consultant in C1.2.3.
- (e) Pricing Data in C2.2: Bill of Quantities.

## T2.2 RETURNABLE SCHEDULES

A	RECORD OF ADDENDA TO TENDER DOCUMENTS.....	T12
B	COMPULSORY ENTERPRISE QUESTIONNAIRE.....	T13
C	STANDARD BIDDING DOCUMENTS .....	T14
	SBD 1: INVITATION TO BID.....	T14
	SBD 4: BIDDER'S DISCLOSURE .....	T17
	SBD 5: THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME ( <i>where applicable</i> ) .....	T20
D	CERTIFICATE OF AUTHORITY FOR SIGNATORY.....	T22

NOTE: The Bidder 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 in terms of subclause D.2.8.

**A. RECORD OF ADDENDA TO TENDER DOCUMENTS**

The undersigned confirm that the following communications received from the Employer or his representative before the date of submission of this tender offer, amending the tender documents, have been considered in this tender offer. ***(Addenda can only be issued following approval from the Employer. The Employer’s representative is not allowed to issue addenda to bidders without prior approval in terms of the SCM Delegations).***

ADDENDUM NO.	DATE	TITLE OR DETAILS

Signed		Date	
Name		Position	
Bidder			

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

**Failure to complete, sign and date this form or failure to acknowledge receipt of each Addendum issued shall result in the Tender being considered non-responsive in terms of subclause D.2.8 of the Conditions for the Tender and such a Tender shall be rejected.**

**B. 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.**

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	
<i>Enterprise name</i>			

**Failure to complete, sign and date this form shall result in the Tender being considered non-responsive in terms of subclause D.2.8 of the Conditions for the calling of Tender and such a Tender shall be rejected.**

**C. 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:	ZNB001389/00000/00/HOD/INF/22/T	CLOSING DATE:	30 July 2022	CLOSING TIME: 11:00
DESCRIPTION	THE APPOINTMENT OF A PROFESSIONAL CIVIL ENGINEERING SERVICE PROVIDER TO PROVIDE TECHNICAL SUPPORT FOR EACH DISTRICT OFFICE FOR A PERIOD OF 3 YEARS.			
TENDER RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)				
Pietermaritzburg Regional Office		Monday to Friday: 08:00 until 16:00 Up to 11:00 on the date of closure		
1 Woodlands Road, Mountain Rise		Under no circumstances must suppliers submit their Tender offers/ responses to the official whose name appears on the enquiries.		
Pietermaritzburg 3201				
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO		TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ms Londiwe Mshengu	CONTACT PERSON	Mr Simphiwe Nene	
TELEPHONE NUMBER	033 355 0484	TELEPHONE NUMBER	033 355 8615	
FACSIMILE NUMBER	033 342 6595	FACSIMILE NUMBER	033 342 6595	
E-MAIL ADDRESS	<a href="mailto:Londiwe.Mshengu@Kzntransport.gov.za">Londiwe.Mshengu@Kzntransport.gov.za</a>	E-MAIL ADDRESS	<a href="mailto:simphiwe.nene@Kzntransport.gov.za">simphiwe.nene@Kzntransport.gov.za</a>	
<b>SUPPLIER INFORMATION</b>				
NAME OF BIDDER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		O R 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
<b>[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EME &amp; QSE) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]</b>				
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]

/SERVICES /WORKS OFFERED?		/SERVICES /WORKS OFFERED?	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>			
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> NO			<input type="checkbox"/> YES
DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> NO			<input type="checkbox"/> YES
DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> NO			<input type="checkbox"/> YES
DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> NO			<input type="checkbox"/> YES
IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> NO			<input type="checkbox"/> YES
<b>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.</b>			
<b>YOU ARE HEREBY INVITED TO TENDER FOR REQUIREMENTS OF THE KWAZULU-NATAL DEPARTMENT OF TRANSPORT</b>			



**PART B**  
**TERMS AND CONDITIONS FOR BIDDING**

<b>1. BID SUBMISSION:</b>
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. <b>ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED-(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.</b>
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. (NOT APPLICABLE)
1.4. IF THE BID WAS INVITED THROUGH A CLOSE QUOTATION PROCESS; WHERE SUPPLIERS WERE SOURCED FROM CSD USING THE COMMODITY PROCESS; SUPPLIERS WHO WERE NOT INVITED WILL NOT BE CONSIDERED.
1.5. USE OF OMISSION IN THE DOCUMENT IS PROHIBITED, ALL CORRECTIONS MUST BE INITIALLED BY TENDERR AND USE OF CORRECTION FLUID IS PROHIBITED.
1.6. FAILING TO COMPLY WITH THE ABOVE REQUIREMENTS WILL RESULT IN THE BID BEING NON-RESPONSIVE.
1.7. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT</b>
<b>2. TAX COMPLIANCE REQUIREMENTS</b>
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."
<b>3. COMPLIANCE AND RETURNABLES: THE FOLLOWING RETURNABLE DOCUMENTS MUST RETURNED WITH THE TENDER DOCUMENT</b>
3.1 SCM APPENDIX 1 INVITATION TO TENDER (SBD1 PART A)
3.2 SCM APPENDIX 2 – TERMS AND CONDITIONS FOR BIDDING (SBD1 PART B)
3.3 SCM APPENDIX 3 – OFFICIAL BRIEFING SESSION/SITE INSPECTION CERTIFICATE

**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: .....

**SBD 4**

**BIDDER'S DISCLOSURE**

**BIDDER'S DISCLOSURE**

**1. PURPOSE OF THE FORM**

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

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

**2. Bidder's declaration**

2.1 Is the bidder, or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest<sup>1</sup> in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

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

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

2.2.1 If so, furnish particulars:

.....  
.....

2.3 Does the bidder or any of its directors / trustees / shareholders / members / partners or any person having a controlling interest in the enterprise have any interest in any other related enterprise whether or not they are bidding for this contract?

**YES/NO**

2.3.1 If so, furnish particulars:

.....  
.....

**3 DECLARATION**

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

- 3.1 I have read and I understand the contents of this disclosure;
- 3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;
- 3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium<sup>2</sup> will not be construed as collusive bidding.
- 3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.
- 3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.
- 3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring institution in relation to this procurement process prior to and during the bidding process except to provide clarification on the bid submitted where so required by the institution; and the bidder was not involved in the drafting of the specifications or terms of reference for this bid.
- 3.6 I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are

<sup>2</sup> Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

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

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME IN TERMS OF PARAGRAPH 6 OF PFMA SCM INSTRUCTION 03 OF 2021/22 ON PREVENTING AND COMBATING ABUSE IN THE SUPPLY CHAIN MANAGEMENT SYSTEM SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....	.....
Signature	Date
.....	.....
Position	Name of bidder

***Every question must be answered individually on this form, whether a relationship is present or not:  
Failure to do so will invalidate your tender/bid***

This document must be signed and submitted together with your tender document.

## THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

### INTRODUCTION

The National Industrial Participation (NIP) Programme, which is applicable to all government procurement contracts that have an imported content, became effective on the 1 September 1996. The NIP policy and guidelines were fully endorsed by Cabinet on 30 April 1997. In terms of the Cabinet decision, all state and parastatal purchases / lease contracts (for goods, works and services) entered into after this date, are subject to the NIP requirements. NIP is obligatory and therefore must be complied with. The Industrial Participation Secretariat (IPS) of the Department of Trade and Industry (DTI) is charged with the responsibility of administering the programme.

### 1 PILLARS OF THE PROGRAMME

- 1.1 The NIP obligation is benchmarked on the imported content of the contract. Any contract having an imported content equal to or exceeding US\$ 10 million or other currency equivalent to US\$ 10 million will have a NIP obligation. This threshold of US\$ 10 million can be reached as follows:
- (a) Any single contract with imported content exceeding US\$10 million.
  - or
  - (b) Multiple contracts for the same goods, works or services each with imported content exceeding US\$3 million awarded to one seller over a 2-year period which in total exceeds US\$10 million.
  - or
  - (c) A contract with a renewable option clause, where should the option be exercised the total value of the imported content will exceed US\$10 million.
  - or
  - (d) Multiple suppliers of the same goods work or services under the same contract, where the value of the imported content of each allocation is equal to or exceeds US\$ 3 million worth of goods, works or services to the same government institution, which in total over a two (2) year period exceeds US\$10 million.
- 1.2 The NIP obligation applicable to suppliers in respect of sub-paragraphs 1.1 (a) to 1.1 (c) above will amount to 30 % of the imported content whilst suppliers in respect of paragraph 1.1 (d) shall incur 30 % of the total NIP obligation on a *pro-rata* basis.
- 1.3 To satisfy the NIP obligation, the DTI would negotiate and conclude agreements such as investments, joint ventures, sub-contracting, licensee production, export promotion, sourcing arrangements and research and development (R&D) with partners or suppliers.
- 1.4 A period of seven years has been identified as the time frame within which to discharge the obligation.

### 2 REQUIREMENTS OF THE DEPARTMENT OF TRADE AND INDUSTRY

- 2.1 In order to ensure effective implementation of the programme, successful Bidders (contractors) are required to, immediately after the award of a contract that is in excess of **R10 million** (ten million Rands), submit details of such a contract to the DTI for reporting purposes.
- 2.2 The purpose for reporting details of contracts in excess of the amount of R10 million (ten million Rands) is to cater for multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as provided for in paragraphs 1.1.(b) to 1.1. (d) above.

**3 BID SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF BIDDERS AND SUCCESSFUL BIDDERS (CONSULTANTS)**

- 3.1 Bidders are required to sign and submit this Standard Bid Document (SBD 5) together with the tender document on the closing date and time.
- 3.2 In order to accommodate multiple contracts for the same goods, works or services; renewable contracts and multiple suppliers for the same goods, works or services under the same contract as indicated in sub-paragraphs 1.1 (b) to 1.1 (d) above and to enable the DTI in determining the NIP obligation, successful Bidders (contractors) are required, immediately after being officially notified about any successful Expression of Interest with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:
- Expression of Interest / contract number.
  - Description of the goods, works or services.
  - Date on which the contract was accepted.
  - Name, address and contact details of the government institution.
  - Value of the contract.
  - Imported content of the contract, if possible.
- 3.3 The information required in paragraph 3.2 above must be sent to the Department of Trade and Industry, Private Bag X 84, Pretoria, 0001 for the attention of Mr Elias Malapane within five (5) working days after award of the contract. Mr Malapane may be contacted on telephone (012) 394 1401, facsimile (012) 394 2401 or e-mail at [Elias@thedti.gov.za](mailto:Elias@thedti.gov.za) for further details about the programme.

**4 PROCESS TO SATISFY THE NIP OBLIGATION**

- 4.1 Once the successful Bidder (contractor) has made contact with and furnished the DTI with the information required, the following steps will be followed:
- a. the contractor and the DTI will determine the NIP obligation;
  - b. the contractor and the DTI will sign the NIP obligation agreement;
  - c. the contractor will submit a performance guarantee to the DTI;
  - d. the contractor will submit a business concept for consideration and approval by the DTI;
  - e. upon approval of the business concept by the DTI, the contractor will submit detailed business plans outlining the business concepts;
  - f. the contractor will implement the business plans; and
  - g. the contractor will submit bi-annual progress reports on approved plans to the DTI.
- 4.2 The NIP obligation agreement is between the DTI and the successful Bidder (contractor) and, therefore, does not involve the purchasing institution.

Bid number .....	Closing date: .....
Name of Bidder.....	
Postal address .....	
.....	
Signature.....	Name (in print).....
Date.....	

**D. 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	

**Note:**

The following document must be attached to this form according to the status of the enterprise, in the form of a resolution authorising the signatory to sign all documents in connection with this bid and any contract resulting therefrom on behalf of the enterprise, and **such resolution shall include a specimen signature of the signatory.**

Cooperative: 'Resolution of the Members'  
 Close Corporation: 'Resolution of the Members'  
 Company: 'Resolution of the Board' signed by the chairperson  
 Joint Venture / Consortium: 'Resolution/agreement passed/reached' signed by the authorised representatives of the enterprises

**Failure to complete, sign and date this form and failure to provide the certificate(s) in the form of resolution as described above shall result in the Tender being considered non-responsive in terms of subclause D.3.8 of the Conditions for the Tender and such a Tender shall be rejected.**

**MEMBERS RESOLUTION**

Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader Name: \_\_\_\_\_ Registration

Number: \_\_\_\_\_ RESOLUTION OF THE  
DIRECTORS OF THE COMPANY etc RESOLVED that  
\_\_\_\_\_, in his/her capacity as  
\_\_\_\_\_, is authorised to make applications on behalf of  
the Close Corporation / Company / Partnership / Trust /Sole proprietor or sole trader for: any documentation  
relating to the business (which is not necessarily a change of ownership). The nominated person will also  
have access to webpage for the business.

Signature(s) for Close Corporation / Company / Partnership / Trust/ Sole proprietor or sole trader.  
*(sole member still must sign this resolution)*

Signature of members:  
Name

Signature

- |          |       |
|----------|-------|
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |

**Failure to complete, sign or date this form and failure to provide the certificate(s) in the form of resolution as described above shall result in the Tender being considered non-responsive in terms of subclause D.3.8 of the Conditions for the calling of Tender and such a Tender shall be rejected.**



