



## KWAZULU-NATAL PROVINCE

TRANSPORT  
REPUBLIC OF SOUTH AFRICA

**CONTRACT NO. ZNB01200/00000/00/HOD/INF/21/T: UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION**

**CIDB GRADE 9CE or higher**

**Name of Tenderer: .....**

**This tender closes at 11:00 on Friday 17 June 2022 at the offices of the Department of Transport located at 172 Burger Street, Pietermaritzburg, 3200**

**LATE SUBMISSIONS WILL NOT BE CONSIDERED**

**Issued by:**

**The Department of Transport**  
172 Burger Street  
PIETERMARITZBURG  
3201

Contact Name: Mr B. Myeza  
Telephone: 033 355 0573

**Prepared by:**

**Ilifa Africa Engineers (Pty) Ltd**  
35A Piet Retief Street  
HARRISMITH  
9880

Contact Name: Mr A. Poortman  
Telephone: 058 622 1297



PROVINCE OF KWAZULU-NATAL  
DEPARTMENT OF TRANSPORT

CONTRACT NO. ZNB01200/00000/00/HOD/INF/21/T: UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION

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C4.3 Existing Services Report	Green
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C4.5 Traffic Information	Green

**DOCUMENT CHECKLIST**

This document checklist is provided to assist the Tenderer.

	<b>ITEMS</b>	<b>CHECKED</b>
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 Contractor .....	<input type="checkbox"/>

## PART T1: TENDERING PROCEDURES

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T1.2	TENDER DATA .....	T6

**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, [e-tenderportal /www.kzntransport.gov.za](http://www.kzntransport.gov.za).

The publication is also published in the following platforms, [www.tenderbulletin.gov.za](http://www.tenderbulletin.gov.za) and [www.cidb.org.za/](http://www.cidb.org.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

### **CONTRACT NO. ZNB01200/00000/00/HOD/INF/21/T: UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION**

The Province of KwaZulu-Natal, Department of Transport, invites tenders from contractors, experienced in roadworks, for the construction UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION. This project is in the province of KwaZulu-Natal in the district municipality of Harry Gwala and local municipality of Dr Nkosazana Dlamini-Zuma. The duration of the project is 24 months.

Only tenderers that satisfy the eligibility criteria stipulated in clause C.2.1 of the Tender Data are eligible to have their tenders considered.

Tenders must have a minimum CIDB contractor grading designation of 9CE or higher.

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

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

Tender documents will be available as from **10:00 on Friday 27 May 2022** 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.

Free download of tender documents will be available on the [www.kzntransport.gov.za](http://www.kzntransport.gov.za) and [www.etenders.gov.za](http://www.etenders.gov.za) website and must be downloaded. A non-refundable tender deposit fee of R820 payable in cash or by bank guaranteed cheque made out in favour of 'Province of KwaZulu-Natal' is payable if you wish to physical collect the tender documents.

Queries relating to this tender may be addressed to:

Bidding procedure enquiries:	Technical enquiries:
Mr Bongumusa Myeza Telephone: 033 355 0573 E-mail: <a href="mailto:bongumusa.myeza@kzntransport.gov.za">bongumusa.myeza@kzntransport.gov.za</a>	Mr Arno Poortman Telephone: 058 622 1297 E-mail: <a href="mailto:arno@ilifa.biz">arno@ilifa.biz</a>

A compulsory Clarification Meeting with representatives of the Employer will be held virtually via MICROSOFT TEAMS application on **Tuesday 07 June 2022** starting at **09h00**. It is the responsibility of the bidder to ensure that they have network connectivity and power to log into the meeting on time. No latecomers will be admitted.

Meeting Invite Link : <https://bit.ly/ZNB01200>

The closing time for receipt of tenders is **11:00 on Friday 17 June 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.

## CLARIFICATION MEETING DETAIL AND PROJECT LOCALITY MAP

Time and date: 07 June 2022 starting at 09h00

Meeting Invite Link: <https://bit.ly/ZNB01200>

Access to the Site can be obtained from P7/3, Main Road P419 traverses hilly to mountainous terrain in a rural area of KwaZulu-Natal between the R617 (P7-3) and P612 (P23-1), linking Deepdale and Donnybrook. The total length of road P419 is approximately 24.0km. Main Road P419 can be seen indicated in pink in Figure 1.1 Below.

Km	Latitude	Longitude
Km 4.15	29°46'29.82"S	29°52'20.49"E
Km 9.64	29°48'45.48"S	29°52'9.59"E
Km 16.6	29°51'24.90"S	29°51'0.61"E
Km 22.1	29°51'48.04"S	29°48'11.88"E

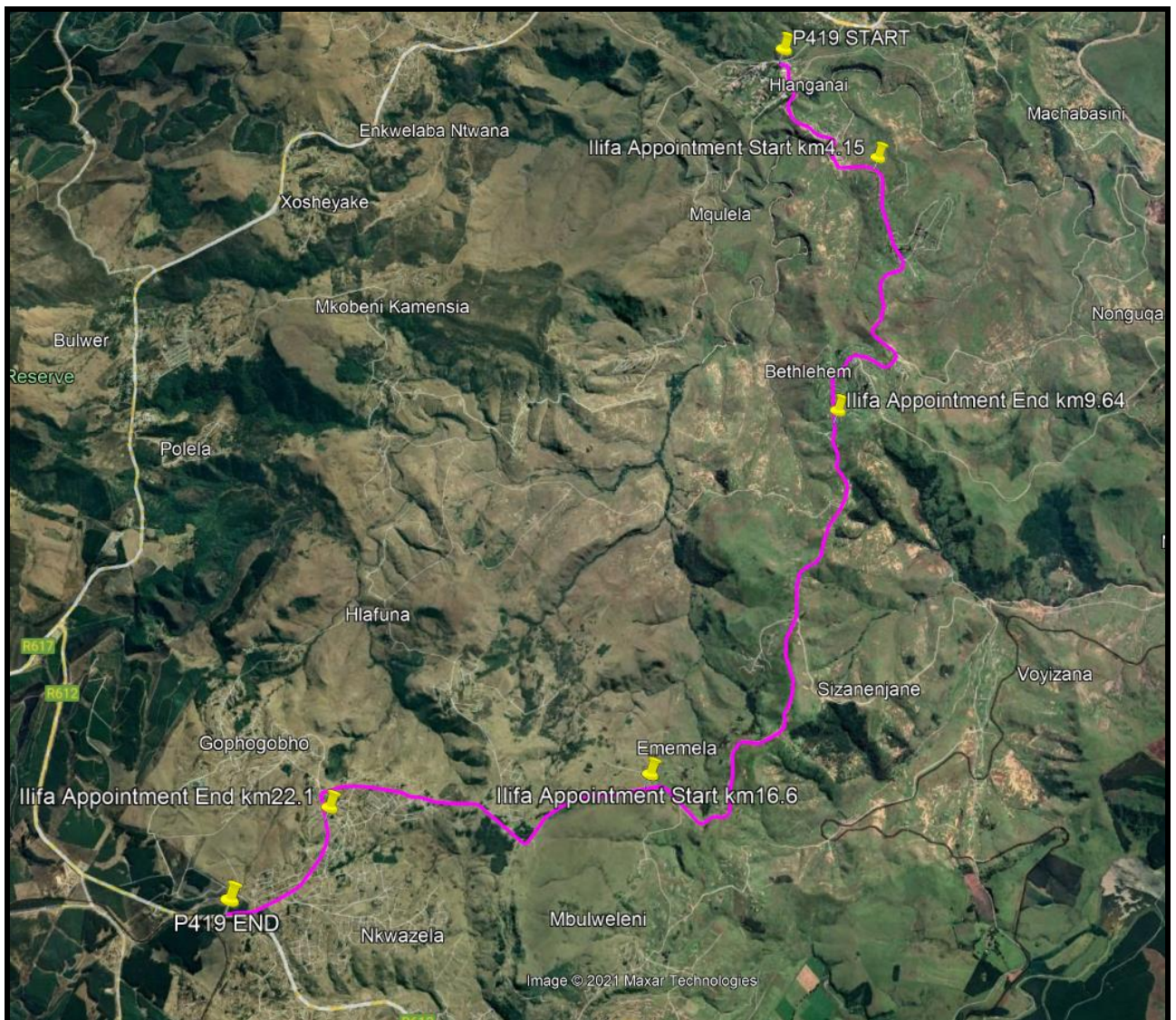


Figure 1.1 – Locality Plan of Main Road P419

## 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 <b>Tender Documents</b> consist of the following:</p> <p>(a) This <b>Project Document</b>, which contains the following:</p> <p><b>PART T1: TENDERING PROCEDURES</b>  T1.1 Tender Notice and Invitation to Tender  T1.2 Tender Data</p> <p><b>PART T2: RETURNABLE DOCUMENTS</b>  T2.1 List of Returnable Documents  T2.2 Returnable Schedules</p> <p><b>PART C1: AGREEMENTS AND CONTRACT DATA</b>  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><b>PART C2: PRICING DATA</b>  C2.1 Pricing Assumptions  C2.2 Bill of Quantities</p> <p><b>PART C3: SCOPE OF WORK</b>  C3.1 Standard Specifications  C3.2 Project Specifications  C3.3 Particular Specifications</p> <p><b>PART C4: SITE INFORMATION</b>  C4.1 Locality Plan  C4.2 Example of Contract Signboard Details  C4.3 Existing Services Report  C4.4 Conditions on Site: Materials Information  C4.5 Traffic Information</p> <p>(b) <b>Drawings</b> (issued separately by the Employer).</p> <p>(c) <b>'General Conditions of Contract for Construction Works, Third Edition (2015)'</b> 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) <b>‘Standard Specifications for Road and Bridge Works for South African Road Authorities (Draft Standard) (October 2020)</b>. This document is obtainable separately and Tenderers shall obtain their own copy.</p> <p>(e) <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 Tenderers shall obtain their own copies.</p> <p>(f) <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, 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 labour.</p>
C.1.4	<p>The Employer’s Agent is:</p> <p>Name of the firm: Ilifa Africa Engineers (Pty) Ltd            Contact person: Mr J. Olivier            Telephone: 058 622 1297            E-mail: <a href="mailto:johan@ilifa.biz">johan@ilifa.biz</a></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 9, for a CE 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;            (ii) the lead partner has a contractor grading designation in the 9CE class of construction work; 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            (iii) the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than 9 for a CE class of construction work.</p> <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 <a href="http://www.csd.gov.za">www.csd.gov.za</a>.</p>



Clause Number	Data
C.2.7	<p>The arrangements and venue for the compulsory Clarification Meeting are:</p> <p>Venue: Due to risk associated with COVID19 pandemic, the briefing session will be held virtually via the MICROSOFT TEAMS application.</p> <p>Date: <b>Tuesday, 07 June 2022 at 09H00 for (Log in time: 08H30 to 09H00); meeting link: <a href="https://bit.ly/ZNB01200">https://bit.ly/ZNB01200</a></b></p> <p>Contact person: Mr Bongumusa Myeza</p> <p>Telephone: 033 355 0573</p> <p>Fax: 033 345 7537</p> <p>E-mail: <a href="mailto:bongumusa.myeza@kzntransport.gov.za">bongumusa.myeza@kzntransport.gov.za</a></p>
C.2.10	<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>
C.2.11	<p>The tenderer shall not retype the tender document.</p> <p><b><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></b></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><b>Location of Tender Box:</b> Outside the Foyer, KZN Department of Transport</p> <p><b>Physical Address:</b> 172 Burger Street, Pietermaritzburg</p> <p><b>Identification Details:</b> Contract No. ZNB01200/00000/00/HOD/INF/20/T</p> <p>C.2.13.6 A two-envelope system <u>will NOT</u> be followed.</p>
C.2.15	<p>The closing time for submission of Tender Offers is: <b>11:00 on Friday 17 June 2022</b></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-enhanced 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>

Clause Number	Data								
C.3.4	<p>The time and location for opening of the tender submissions are: Time: <b>11:00</b>                      Date: <b>Friday 17 June 2022</b></p> <p>Location / Venue: Acquisition Section, 'B' Block Boardroom, 172 Burger Street, Pietermaritzburg, 3201</p>								
C.3.5	A two-envelope system will NOT be followed.								
C.3.8	<p>A material deviation or qualification is one which, in the employer's opinion, would:</p> <ul style="list-style-type: none"> <li>a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the scope of work,</li> <li>b) significantly change the employer's or the tenderer's risks and responsibilities under the contract, or</li> <li>c) affect the competitive position of other tenderers presenting responsive tenders, if it were to be rectified.</li> </ul>								
C3.11.1	<p>The evaluation of tender offers will be based on administrative compliance, functionality, price and preference.</p> <p>(a) <u>Functionality (Returnable Schedule O – Technical Proposal</u></p> <p>The scope of work for this contract is classified in the following table.</p> <table border="1" data-bbox="347 981 1449 1236"> <thead> <tr> <th data-bbox="347 981 1273 1012"><i>Please mark appropriate:</i></th> <th data-bbox="1279 981 1449 1012">YES / NO</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 1021 1273 1102"><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.</td> <td data-bbox="1279 1021 1449 1102" style="text-align: center;"><b>NO</b></td> </tr> <tr> <td data-bbox="347 1111 1273 1169"><b>Complex work</b> - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.</td> <td data-bbox="1279 1111 1449 1169" style="text-align: center;"><b>YES</b></td> </tr> <tr> <td data-bbox="347 1178 1273 1236"><b>Specialist work</b> - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact.</td> <td data-bbox="1279 1178 1449 1236" style="text-align: center;"><b>YES</b></td> </tr> </tbody> </table> <p>The functionality criteria and weighting for each of the sub-criteria on which the Technical Proposal submitted with Returnable Schedule O will be evaluated, is indicated in the following table.</p>	<i>Please mark appropriate:</i>	YES / NO	<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.	<b>NO</b>	<b>Complex work</b> - characterised by requirements for higher levels of skills, greater resources or not well-defined inputs and outputs.	<b>YES</b>	<b>Specialist work</b> - requiring considerable innovation, creativity, and expertise or skill (or both) or work that has a high downstream impact.	<b>YES</b>
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Clause Number	Data																				
	<b><u>This table is applicable to Complex and Specialist work.</u></b>																				
	<table border="1" style="width: 100%;"> <thead> <tr> <th style="text-align: left;">Functionality Criteria</th> <th style="text-align: left;">Weighting</th> </tr> </thead> <tbody> <tr> <td><b>Key Personnel:</b></td> <td><b>Contracts Manager (weight = 25):</b></td> </tr> <tr> <td>Qualifications</td> <td>Must be professionally registered with ECSA and / or SACPCMP (Pr Eng / Pr Tech Eng / Pr Techni / Pr CPM or Pr CM only)</td> </tr> <tr> <td>Projects Implementation Experience</td> <td></td> </tr> <tr> <td>Construction Experience</td> <td>Years of relevant experience - calculated post qualification:            10 years and above = 5            9 years = 4            8 years = 3            7 years = 2            6 years = 1            0-5 years = 0</td> </tr> <tr> <td></td> <td><b>Construction Manager (Senior Site Agent) (weight = 20):</b></td> </tr> <tr> <td></td> <td>Minimum LIC NQF 5 "Manage Labour-Intensive Construction Processes" or equivalent Quality Council for Trades and Occupations (QCTO) qualifications at NQF level 5 or 7.             Years of relevant experience:            13 years and above = 5            11-12 years = 4            9-10 years = 3            7-8 years = 2            5-6 years = 1            0-4 years = 0</td> </tr> <tr> <td></td> <td><b>Foreman / Supervisor (weight = 15):</b></td> </tr> <tr> <td></td> <td>Minimum LIC NQF level 4 "National Certificate: Supervision of Civil Engineering Construction Processes";             Years of relevant experience::            5 years and above = 5            4 years = 4            3 years = 3            2 years = 2            1 years = 1            0 years = 0</td> </tr> <tr> <td></td> <td style="text-align: center;"><b>Score = 25(point/5) + 20(point/5) + 15(point/5)</b></td> </tr> </tbody> </table>	Functionality Criteria	Weighting	<b>Key Personnel:</b>	<b>Contracts Manager (weight = 25):</b>	Qualifications	Must be professionally registered with ECSA and / or SACPCMP (Pr Eng / Pr Tech Eng / Pr Techni / Pr CPM or Pr CM only)	Projects Implementation Experience		Construction Experience	Years of relevant experience - calculated post qualification: 10 years and above = 5 9 years = 4 8 years = 3 7 years = 2 6 years = 1 0-5 years = 0		<b>Construction Manager (Senior Site Agent) (weight = 20):</b>		Minimum LIC NQF 5 "Manage Labour-Intensive Construction Processes" or equivalent Quality Council for Trades and Occupations (QCTO) qualifications at NQF level 5 or 7.  Years of relevant experience: 13 years and above = 5 11-12 years = 4 9-10 years = 3 7-8 years = 2 5-6 years = 1 0-4 years = 0		<b>Foreman / Supervisor (weight = 15):</b>		Minimum LIC NQF level 4 "National Certificate: Supervision of Civil Engineering Construction Processes";  Years of relevant experience:: 5 years and above = 5 4 years = 4 3 years = 3 2 years = 2 1 years = 1 0 years = 0		<b>Score = 25(point/5) + 20(point/5) + 15(point/5)</b>
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Clause Number	Data	
	<p><b>Tenderers Relevant Experience:</b></p> <p><b>(Construction) Previous Similar Projects</b> <i>The evaluation will consider the nature of the reference projects, scope of services provided, and Employer/Client completion certificate.</i></p> <p>(Appointment letters and Final Approval Certificates to be provided with contact details of references.</p> <p><b>(Appointment letters and Final Approval Certificates for projects completed older than 15 years will not be considered as proof of experience)</b></p>	<p>List number of completed Road Upgrades projects</p> <p><b>CONSTRUCTION EXPERIENCE (weight = 40):</b></p> <p>Appointment Letters and Final Approval Certificates for 5 projects and above = 5            Appointment Letters and Final Approval Certificates for 4 projects = 4            Appointment Letters and Final Approval Certificates for 3 projects = 3            Appointment Letters and Final Approval Certificates for 2 projects = 2            Appointment Letters and Final Approval Certificates for 1 project = 1            Appointment Letters and Final Approval Certificates for 0 projects = 0</p> <p>Score = 40(point/5)</p>
	TOTAL	<p>Maximum score = 100</p> <p>Individual Score = weight(points/5)</p> <p>Maximum score = sum of all individual scores</p>
<p><b>NB: Tenderers scoring 60% and above of the functionality score will qualify for further evaluation AND it is mandatory that at least 10% of this score must be from the Tenderers Relevant Experience.</b></p>		
<p>Note: 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 will disregard all experience of duplicated personnel. The Department reserve the right to assess the functionality ongoing to ensure compliance. 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>		

Clause Number	Data
C.3.13	<p>(e) 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 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.</li> <li>(ii) <b>Abuse of the SCM System</b> - 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.</li> <li>(iii) <b>Declaration</b> - the Tenderer has indicated and declared whether a spouse, child or parent of the Tenderer is in the service of the State.</li> <li>(iv) <b>Fraud and Corruption</b> - 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: <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>
C.3.17	The number of paper copies of the signed contract to be provided by the Employer is <b>one (1)</b> .

## **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	PROOF OF ATTENDANCE AT COMPULSORY VIRTUAL BRIEFING.....	T15
B	RECORD OF ADDENDA TO TENDER DOCUMENTS.....	T16
C	COMPULSORY ENTERPRISE QUESTIONNAIRE.....	T17
D	STANDARD BIDDING DOCUMENTS .....	T18
	SBD 1: INVITATION TO BID.....	T18
	SBD 4: DECLARATION OF INTEREST .....	T20
	SBD 5: THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME .....	T23
E	CERTIFICATE OF AUTHORITY FOR SIGNATORY.....	T25
F	DESIGN AND CONSTRUCTION EXPERIENCE .....	T27
G	KEY PERSONNEL.....	T28
H	CONSTRUCTION EQUIPMENT .....	T31
I	PARTICIPATION IN JOB CREATION USING LOCAL LABOUR .....	T32
J	BIDDERS HEALTH AND SAFETY DECLARATION.....	T34
K	DEVIATIONS AND QUALIFICATIONS.....	T36
L	SCHEDULE OF ALTERNATIVE TENDERS.....	T37
M	TECHNICAL PROPOSAL .....	T38

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.: **ZNB01200/00000/00/HOD/INF/21/T**

Service: **UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION**

\*\*\*\*\*

**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.

It is the responsibility of the bidder to ensure that they have network connectivity and power to log into the meeting on time.

**Date: 07 June 2022**

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

**Grade: 9CE**

**Meeting log in link: <http://bit.ly/ZNB01200>**

### **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.



**B. 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

SIGNATURE: .....

DATE: .....

*(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 and rejected in terms of clause C.3.8 of the Conditions of 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.			
<b>Section 1: Name of enterprise:</b>			
<b>Section 2: VAT registration number, if any:</b>			
<b>Section 3: CIDB registration number, if any:</b>			
<b>Section 4: CSD number:</b>			
<b>Section 5: Particulars of sole proprietors and partners in partnerships:</b>			
<b>Name*</b>	<b>Identity number*</b>	<b>Personal income tax number*</b>	
<i>* Complete only if sole proprietor or partnership and attach separate page if more than 3 partners</i>			
<b>Section 6: Particulars of companies and close corporations</b>			
Company registration number:			
Close corporation number:			
Tax reference number:			
<b>Section 7: SBD4 issued by National Treasury must be completed for each tender and be attached as a tender requirement.</b>			
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**

<b>YOU ARE HEREBY INVITED TO TENDER FOR REQUIREMENTS OF THE KWAZULU-NATAL DEPARTMENT OF TRANSPORT</b>					
<b>BID NUMBER:</b>	ZNB01200/00000/00/HOD/INF/21/T	<b>CLOSING DATE:</b> 20 S	<b>CLOSING TIME:</b>	11:00	
<b>DESCRIPTION</b>	UPGRADING OF MAIN ROAD P419 FROM GRAVEL TO BLACKTOP BETWEEN KM 4.150 AND KM 9.640 AND KM 16.600 AND KM 22.100 IN THE PIETERMARITZBURG REGION				
<b>TENDER RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)</b>					
Ixopo Cost Centre			<i>Monday to Friday: 08:00 until 16:00</i>		
23 High Street			<i>Under no circumstances must suppliers submit their Tender offers/ responses to the official whose name appears on the enquiries.</i>		
Ixopo					
3276					
<b>BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO</b>			<b>TECHNICAL ENQUIRIES MAY BE DIRECTED TO:</b>		
CONTACT PERSON	Mrs Londiwe Mshengu		CONTACT PERSON	Arno Poortman	
TELEPHONE NUMBER	033 355 8600		TELEPHONE NUMBER	058 622 1297	
FACSIMILE NUMBER	033 345 7537		FACSIMILE NUMBER	N/A	
E-MAIL ADDRESS	<a href="mailto:Londiwe.Mshengu@Kzntransport.gov.za">Londiwe.Mshengu@Kzntransport.gov.za</a>		E-MAIL ADDRESS	<a href="mailto:arno@ilifa.biz">arno@ilifa.biz</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:		OR	CENTRAL SUPPLIER DATABASE NO:	MAAA
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]	
<b>QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS</b>					
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
<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>					

**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. 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.
1.4. USE OF OMISSION IN THE DOCUMENT IS PROHIBITED.
1.5. FAILING TO COMPLY WITH THE ABOVE REQUIREMENTS WILL RESULT IN THE BID BEING NON-RESPONSIVE.
1.6. <b>THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM.</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
3.4 SBD 4 - DECLARATION OF INTEREST FORM

**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**

**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 institution	State

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**

2.2.1 If so, furnish particulars:

.....  
.....

<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.

2.3 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 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

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<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.

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 bid.

## 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 (CONTRACTORS)**

3.1 Bidders are required to sign and submit this Standard Bidding Document (SBD 5) together with the bid 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 bid with a value in excess of R10 million (ten million Rands), to contact and furnish the DTI with the following information:

- Bid / 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.....	

**E. 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 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.**

**MEMBERS RESOLUTION**

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

Number: \_\_\_\_\_ Registration  
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 and date the relevant certificate(s) set out hereafter and 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.**

**F. DESIGN AND CONSTRUCTION EXPERIENCE**

The following is a statement of work of similar nature recently successfully executed by myself / ourselves:

EMPLOYER: CONTACT PERSON AND TELEPHONE NUMBER	EMPLOYER'S AGENT: CONTACT PERSON AND TELEPHONE NUMBER	NATURE OF WORK	VALUE OF WORK (inclusive of VAT)	DATE COMPLETED OR EXPECTED TO BE COMPLETED

*Attach additional pages if more space is required*

SIGNATURE: .....

DATE: .....

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

**G. KEY PERSONNEL**

**G1. 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				
FOREMAN/ SUPERVISOR				

***Attach additional pages if more space is required***

SIGNATURE: .....  
 (of person authorised to sign on behalf of the Tenderer)

DATE: .....

**G2. KEY PERSONNEL – LABOUR ENHANCED ACTIVITIES**

Bidders shall employ in labour-enhanced 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-enhanced 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-Enhanced 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 G1.*

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

and

**QUALIFICATIONS OF KEY PERSONNEL – LABOUR ENHANCED ACTIVITIES**

*Refer to G2.*

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

**H. 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

*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

*Attach additional pages if more space is required*

SIGNATURE: .....

DATE: .....

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

*pr*



## I. PARTICIPATION IN JOB CREATION USING LOCAL LABOUR

The Tenderer shall be required to participate in job creation (employment of local labour) by executing various portions of the Works using local labour (unskilled or semi-skilled), recruited from the local community, who are South African Citizens or foreigners in possession of a work visa issued by the Department of Home Affairs (only one such foreigner may be employed on any project). Proof of citizenship or work visa may be audited during the contract period.

The creation of one job shall mean the employment, for any period of time, of one such unskilled or semi-skilled labourer from the local community.

The Tenderer shall note the requirements for Job Creation Reporting for EPWP as set out in Part F: Expanded Public Works Programme (EPWP) of the project specifications.

The number of jobs to be created using such local labour is inclusive of the local labour employed to execute various portions of the Works by both the main Contractor and any subcontractors.

The number of jobs to be created using such local labour shall include for a minimum percentage allocation to the following individual targeted groups:

- 60% Women;
- 55% Youth; and
- 2% Disabled.

The minimum required content of such local labour for this project shall be calculated as follows:

$$\begin{aligned} & \text{Minimum required content of such local labour (\%)} \\ = & \frac{(100 \times \text{amount spent on wages for such local labour (excluding VAT)})}{(\text{Subtotal 1* (excluding contingencies, contract price adjustment and VAT)})} \end{aligned}$$

*\*Subtotal 1 is obtained from the Tender Summary under C2.2 Bill of Quantities (Activity Schedule)*

The minimum required content of such local labour for this project shall be 10.1% of the construction value.

For purposes of completing the table on the next page containing the Tenderer's declaration with respect to participation in job creation using local labour, the value of Subtotal 1\* (excluding contingencies, contract price adjustment and VAT) which is obtained from the Tender Summary under C2.2 Bill of Quantities, shall be used.

**TENDERER'S DECLARATION WITH RESPECT TO PARTICIPATION IN JOB CREATION USING LOCAL LABOUR:**

The Tenderer shall complete the table below reflecting the anticipated local labour force to be employed on this contract, including such local labour employed by subcontractors.

I/We hereby tender to participate in job creation through the employment of local labour by creating the following number of jobs using unskilled or semi-skilled labourers, recruited from the local community, who are South African Citizens or foreigners in possession of a work visa issued by the Department of Home Affairs (only one such foreigner may be employed on any project), including for a minimum allocation of 60% Women, 55% Youth and 2% Disabled:

Local labour comprising unskilled or semi-skilled labourers recruited from the local community	Anticipated number of jobs to be created	Total number of person-days anticipated	Wage rate per person-day (excluding VAT) (Rand)	Total wage cost (excluding VAT) (Rand)
Contractor's local labour content				
Subcontractors' local labour content				
Total anticipated wage cost of local labour content (excluding VAT)				R
Subtotal 1* (excluding contingencies, contract price adjustment and VAT)				R
Hence anticipated local labour content expressed as a percentage of Subtotal 1* (excluding contingencies, contract price adjustment and VAT))				%
<i>Note: Should this percentage not equal or exceed the specified minimum percentage, the Tender will be considered non-responsive in terms of subclause C.3.8 of the Conditions of Tender and such a tender shall be rejected.</i>				
Specified minimum local labour content				10.1 %

***A penalty shall be applied to any shortfall in the local labour content achieved when measured against the specified minimum local labour content, as set out in Part F: Expanded Public Works Programme (EPWP) of the project specifications. The penalty shall not apply to shortfalls in the allocations to the individual target groups (i.e., Women/Youth/Disabled), only to shortfalls in the total local labour content achieved.***

The undersigned, who warrants that he/she is duly authorized to do so on behalf of the Tenderer, confirms that he/she understands the conditions for such participation and confirms that the tender satisfies the conditions for participation in job creation through the employment of local labour.

Name: .....

Duly authorized to sign on behalf of: .....

SIGNATURE: .....

DATE: .....

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

**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.**

**J. BIDDERS 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 OHS 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 OHS 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 OHS 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)*

**K. DEVIATIONS AND QUALIFICATIONS**

Should the Tenderer wish to make any deviation from or any qualification to the Special Conditions of Contract, Specifications, Bill of Quantities, or Drawings, or should he wish to qualify the tender in any way, he shall indicate the proposals clearly hereunder or alternatively on photocopies of the original tender documentation which shall be attached to this page.

**Please note:** The extent of deviations from the tender documents issued by the Employer prior to the tender closing date is limited to those permissible in terms of the Conditions of Tender. Please also refer to Returnable Schedule N.

SECTION	PAGE	DEVIATION OR QUALIFICATION, INCLUDING REFERENCE CLAUSE OR ITEM NUMBER

*Attach additional pages if more space is required*

SIGNATURE: .....

DATE: .....

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

**L. SCHEDULE OF ALTERNATIVE TENDERS**

**The attention of tenderers is specifically drawn to clause C.2.12 Alternative tender offers of Annex C Standard Conditions of Tender and to clause C.2.12 of section T1.2 TENDER DATA in this project document.**

**An alternative tender offer or design shall be considered only if the main tender offer has also been submitted in accordance with the requirements of clauses C.2.12.1 and C.2.12.2 of Annex C and such main tender offer is the winning tender as stated in clause C.2.12.3 of Annex C.**

Such alternative offers shall be described, measured and priced in sufficient detail to enable the Employer to evaluate the alternative. The Tenderer shall set out the proposal clearly hereunder or alternatively on photocopies of the original tender documentation which shall be attached to this page.

<b>SECTION</b>	<b>PAGE</b>	<b>ALTERNATIVE OFFER, INCLUDING REFERENCE CLAUSE OR ITEM NUMBER</b>

SIGNATURE: .....

DATE: .....

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

## M. TECHNICAL PROPOSAL

The tenderer is required to submit a technical proposal which covers the following criteria.

### M1. Experience of key personnel

The experience of assigned staff member in relation to the scope of work will be evaluated from three different points of view:

- 1) General experience (total duration of professional activity), level of education and training and positions held of each discipline specific team leader.
- 2) The education, training, skills and experience of the Assigned Staff in the specific sector, field, subject, etc which is directly linked to the scope of work.
- 3) The key staff members' / experts' knowledge of issues which the tenderer considers pertinent to the project e.g. local conditions, affected communities, legislation, techniques etc.

A CV of the Lead project manager/Engineer, contract manager, construction manager design civil engineers/specialists and foreman of not more than 3 pages each should be attached to this schedule:

Each CV should be structured under the following headings:

- 1 Personal particulars
  - name
  - date and place of birth
  - place (s) of tertiary education and dates associated therewith
  - professional awards
- 2 Qualifications (degrees, diplomas, grades of membership of professional societies and professional registrations)
- 3 Skills
- 4 Name of current employer and position in enterprise
- 5 Overview of post graduate / diploma experience (year, organization and position)
- 6 Outline of recent assignments / experience that has a bearing on the scope of work

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

Signed

Date

-----  
Name

-----  
Position

**M2. Relevant experience**

List number of completed Road Upgrades projects.

The evaluation will consider the nature of the reference projects, scope of services provided, and Employer/Client completion certificate.

Appointment letters, Reference Letters including Final Approval Certificates not older than 15 years per project to be provided with contact details of references.

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

Signed

Date

.....  
Name

.....  
Position