PROVINCIAL ADMINISTRATION OF KWAZULU-NATAL
DEPARTMENT OF PUBLIC WORKS

KWAZULU-NATAL PROVINCE
PUBLIC WORKS
REPUBLIC OF SOUTH AFRICA

BILLS OF QUANTITIES

with GCC for Construction Works - Second Edition 2010

RETURNABLE DOCUMENT

ONE VOLUME APPROACH

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

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Tender Number: ZNTU02403 W
4GB OR HIGHER
ECDP Number: N/A

Project Code: 060723
Closing Date: 27-Nov-2026
Contract Period: 10 Calendar Months

Contracting Party: _____

CIDB Registration number: _____

Central Suppliers Database Registration Number: _____

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

KWAZULU-NATAL PROVINCE
PUBLIC WORKS & INFRASTRUCTURE
REPUBLIC OF SOUTH AFRICA

THE TENDER

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IMPORTANT NOTICE TO TENDERERS

1. Any reference to words Tender or Tenderer herein and/or in any other documentation shall be construed to have the same meaning as the words Bid or Bidder/Enterprise. These forms are for internal and external use for the KZN Department of Public Works, Provincial Administration of KwaZulu-Natal.
2. If multiple tenders are being submitted, a certified copy of a valid BBBEE certificate, original valid tax clearance certificate or pin number, original letter of intent, etc. must be provided and made reference to in the initial tender and copied and certified in the tender submissions. This also includes all other certificates, competence reports, etc. Tenderers to clearly indicate which tender submission contains the original certificates, which shall be deemed the primary submission.
3. Multiple awards of bids will be limited (unless by exception, due to circumstances), in order to spread the work amongst a large number of successful bidders and to minimize the risk to the Department. Multiple awards shall be limited to the ceiling value of the applicable CIDB grading of the recommended bidder, unless the previous contracts awarded, are more than 60% completed in terms of the actual scope of works of the contract and that the time expended is within the allocated timelines of the contract period of the contract. This is with specific reference to the activities based on the construction programme and concise demonstration has been given that the bidders has the capability and resources to complete the project successfully.
4. It is recommended that Tenderers must when required/possible sub-contract a portion of their tender contract value to EME's and QSE's in the designated groups as defined in the PPPFA 2022, whom must in the first instance be registered on the Eyesizwe Contractors Development Programme (ECDP) Database. This is applicable to all open tender/bid documents.
5. The Final Summary Page and the Fully Priced Bill of Quantities to be submitted at tender closing.
6. Tenderers who elected to download the tender document at no cost from the E-tender Portal must submit the complete original tender document i.e. Section 1 together with all supporting documents including the fully completed Bills of Quantities at close of tender.
7. Where documents were not provided at the tender office, the Tenderers to provide proof of payment before the date and time of the relevant briefing session to DPW to facilitate the issue of the tender documents. Additional tender documents will be copied. However, all tender documents to be collected from the **KZN Department of Public Works, Zululand District Office, Lot 709, Wombe Street, Unit A, Ulundi, 3838**. No tender documents will be issued from the Consultants Office or at the tender briefing.
8. **"Quality"** shall mean totality of features and characteristics of a product or service that bears on the ability of the product or service to satisfy stated or implied needs.
9. The Total (Including Value Added Tax) on the Final Summary of the Bill of Quantities must be carried to the "Offer" part **only** of the Form of Offer and Acceptance (T2.21)
10. **"Enterprise"** shall mean the legal Bidding Entity or Bidder who, on acceptance of the Offer, would become the **contractor".**
11. **No alternative Tenders will be accepted.**
12. The requirements in respect of the application of either 80/20 and 90/10 preference points scoring system, is contained in part T2.9.
13. A SANAS approved current certified copy of B-BBEE status level verification certificate must be submitted in order to qualify for preference points for B-BBEE or an original current sworn affidavit in respect of SMME/QSE in the prescribed DTI format for the latest **completed financial year of the bidding entity** must be submitted. Tenderers to note that any certified copies or sworn affidavits must be stamped by the commissioning authority, must have the full particulars of the commissioner and if commissioned by SAPS must have the SAPS stamp as well as the rank, initials, surname in printed letters and signature of the official on the document.

IMPORTANT NOTICE TO TENDERERS (CONTINUED)

14. **Tenders will be evaluated in the following sequence:**

Phase 1: Administrative Compliance

a. Tax Compliance Status (TCS) PIN to verify on line Compliance Supplier Status via e-Filing. (T2.19)

b. Form of Offer and Acceptance (Bound into Section 1 of 2). (T2.21) To be fully and correctly completed.

c. Attendance of the compulsory pre-tender briefing meeting. Site Inspection Certificate (T2.10) to be completed and signed in full.

d. Central Suppliers Database Registration: All Tenderers must be registered on the Central Suppliers Database. (T2.26)

e. Appropriate active CIDB registration of tendering entity as per the requirements of this tender. (T2.27)

f. Completion and submission of all returnable documents as contained in this tender document in full. (T2.1 to T2.41)

Mandatory Criteria

Phase 2: Special Conditions: Quality Criteria (All the appropriate and requested information to be submitted in full)

a.Proof of working capital at least 2.5% of the project value in the form of bank statement with bank stamps from a registered financial institution not older than 3 months or letter from registered financial institution indicating willingness to finance the contractor at a value of 2.5% of the contract value not older than 3 months. (T2.36)

b. Final summary of Bills of quantities (T2.22). Bidder must return a USB with a fully priced excel BOQ at closing date.

c.Proof of minimum two (2) letters of credit reference not older than 6 months and credit limits with a minimum of R 800 000.00 combined. Letters must have a letterhead, be signed, dated and stamped. (T2.37).

d. Detailed schedule of resources at all levels, including submission of a detailed organogram of the company, including listing on this organogram, the resources within the company, that will be dedicated to the project under consideration. (T2.38)

e.Schedule of years of experience by key personnel, contract Manager, site foreman and health and safety Officer, as listed in the organogram on similar projects (minimum 5 years' experience for key personnel) (T2.39)

f. Schedule of projects of similar nature in terms of scope of work undertaken and successfully completed within applicable CIDB grading of 4 GB OR Higher in the past 5 years by the tendering entity – letters of award and practical completion certificate for projects must be submitted (minimum two (2) projects required) (T2.40)

g. Letter of intent to provide an on-demand construction guarantee to a value of 5% of the project value from a registered financial institution (T2.41)

FAILURE TO SUBMIT ANY OF THE ABOVE DOCUMENTATION IN THE PRESCRIBED FORMAT, WILL LEAD TO IMMEDIATE DISQUALIFICATION

Phase 3: Price and Specific Goal/s Requirements

Price:	80	Points
Specific Goal/s Allocated Points (T2.9):	20	Points
Preference point scoring system will be based on the following points:		
Specific Goal/s Point System: Specific Goal/s Allocated Points are offered to Tenderer's who have attained the Specific Goals as per T2.9. Documentary proof required to satisfy the points claimed are also indicated in T1.1.		

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ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

THE TENDER

KWAZULU-NATAL PROVINCE
PUBLIC WORKS & INFRASTRUCTURE
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PART T1. - TENDER PROCEDURES

KWAZULU-NATAL PROVINCE
PUBLIC WORKS & INFRASTRUCTURE
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ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

T1.1 - TENDER NOTICE AND INVITATION TO TENDER

T1.1 TENDER NOTICE AND INVITATION TO TENDER

THE KZN DEPARTMENT OF PUBLIC WORKS INVITES TENDERS FOR THE PROVISION OF:

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU02403 W**	**Project Code:**	**060723**
Advertisement date:	**As per Advert**	**Closing date:**	**27 November 2026**
Closing time:	**11:00**	**Validity period:**	**84 Calender Days**

It is estimated that tenderers must have a CIDB contractor grading designation of 4GB OR HIGHER or higher. No alternative Class of work, as refered to in Clause 25(3)(a)(i) of the CIDB Regulations, as amended, is anticipated for this project.

	It is estimated that Potentially Emerging enterprises should have a CIDB contractor grading of ***(N/A)*** and satisfy the criterion stated in the Tender Data. *(Only applicable if Client has an Official Mentorship programme in place to assist potentially emerging enterprises)* All Tenderer's should have a CIDB Class of Construction Contractor Grading Designation as indicated above. No Tenderer with a PE status can be considered If **"N/A"** is indicated above because the Department does not have an Official Mentorship Programme in place to assist a Potentially Emerging Enterprise.

Only Tenderder's who are responsive to the following responsiveness criteria are eligible to submit Tenders:

X	Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations for a : 4GB OR HIGHER or higher, class of construction work, are eligible to have their Tenders evaluated.
X	Joint ventures are eligible to submit tenders provided that: 1 every member of the joint venture is registered with the CIDB; 2 the lead partner has a contractor grading designation in the 4GB OR HIGHER or higher, class of construction work; or not lower than one level below the required the required grading designation in the class of works construction works under considerations and possess the required recognition status 3 the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a : **4GB OR HIGHER** or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.
X	Tender document must be properly received on or before the tender closing date and time specified on the invitation, fully completed and signed in ink (All as per Standard Conditions of Tender).
X	Submission of Compulsory Returnable Schedules documents as per List of returnable documents.
X	Tax Compliance Status (TCS) PIN number and Tenderder's or entity tax reference number.
X	Contractor's Safety, Health and Environmental Declaration.
X	Complete priced Bill of Quantities to be submitted on the day of the Tender closing date.
X	Proof of good standing with the Compensation Commissioner - In terms of Section 84(1)(b) of the Compensation for Occupation Injuries and Disease Act, 1993, a Tenderder may not be awarded a contract if he/she is not registered and in good standing with the Compensation Commissioner.
X	Certified Proof of Paid Municipal Rates and Taxes (Attach) (T2.23)
X	Certified Proof of UIF Registration (Attach) (T2.24)

X	Financial Standing and other resources of Business Declaration (T2.8)
X	Mandatory Enterprise Questionnaire (T2.18)
X	**Tenderers must meet the minimum qualifying score for functionality criteria first before they can be considered for price and preference by means of specific goals**
X	Invitation to Tender - SBD 1

Please note the following for POPIA:
By submitting this tender, I hereby acknowledge consent that the KZN Department of Public Works, may, from time to time, collect/store/use/destroy/delete/share or otherwise process my Company and Director's/Shareholders personal information as the context or circumstances may require and as contemplated in terms of POPIA. □ (TICK)

THE FOLLOWING PARTICULARS MUST BE FURNISHED (FAILURE TO DO SO MAY RESULT IN YOUR TENDER BEING DISQUALIFIED)

Name of Tenderer: _____

Postal Address: _____

Street Address: _____

Telephone Number CODE _____ NUMBER _____

Cellphone Number: _____

Facsimile Number: CODE _____ NUMBER _____

E-mail Address: _____

VAT Registration Number: _____

TAX COMPLIANCE STATUS (TCS) PIN TO VERIFY ON LINE COMPLIANCE SUPPLIER STATUS VIA SARS e-FILING (T2.19) YES ☐ or NO ☐

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS / SERVICES / WORKS OFFERED? [If yes, enclose proof] YES ☐ or NO ☐

This tender will be evaluated according to the preferential procurement model in the Preferential Procurement Policy Framework Act, 2000: Preferential Procurement Regulations, 2022:

☒ 80/20 Preference point scoring system ☐ 90/10 Preference point scoring system

NOTE		
Specific Goal requirement:	20	Points
Price:	80	points

1. The Specific Goal/s Allocated Points in terms of this tender:

Preference points system:
Preferences are offered to Tenderder's who have attained points for the specific goals in accordance with the table below; Documentary Proof required to satisfy the points claimed are also indicated in the table below:

No	Specific Goal	Number of Points Allocated
1	Ownership by Black People Documentary Proof Required: a) Original EME or QSE sworn affidavit signed and dated by commissioner of Oaths. b) Certified copies of identity Documents of the Owner/ shareholders/ Directors of the Bidding Entity	**10**
2	Promotion of Enterprises located in a Specific municipal area for work done or services rendered (King Cetshwayo / uMkhanyakude District/ or Zululand District, KwaZulu- Natal). Documentart Proof Required: a) Proof of Municipal Account depicting Physical Address of the business which is not older than 03 months b) Lease Agreement c) Original or Certified Copy of the Original Letter from the Ward Councillor as proof of residence	**10**

2.	**Other specific goals (according to the PPPFA):**		
(a)	[insert specific goal]	0	Points
(b)	[insert specific goal]	0	Points
Total must equal **10 or 20 points**		**20**	Points

MANDATORY REQUIREMENTS

No.	Requirements
1	Proof of working capital at least 2.5% of the project value in the form of bank statement with bank stamp from a registered financial institution not older than 3 months or letter from registered financial institution indicating willingness to finance the contractor at a value of 2.5% of the contract value not older than 3 months. (T2.36)
2	Final summary of Bills of quantities (T2.22). Bidder must return a USB with a fully priced excel BOQ at Closing date.
3	Proof of minimum two (2) letters of credit reference not older than 6 months and credit limits with a minimum of R 800 000.00 combined. Letters must have a letterhead, be signed, dated and stamped (T2.37).
4	Detailed schedule of resources at all levels, including submission of a detailed organogram of the company, including listing on this organogram the resources within the company that will be dedicated to the project under construction (T2.38)

5	Schedule of years of experience by key personnel, contract Manager, site foreman and health and safety Officer, as listed in the organogram on similar projects (minimum 5 years' experience for key personnel) (T2.39)
6	Schedule of projects involving construction of new building / offices undertaken and successfully completed within applicable CIDB grading of 3GB OR Higher in the past 5 years by the tendering entity – letters of award and practical completion certificate for projects must be submitted (minimum two (2) projects required) (T2.40)
7	Letter of intent to provide an on-demand construction guarantee to a value of 5% of the project value from a registered financial institution. Letter must have letterhead, be signed, dated and stamped (T2.41)

RESPONSIVENESS CRITERIA

No.	Responsiveness Criteria
1	Bidder must be registered on the Central Suppliers Database
2	Bid offer must be properly received on bid closing date and time specified on the invitation, fully completed and signed in ink
3	Submission of authority to sign authorizing a dedicated person to sign documents on behalf of firm/ consortium/ joint venture
4	Submission of other compulsory documents
5	Submission of declaration of interest
6	Submission of Tax pin

ADDITIONAL INFORMATION THAT MAY BE REQUIRED DURING THE BID EVALUATION

1	Certified copy of Founding Statement (CK1), if the firm is a close corporation
2	Articles of Agreement (CM1) and shareholding certificates endorsed by an auditor if the firm is a Company.
3	Articles of Association and shareholding certificate, endorsed by an auditor, if the firm is a private Company PTY LTD
4	In the event of the bidder being a public company, a letter from their auditor, certifying their status as a public company and attached thereto, a certified copy of the bidder's Articles of Agreement
5	Submission of a certified copy(s) of identity document(s) if natural person(s) or partnership.
6	Copy of joint venture agreement if bidder is a joint venture and or/ consortium

Notes:

1 Requirements for sealing, addressing, delivering, opening and assessment of the tender are contained in the tender document.

2 Under no circumstances whatsoever may the bid document be retyped or redrafted and only bids submitted on the tender document issued by Department will be accepted

3 The Department reserves the right not to award the lowest bidder.

4 In addition, the Department may conduct a detailed risk assessment prior to the award of bid.

5 Tender documents must be downloaded or purchased and collected prior to the starting time of pretender briefing meeting.

6 No tender documents will be issued at the pretender meeting and no site inspection meeting certificates will be issued at the pre-tender briefing meeting.

7 No late arrivals will be accepted at the pre-tender briefing meeting.

8 Late submissions will not be accepted.

9 Faxed or e-mailed bids are not accepted.

10 Only bidders registered on the Central Supplier Data base and within the applicable CIDB grading **4GB or higher** as listed above in the tenders will be legible to submit bids.

11 Bidders' attention is drawn to the mandatory criteria as listed in the bid document as well as phased sequence of the bid evaluation process.

12 The bid will be evaluated on the 80/20 where 80 points is for price and 20 points is for specific goals.

13 **The documentary proof required to satisfy the points claimed for specific goals in terms of this tender, are duly indicated on the table (1) above.**

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

15 Evaluate that non-financial proposals offered by tenderers, then advise tenderers who remain in contention for the

16 Tenderers who elected to download the tender document at no cost from the E-tender Portal must also download the electronic Bills of Quantities and must submit the complete original completed tender document Volume 1, together with all supporting documents and must submit the fully completed electronic Bills of Quantities on their own Flash Drive with their tender at close of tender.

17 NB: Failure to adhere to the below instruction and notice will lead to disqualification.
Each page of the tender document must be initialled.

18 The bid document can be downloaded from e-Tender Portal at no cost. However, should any bidder require a printed/hard copy of the bid document, a non-refundable payment in the amount R 380.00 must be made for collection thereof as per the banking details indicated below.

Proof of payment must be produced upon collection of the bid document.
BANKING DETAILS: NAME: KZN PROV GOV- WORKS, BANK: ABSA BANK,
ACCOUNT NO:4121941044:ACCOUNT TYPE: BUSINESS CHEQUE ACCOUNT, BRANCH:632005,
REFERENCE NUMBER:14074061.

THE PHYSICAL ADDRESS FOR COLLECTION OF TENDER DOCUMENTS:

Tender documents may be collected during working hours at the following address :

KZN Depatment of Public Works
Zululand District Offices, Lot 709, Wombe Street, Unit A, ULUNDI, 3838

A non-refundable tender deposit of R380 is payable as per the tender advertisement , on collection of the Tender documents. The Tenderders must deposit the the above amount into the Department's bank account. The Account details are:

Account Name:	KZN PROV GOV-WORKS
Bank Name:	ABSA BANK
Account Number:	4121941044
Bank Code:	632005
Reference No:	Ref No. 14074061

The Tenderder must attach the account statement with above reference, to this Tender as proof of payment of the deposit.

COMPULSORY CLARIFICATION MEETING

A Compulsory clarification Meeting with representatives of the Employer will take place as follows:

on: **06 November 2026** **at 11h00**

QUERIES REGARDING THE TENDERING PROCEDURE OR TECHNICAL INFORMATION MAY BE DIRECTED TO:

DOPW Project Manager:	Ms. S.T Magwaza	**Telephone no:**	N/A
Cell no:	072 261 7276	**Fax no:**	035-874 2519
E-mail:	Silondiwe.magwaza@kznworks.gov.za		

DEPOSIT / RETURN OF TENDER DOCUMENTS:

Telegraphic, telephonic, telex, facsimile, electronic, posted and / or late tenders will **not** be accepted.

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

All tenders must be submitted on the official forms – (not to be re-typed)

TENDER DOCUMENTS MAY BE:

DEPOSITED IN THE TENDER BOX AT:

Northern Region

KZN Depatment of Public Works
Zululand District Offices, Lot 709, Wombe Street, Unit A

Ulundi
3838

T1.2 TENDER DATA

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Project Code:	**WIMS 060723**		
Tender no:	**ZNTU 02403 W**	**Closing date:**	**As per tender advert**
Closing time:	**11:00**	**Validity period:**	**84 Calendar Days**

Clause number:		
	The conditions of Tender are the Standard Conditions of Tender as contained in Annexure C of the CIDB Standard for Uniformity in Engineering and Construction Works Contracts as per Board Notice **423 of 2019** in Government Gazette **42622 of 8 August 2019** as amended from time to time. (see www.cidb.org.za) Refer to Conditions of Tender as bound into this document. The Standard Conditions of Tender make several references to the Tender Data for details that apply specifically to this tender. The Tender Data shall have precedence in the interpretation of any ambiguity or inconsistency between it and the Standard Conditions of Tender. Each item of data given below is cross-referenced to the clause marked "C" in the above mentioned Standard Conditions of Tender.	
C.1.1	The Employer is the Head: Public Works (KZN Department of Public Works-Province of KwaZulu-Natal)	
	For this contract the single volume approach is adopted. This procurement document has been formatted and compiled under the headings for a single volume approach as contained in table 5 of the CIDB's "Standard for Uniformity in Engineering and Construction Works Contracts." The list of Returnable Documents identifies which of the documents a Tenderer must complete when submitting a Tender. The Tenderer must submit his Tender by completing the Returnable Documents including the priced Final Summary of the Bills of Quantities, signing the "Offer" section in the "Form of Offer and Acceptance" and delivering the whole of the procurement document back to the Department bound up as it was when it was received.	
C.1.2	The single volume procurement document issued by the Employer comprises the following:	
	TENDER	
	Part T1: Tendering Procedures	
	T1.1 -	Tender Notice and Invitation to Tender
	T1.2 -	Tender Data
	T1.3 -	Annexure C - Standard Conditions of Tender
	Part T2: Returnable Documents	
	T2.1 -	List of returnable documents
	T2.2 -	Returnable schedules (See different forms listed in ***T2.1 - Returnable Schedule***)
	CONTRACT	
	Part C1: Agreements and Contract Data	
	C1.1 -	Form of Offer and Acceptance
	C1.2 -	Contract Data
	C1.3 -	Form of Guarantee (C1.3)
	Part C2: Pricing Data	
	C2.1 -	Pricing Instructions
	C2.2 -	Preliminaries for GCC 2010 for Construction Works - 2nd Edition 2010
	C2.3 -	Bill of Quantities
	Part C3: Scope of Works	
	C3.1 -	Scope of Works
	C3.2 -	Specification for HIV/AIDS awareness
	C3.3 -	HIV/STI Compliance report
	Part C4: Site Information	
	C4.1 -	Site Information
	C4.2 -	Builders Lien Agreement

	Part 5: List of Drawings/Annexures	
	C5.1 -	List of Drawings
	C5.2 -	ASAQS Model Preambles for Trades 2017
	C5.3 -	General Electrical Specifications
	C5.4 -	Lightning Protection Specifications
	C5.5 -	Map of Tender Submission Location
	C5.6 -	Joint Venture Agreement
	C5.7 -	Project Specific Health and Safety Specification
	C5.8 -	Health and Safety Bill of Quantities
	C5.9 -	Geotechnical Investigation Report - (If applicable)
	C5.10	EPWP Employment Contract and EPWP Specification/Checklist
	C5.11	Attendance Register - Infrastructure and Other Projects
	C5.12	EPWP Data Collection tool for Phase 3 System
	C5.13	Structural Engineers Project Specification Booklet

C.1.4	The Employer's agent (Engineer/Principal Agent) is:	
	Name:	**LDM Quantity Surveyors DBN (Pty) Ltd**
	Capacity:	**Project Leader**
	Address:	**P.O. Box 19233 , Dormerton , Durban , 4015**
	Tel:	**031 - 207 1340**
	Fax:	**031 - 209 9441**
	E-mail:	**nsirbadhoo@ldm.co.za**
	Responsible person:	**sihle@ldm.co.za**
	The second sentence shall read "Communications can be in any of the official languages recognised in KwaZulu-Natal which is English, Afrikaans or Zulu but writing is preferred in English as this is generally accepted as a business language"	
C.1.6	**PP2-Competitive Selection Procedure**	**Design by Employer**
	PP2B-Open Procedure	
	Tenderers must submit all required Statutory, Mandatory and Essential information before they can be considered for price and preference.	
C.2.1	For eligibility refer to **T1.1 Tender Notice and Invitation to Tender**	
	This is not an EPWP project	
	Only those tenderers who are registered with the CIDB, or are capable of being so prior to the evaluation of submissions, in a contractor grading designation equal to or higher than a contractor grading designation determined in accordance with the sum tendered, or a value determined in accordance with Regulation 25(1B) or 25(7A) of the Construction Industry Development Regulations for a : 4GB or or higher class of construction work, are eligible to have their tenders evaluated. Joint ventures are eligible to submit tenders provided that: 1 every member of the joint venture is registered with the CIDB; 2 the lead partner has a contractor grading designation in the 4GB or higher, class of construction work; or not lower than one level below the required the required grading designation in the class of works construction works under considerations and possess the required recognition status 3 the combined contractor grading designation calculated in accordance with the Construction Industry Development Regulations is equal to or higher than a contractor grading designation determined in accordance with the sum tendered for a : 4GB or higher or a value determined in accordance with Regulation 25 (1B) or 25 (7A) of the Construction Industry Development Regulations.	
	See end of T2.3 AUTHORITY FOR CONSORTIA OR JOINT VENTURES TO SIGN TENDER for combinations of JV's arrangements.	
C.2.7	For particulars regarding a pre-tender site inspection meeting (clarification meeting), see **T1.1 Tender Notice and Invitation to Tender.**	

C.2.12	Alternative tender offer permitted: **Yes** ☐ **No** ☒
	If a tenderer wishes to submit an own alternative tender offer, the only criteria permitted for such alternative tender offer is that it demonstrably satisfies the Employer's standards and requirements. A tenderer may submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted. Provided that the tenderer's main tender offer is according to specification and would under normal circumstances be recommended for acceptance, his alternative tender offer may also be considered for the purpose of the award of the contract. Calculations, drawings and all other pertinent technical information and characteristics as well as modified or proposed Pricing Data must be submitted with the alternative tender offer to enable the Employer to evaluate the efficacy of the alternative and its principal elements, to take a view on the degree to which the alternative complies with the Employer's standards and requirements and to evaluate the acceptability of the pricing proposals. Calculations must be set out in a clear and logical sequence and must clearly reflect all design assumptions. Pricing Data must reflect all assumptions in the development of the pricing proposal. Acceptance of an alternative tender offer will mean acceptance in principle of the offer. It will be an obligation of the contract for the tenderer, in the event that the alternative is accepted, to accept full responsibility and liability that the alternative offer complies in all respects with the Employer's standards and requirements. The modified Pricing Data must include an amount equal to 5% of the amount tendered for the alternative offer to cover the Employer's costs of confirming the acceptability of the detailed design before it is constructed.
	Only the complete Service as per the Bills of Quantities
C.2.13.2	Tenderers are to ensure that their company details appear on the entire relevant Tender documentation and must be legible.
C.2.13.3	Part of each tender offer communicated on paper shall be submitted as an original, plus ONE copy of the tender document including supporting documents and priced Bill of Quantities where applicable, scanned onto a readable compact disk (CD) in pdf format, at the Tenderers own cost. The CD must be clearly marked with the tender information and company details.
C.2.13.4	The second sentence shall read as follows "The Employer will hold all authorised signatories jointly and severally liable on behalf of the tenderer". Tenderers proposing to contract as a Joint Venture shall submit a valid Joint Venture Agreement before the Joint Venture's offer could be accepted. Individuals, Partnerships and Companies proposing to contract as a party to a Joint Venture shall be jointly and severally liable on behalf of the Joint Venture.
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 as per **T1.1 Tender Notice and Invitation to Tender.**
	A Open Procedure will be followed
C.2.15	The closing time for submission of tender offers is as per **T1.1 Tender Notice and Invitation to Tender.**
C.2.16	The tender offer validity period is as per **T1.1 Tender Notice and Invitation to Tender.**
C.2.17	Sub-clause C2.17 does not preclude the negotiation of the final terms of the contract with the preferred tenderer, following a competitive selection process, should the Employer elect to do so and provided that the competitive position of the preferred tenderer is not affected.
	The tenderer is to submit the Priced Bills of Quantities with the Returnable's at the closing of the tender.
	This is not an EPWP project
C.2.19	Access shall be provided for inspections, tests and analysis as may be required by the Employer.
C.2.22	Tenderers **do not** have to return all retained tender documents within 28 days after expiry of the Tender validity period.
	Tenderers are to refer to **List of Returnable Schedules** and **Scope of Works** to establish what is required to be submitted with this tender.
C.3.4	The location for opening of the tender offers, immediately after the closing time thereof shall be at: **KZN Department of Public Works, Zululand District Office, Lot 709, Wombe Street, Unit A, Ulundi, 3838, at the time indicated on T1.1 Notice and Invitation to Bid**

C.3.8	The employer must determine, on opening and before detailed valuation, whether each Tender offer properly received: a) complies with the requirements of the Conditions of Tender. b) has been properly and fully completed and signed, and c) is responsive to the other requirements of the Tender documents. A responsive tender is one that conforms to all the terms, conditions and specifications of the tender documents without material deviation or qualification. A material deviation or qualification is one which, in the Employer's opinion, would: a) detrimentally affect the scope, quality, or performance of the Works, services or supply identified in the Scope of Work or b) significantly change the Employers or the Tenderers risks and responsibilities under the contract, or c) affect the competitive position of other Tenderers presenting responsive tenders, if it were to be rectified. Reject a non-responsive tender offer, and not allow it to be subsequently made responsive by correction or withdrawal of the non-conforming deviation or reservation.
C.3.13	**Tender offers will only be accepted if:** (a) Tenderers must be registered on Government's Central Supplier Database (CSD) and include their master registration number (MAAA number) on the cover page of the tender document in order to enable the institution to verify the tenderers tax status on the CSD (b) the Tenderer is registered with the Construction Industry Development Board in an appropriate contractor grading designation is required for this tender and the Tenderer has submitted a CIDB certificate of registration which clearly indicates the status "Active" (c) the Tenderer is not in arrears for more than 3 months with municipal rates and taxes and municipal services charges. (d) the Tenderer has completed the Compulsory Enterprise Questionnaire and there are no conflicts of interest which may impact on the Tenderer's ability to perform to the contract in the best interests of the employer or potentially compromise the Tender process. (e) the tenderer or any of its directors is not listed on the Register of Tender Defaulters in terms of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004) as a person prohibited from doing business with the public sector; and (f) the Tenderer has not: i) abused the Employer's Supply Chain Management System; or ii) failed to perform on any previous contract and has been given a written notice to this effect. (g) the Tenderer is registered with: i) the Unemployment Insurance Fund (UIF); and ii) the Workmen's Compensation Fund (h) the Tenderer submitted Authority to Sign the tender. (i) the Tenderer submitted Financial standing & other resources of Business Declaration. (j) the Tenderer submitted Equipment Schedules, if applicable. (k) the Tenderer signed the Form of Offer that is part of the Form of Offer and Acceptance. (l) the Tenderer submitted Preference Certificate, if applicable. (m) the Tenderer submit the Final Summary Page and the Fully Priced Bill of Quantities at tender closing. (n) the Tenderer submitted Bidder's Disclosure. (o) the Tenderer submitted Site Inspection Certificate from the Compulsory Briefing Meeting. (p) All statutory, mandatory and essential requirements stipulated in the Tender Notice and Invitation to Tender and Importance Notice to Tenderers. (q) All tender returnables must be submitted and be complete in its entirety. Providing the form of offer and acceptance does not contain any qualifying statements, it will constitute the formation of a contract between the employer and the successful Tenderer as described in the form of offer and acceptance.
C.3.15	Tenderers are informed that any formal dispute shall be resolved by being referred to Arbitration only.
C.3.17	Provide to the successful Tenderer one copy of the signed contract document and one copy of an unpriced bills of quantities

KWAZULU-NATAL PROVINCE
PUBLIC WORKS & INFRASTRUCTURE
REPUBLIC OF SOUTH AFRICA

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

T1.3 - Annexure C - Standard Conditions of Tender

T1.3 - Annexure C - Standard Conditions of Tender

Note: Where this document refers to Bid or Bidder it shall be read as tender or tenderer

C.1 General

C.1.1 Actions

C.1.1.1 The employer and each tenderer submitting a tender offer shall comply with these conditions of tender. In their dealings with each other, they shall discharge their duties and obligations as set out in C.2 and C.3, timeously and with integrity, and behave equitably, honestly and transparently and comply with all legal obligations and not engage in anticompetitive practices.

C.1.1.2 The employer and the tenderer and all their agents and employees involved in the tender process shall avoid conflicts of interest and where a conflict of interest is perceived or known, declare any such conflict of interest, indicating the nature of such conflict. Tenderer's shall declare any potential conflict of interest in their tender submissions. Employees, agents and advisors of the employer shall declare any conflict of interest to whoever is responsible for overseeing the procurement process or as soon as they become aware of such conflict, and abstain from any decisions where such conflict exists or recuse themselves from the procurement process, as appropriate.

Note: 1) A conflict of interest may arise due to a conflict of roles which might provide an incentive for improper acts in some circumstances. A conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly in his or her position even if no improper acts result.

2) Conflicts of interest in respect of those engaged in the procurement process include direct, indirect or family interests in the tender or outcome of the procurement process and any personal bias, inclination, obligation, allegiance or loyalty which would in any way affect any decisions taken.

C.1.1.3 The employer shall not seek and the tenderer shall not submit a tender without having a firm intention and the capacity to proceed with the contract.

C.1.2 Tender Documents

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

C.1.3 Interpretation

C.1.3.1 The **tender data** and additional requirements contained in the tender schedules that are included in the returnable documents are deemed to be part of these conditions of tender.

C.1.3.2 These conditions of tender, the **tender data** and tender schedules which are required for tender evaluation purposes, shall form part of any contract arising from the invitation to tender.

C.1.3.3 For the purposes of these conditions of tender, the following definitions apply:

a) **conflict of interest** means any situation in which:
   i) someone in a position of trust has competing professional or personal interests which make it difficult to fulfil his or her duties impartially;
   ii) an individual or tenderer is in a position to exploit a professional or official capacity in some way for their personal or corporate benefit; or
   iii) incompatibility or contradictory interests exist between an employee and the tenderer who employs that employee.

b) **comparative offer** means the price after the factors of a non-firm price and all unconditional discounts it can be utilised to have been taken into consideration;

c) **corrupt practice** means the offering, giving, receiving or soliciting of anything of value to influence the action of the employer or his staff or agents in the tender process;

d) **fraudulent practice** means the misrepresentation of the facts in order to influence the tender process or the award of a contract arising from a tender offer to the detriment of the employer, including collusive practices intended to establish prices at artificial levels.

C.1.4 Communication and employer's agent

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

C.1.5 Cancellation and Re-Invitation of Tenders

C.1.5.1 An employer may, prior to the award of the tender, cancel a tender if-

a) due to changed circumstances, there is no longer a need for the engineering and construction works specified in the invitation;

b) funds are no longer available to cover the total envisaged expenditure; or

c) no acceptable tenders are received.

d) there is a material irregularity in the tender process.

C.1.5.2 The decision to cancel a tender invitation must be published in the same manner in which the original tender invitation was advertised.

C.1.5.3 An Employer may only with the prior approval of the relevant treasury cancel a tender invitation for the second time.

C.1.6 Procurement procedures

C.1.6.1 General

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

C.1.6.2 Competitive negotiation procedure

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

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

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

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

C.1.6.3 Proposal procedure using the two stage-system

C.1.6.3.1 Option 1

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

F.1.6.3.2 Option 2

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

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

C.2 Tenderer's obligations

C.2.1 Eligibility

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

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

C.2.2 Cost of tendering

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

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

C.2.3 Check documents

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

C.2.4 Confidentiality and copyright of documents

Treat as confidential all matters arising in connection with the tender. Use and copy the documents issued by the employer only for the purpose of preparing and submitting a tender offer in response to the invitation.

C.2.5 Reference documents

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

C.2.6 Acknowledge addenda

Acknowledge receipt of addenda to the tender documents, which the employer may issue, and if necessary apply for an extension to the closing time stated in the **tender data**, in order to take the addenda into account.

C.2.7 Clarification meeting

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

C.2.8 Seek clarification

Request clarification of the tender documents, if necessary, by notifying the employer at least five (5) working days before the closing time stated in the **tender data**.

C.2.9 Insurance

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

C.2.10 Pricing the tender offer

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

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

C.2.10.3 Provide rates and prices that are fixed for the duration of the contract and not subject to adjustment except as provided for in the conditions of contract identified in the **contract data**.

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

C.2.11 Alterations to documents

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

C.2.12 Alternative tender offers

C.2.12.1 Unless otherwise stated in the **tender data**, submit alternative tender offers only if a main tender offer, strictly in accordance with all the requirements of the tender documents, is also submitted as well as a schedule that compares the requirements of the tender documents with the alternative requirements that are proposed.

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

C.2.12.3 An alternative tender offer must only be considered if the main tender offer is the winning tender.

C.2.13 Submitting a tender offer

C.2.13.1 Submit one tender offer only, either as single tendering entity or as a member in a joint venture to provide the whole of the works, services or supply identified in the **contract data** and described in the **scope of works**, unless stated otherwise in the **tender data**.

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

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

C.2.13.4 Sign the original and all copies of the tender offer where required in terms of the **tender data**. The employer will hold all authorized signatories liable on behalf of the tenderer. Signatories for tenderers proposing to contract as joint ventures shall state which of the signatories is the lead partner whom the employer shall hold liable for the purpose of the tender offer.

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

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

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

C.2.13.8 Accept that the employer will not assume any responsibility for the misplacement or premature opening of the tender offer if the outer package is not sealed and marked as stated.

C.2.13.9 Accept that tender offers submitted by facsimile or e-mail will be rejected by the employer, unless stated otherwise in the **tender data**.

C.2.14 Information and data to be completed in all respects

Accept that tender offers, which do not provide all the data or information requested completely and in the form required, may be regarded by the employer as non-responsive.

C.2.15 Closing time

C.2.15.1 Ensure that the employer receives the tender offer at the address specified in the **tender data** not later than the closing time stated in the tender data. Accept that proof of posting shall not be accepted as proof of delivery.

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

C.2.16 Tender offer validity

C.2.16.1 Hold the tender offer(s) valid for acceptance by the employer at any time during the validity period stated in the **tender data** after the closing time stated in the **tender data**.

C.2.16.2 If requested by the employer, consider extending the validity period stated in the **tender data** for an agreed additional period with or without any conditions attached to such extension.

C.2.16.3 Accept that a tender submission that has been submitted to the employer may only be withdrawn or substitutes by giving the employer's agent written notice before the closing time for tenders that a tender is to be withdrawn or substituted. If the validity period lapses before the employer evaluating the tender offer(s), the contractor reserves the right to review the price based on Consumer Price Index (CPI)

C.2.16.4 Where a tender submission is to be substituted, a tenderer must submit a substitute tender in accordance with the requirements of C.2.13 with the packages clearly marked as "SUBSTITUTE".

C.2.17 Clarification of tender offer after submission

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

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

C.2.18 Provide other material

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

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

C.2.19 Inspections, tests and analysis

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

C.2.20 Submit securities, bonds and policies

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

C.2.21 Check final draft

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

C.2.22 Return of other tender documents

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

C.2.23 Certificates

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

C.3 The employer's undertakings

C.3.1 Respond to request from the tenderer

C.3.1.1 Unless otherwise stated in the **tender data**, respond to a request for clarification received up to five (5) working days before the tender closing time stated in the **tender data** and notify all tenderers who collected tender documents.

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

a) an individual firm, or a joint venture as a whole, or any individual member of the joint venture fails to meet any of the collective or individual qualifying requirements;

b) the new partners to a joint venture were not prequalified in the first instance, either as individual firms or as another joint venture; or

c) in the opinion of the Employer, acceptance of the material change would compromise the outcome of the prequalification process.

C.3.2 Issue Addenda

If necessary, issue addenda that may amend or amplify the tender documents to each tenderer during the period from the date that tender documents are available until three (3) days before the tender closing time stated in the **tender data**. If, as a result a tenderer applies for an extension to the closing time stated in the **tender data**, the Employer may grant such extension and, shall then notify all tenderers who collected tender documents.

C.3.3 Return late tender offers

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

C.3.4 Opening of tender submissions

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

C.3.4.2 Announce at the meeting held immediately after the opening of tender submissions, at a venue indicated in the **tender data**, the name of each tenderer whose tender offer is opened and, where applicable, the total of his prices, number of points claimed for its BBBEE status level and time for completion for the main tender offer only.

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

C.3.5 Two-envelope system

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

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

C.3.6 Non-disclosure

Not disclose to tenderers, or to any other person not officially concerned with such processes, information relating to the evaluation and comparison of tender offers, the final evaluation price and recommendations for the award of a contract, until after the award of the contract to the successful tenderer.

C.3.7 Grounds for rejection and disqualification

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

C.3.8 Test for responsiveness

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

a) complies with the requirements of these Conditions of Tender,

b) has been properly and fully completed and signed, and

c) is responsive to the other requirements of the tender documents.

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

a) detrimentally affect the scope, quality, or performance of the works, services or supply identified in the Scope of Work,

b) significantly change the Employer's or the tenderer's risks and responsibilities under the contract, or

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

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

C.3.9 Arithmetical errors, omissions and discrepancies

C.3.9.1 Check Responsive tenders for discrepancies between amounts in words and amounts in figures. Where there is a discrepancy between the amounts in figures and the amount in words, the amount in words shall govern.

C.3.9.2 Check the highest ranked tender or tenderer with the highest number of tender evaluation points after the evaluation of tender offers in accordance with C.3.11 for:

a) the gross misplacement of the decimal point in any unit rate;

b) omissions made in completing the pricing schedule or bills of quantities; or

c) arithmetic errors in:

i) line items totals resulting from the product of a unit rate and a quantity in bills of quantities or schedules of prices; or

ii) the summation of the prices.

C.3.9.3 Notify the tenderer of all errors or omissions that are identified in the tender offer and either confirm the tender offer as tendered of accept the corrected total of prices

C.3.9.4 Where the tenderer elects to confirm the tender offer as tendered, correct the errors as follows:

a) If bills of quantities or pricing schedules apply and there is an error in the line item total resulting from the product of the unit rate and the quantity, the line item total shall govern and the rate shall be corrected. Where there is an obviously gross misplacement of the decimal point in the unit rate, the line item total as quoted shall govern, and the unit rate shall be corrected.

b) Where there is an error in the total of the prices either as a result of other corrections required by this checking process or in the tenderer's addition of prices, the total of the prices shall govern and the tenderer will be asked to revise selected item prices (and their rates if bills of quantities apply) to achieve the tendered total of the prices.

C.3.10 Clarification of a tender offer

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

C.3.11 Evaluation of tender offers

The Standard Conditions of Tender standardize the procurement processes, methods and procedures from the time that tenders are invited to the time that a contract is awarded. They are generic in nature and are made project specific through choices that are made in developing the Tender Data associated with a specific project.

Conditions of tender are by definition the document that establishes a tenderer's obligations in submitting a tender and the employer's undertakings in soliciting and evaluating tender offers. Such conditions establish the rules from the time a tender is advertised to the time that a contract is awarded and require employers to conduct the process of offer and acceptance in terms of a set of standard procedures

The CIDB Standard Conditions of Tender are based on a procurement system that satisfies the following system requirements:	
Requirement	**Qualitative interpretation of goal**
Fair	The process of offer and acceptance is conducted impartially without bias, providing simultaneous and timely access to participating parties to the same information.
Equitable	Terms and conditions for performing the work do not unfairly prejudice the interests of the parties.
Transparent	The only grounds for not awarding a contract to a tenderer who satisfies all requirements are restrictions from doing business with the employer, lack of capability or capacity, legal impediments and conflicts of interest.
Competitive	The system provides for appropriate levels of competition to ensure cost effective and best value outcomes.
Cost effective	The processes, procedures and methods are standardized with sufficient flexibility to attain best value outcomes in respect of quality, timing and price, and least resources to effectively manage and control procurement processes.

The activities associated with evaluating tender offers are as follows:

a) Open and record tender offers received
b) Determine whether or not tender offers are complete
c) Determine whether or not tender offers are responsive
d) Evaluate tender offers
e) Determine if there are any grounds for disqualification
f) Determine acceptability of preferred tenderer
g) Prepare a tender evaluation report
h) Confirm the recommendation contained in the tender evaluation report

C.3.11.1 General

The employer must appoint an evaluation panel of not less than three persons conversant with the proposed scope of works to evaluate each responsive tender offer using the tender evaluation methods and associated evaluation criteria and weightings that are specified in the tender data.

C.3.12 Insurance provided by the employer

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

C.3.13 Acceptance of tender offer

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

a) Is not under restrictions, or has principals who are under restrictions, preventing participating in the employer's procurement,

b) can, as necessary and in relation to the proposed contract, demonstrate that he or she possesses the professional and technical qualifications, professional and technical competence, financial resources, equipment and other physical facilities, managerial capability, reliability, experience and reputation, expertise and the personnel, to perform the contract,

c) has the legal capacity to enter into the contract,

d) is not; insolvent, in receivership, under Business Rescue as provided for in chapter 6 of the Companies Act No. 2008, bankrupt or being wound up, has his/her affairs administered by a court or a judicial officer, has suspended his/her business activities or is subject to legal proceedings in respect of any of the foregoing;

e) complies with the legal requirements, if any, stated in the **tender data**, and

f) is able, in the opinion of the employer, to perform the contract free of conflicts of interest.

C.3.14 Prepare contract documents

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

a) addenda issued during the tender period,

b) inclusion of some of the returnable documents, and

c) other revisions agreed between the employer and the successful tenderer.

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

C.3.15 Complete Adjudicator's Contract

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

C.3.16 Registration of the Award

An Employer must, within twenty-one (21) working days from the date on which a contractor's offer to perform a construction works contract is accepted in writing by the employer, register and publish the award on the cidb Register of Projects.

C.3.17 Provide copies of the contracts

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

C.3.18 Provide written reasons for actions taken

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

KWAZULU-NATAL PROVINCE
PUBLIC WORKS & INFRASTRUCTURE
REPUBLIC OF SOUTH AFRICA

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

PART T2 - RETURNABLE DOCUMENTS

T2.1 LIST OF RETURNABLE DOCUMENTS

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Project Manager:	**Ms. S.T Magwaza**	**Tender no:**	**ZNTU02403 W**

1. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES

(Tenderer to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the tender)

Tender document name	Returnable document	
Bidder's Disclosure - SBD 4 (T2.11)	**Yes**	
Authority to Sign Tender (T2.2)	**Yes**	
Authority for Consortia or Joint Venture's to Sign Tender (T2.3)	**Yes**	
Special Resolution of Consortia or Joint Venture's (T2.4)	**Yes**	
Schedule of Proposed Sub-Contractors (T2.6)	**Yes**	
Joint Venture Involvement Declaration (T2.5)	**Yes**	
Capacity of Tenderer (T2.7)	**Yes**	
Annual Financial Statement for past financial year (2.15)	**Yes**	
Site Inspection Certificate as proof for attendance of compulsory briefing meeting (T2.10)	**Yes**	
Preference Points Claim Form (T2.9)	**Yes**	
Mandatory Enterprise Questionnaire (T2.18)	**Yes**	
Financial Standing and other resources of Business Declaration (T2.8)	**Yes**	
Contractor's Safety, Health and Environmental Declaration (T2.17)	**Yes**	
Complete Priced Bill of Quantities (T2.22)	**Yes**	
Certified Proof of CIDB Registration Number (T2.27)	**Yes**	
Contract Form - Purchase of Goods/Works - Part 1 (T2.29)	**Yes**	
Contract Form - Purchase of Goods/Works - Part 2 (T2.30)	**Yes**	
Mandatory Criteria (T2.34)	**Yes**	
Invitation to Tender - SBD 1 (T2.35)	**Yes**	

2. RETURNABLE SCHEDULES REQUIRED FOR TENDER EVALUATION PURPOSES BUT TO BE SUPPLIED BY THE TENDERER

(Tenderer to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the tender)

Tender document name	Returnable document	
Tax Compliance Status (TCS) PIN to verify on line Compliance Supplier Status via e-Filing (T2.19)	**Yes**	
Certified Proof of Good Standing with the Compensation Commissioner (Attach) (T2.20)	**Yes**	
Proof of payment of Tender deposit (T2.28)	**Yes**	
Certified Proof of Paid Municipal Rates and Taxes (Attach) (T2.23)	**Yes**	
Certified Proof of UIF Registration (Attach) (T2.24)	**Yes**	

Certified Proof of Registration Number on the Central Suppliers Database (T2.26)	**Yes**	
Annual Financial Statement for past financial year (2.15)	**Yes**	

Entire tender document including returnable and supporting documents, scanned as PDF onto a CD, clearly marked with the Tender information.	**Yes**	

3. RETURNABLE SCHEDULES THAT WILL BE INCORPORATED INTO THE CONTRACT

(Tenderder to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable document	
Form of Offer and Acceptance (Bound into Section 1 of 2) (T2.21)	**Yes**	
Record of Addenda to Tender Documents (T2.12)	**Yes**	
Particulars of Electrical Contractor (T2.13)	**Yes**	
Equipment Schedules-Mechanical / Electrical / Security Material (T2.16)	**Yes**	
Schedule of Imported Materials and Equipment (T2.14)	**Yes**	
Confirm Receipt of Offer and Acceptance (T2.21a)	**Yes**	

4. OTHER DOCUMENTS THAT WILL BE INCORPORATED INTO THE CONTRACT

(Tenderder to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable document	
Bill of Quantities (T2.22)	**Yes**	
Form of Guarantee (C1.3)	**Yes**	
List of Drawings/Annexure's (C5.1)	**Yes**	
The National Industrial Participation Programme (T2.25)	**Yes**	
Required Structure of Contractor's detailed OHSE Plan (T2.31)	**Yes**	
Client's specific requirements for the Contractor's detailed OHSE Plan (T2.32)	**Yes**	
Base line Risk Assessment (T2.33)	**Yes**	

5. DOCUMENTS REQUIRED FOR THE EVALUATION OF FUNCTIONALITY

(Tenderder to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	Returnable	
Proof of working capital at least 2.5% of the project value in the form of bank statement with bank stamp from a registered financial institution not older than 3 months or letter from registered financial institution indicating willingness to finance the contractor at a value of 2.5% of the contract value not older than 3	**Yes**	
Annual/Audited Financial Statement/Management Account/income and Expenditure Statements	**Yes**	
Detailed schedule of resources at all levels, including submission of a detailed organogram of the company, including listing on this organogram the resources within the company that will be dedicated to the project under construction (T2.38)	**Yes**	
Schedule of years of experience by key personnel, contract Manager, site foreman and health and safety Officer, as listed in the organogram on similar projects (minimum 5 years' experience for key personnel) (T2.39)	**Yes**	
Schedule of projects involving construction of new building / offices undertaken and successfully completed within applicable CIDB grading of 3GB OR Higher in the past 5 years by the tendering entity – letters of award and practical completion certificate for projects must be submitted (minimum two (2) projects required) (T2.40)	**Yes**	
Schedule of years of experience by key personnel, contract Manager, site foreman and health and safety Officer, as listed in the organogram on similar projects (minimum 5 years' experience for key personnel) (T2.39)	**Yes**	
All key project resources have more than (5) years' experience in the construction industry. All key project resources have experience in projects of a similar value and nature	**Yes**	

Detailed CV. Traceable reference. Certificates of qualified professionals in their full employment to be attached.	**Yes**	
Letter of intent to provide an on-demand construction guarantee to a value of 5% of the project value from a registered financial institution	**Yes**	
Site establishment indicating proposed layout for all prescribed facilities, hoarding, etc.	**Yes**	
OHS Management, compliance and reporting	**Yes**	
Site documentation control, filing and archiving	**Yes**	
Procurement of outsourced resources e.g. sub-contractors to comply with EPWP and CPG (contracting participation goals) – 30% subcontracting	**Yes**	

6. ADDITIONAL INFORMATION THAT MAY BE REQUIRED DURING THE BID EVALUATION

(Tenderder to Insert a tick (√) in the "Returnable document" column to check which documents he/she returned with the Tender)

Tender document name	document	
Certified copy of Founding Statement (CK1), if the firm is a close corporation	**Yes**	
Articles of Agreement (CM1) and shareholding certificates endorsed by an auditor if the firm is a company	**Yes**	
Articles of Association and shareholding certificate, endorsed by an auditor, if the firm is a private company PTY LTD	**Yes**	
In the event of the bidder being a public company , a letter from their auditor, certifying their status as a public company and attached thereto, a certified copy of the bidders Articles of Agreement	**Yes**	
Submission of a certified copy (s) of identity documents(s) if natural person(s) or partnership	**Yes**	
Copy of joint venture agreement if bidder is a joint venture and or consortium	**Yes**	

7. INDICATE RESPONSIVENESS CRITERIA

Bidder must be registered on the Central Suppliers Database	**Yes**	
Bid offer must be properly received on bid closing date and time specified on the invitation, fully completed and signed in ink	**Yes**	
Submission of authority to sign authorizing a dedicated person to sign documents on behalf of firm/ consortium/ joint venture	**Yes**	
Submission of other compulsory documents	**Yes**	
Submission of declaration of interest	**Yes**	
Submission of TAX pin	**Yes**	
Any other responsive criteria:	**Yes**	

T2.2 AUTHORITY TO SIGN TENDER

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

_____

_____

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

held at *(town)*: _____ on *(date)*: _____

RESOLVED that:

1. The Enterprise submits a Tender to the KZN Department of Public Works in respect of the following project:

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

Tender Number: **ZNTU 02403 W**

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

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

and who will sign as follows: _____ (Authorised Signatory)

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

	Name	Capacity	Signature
1			
2			
3			
4			
5			
6			
7			
8			

Note:

1. ** Delete which is not applicable.*
2. *NB. This resolution / Power of Attorney must be signed by all the Directors / Members / Partners of the Legal Tendering Enterprise authorising the Representative to make this Offer.*
3. *Should the number of Directors / Members/Partners exceed the space available above, additional names and signatures must be supplied on a separate page.*
4. *In the case of the tendering Enterprise being a Close Corporation, a **certified copy of the Founding Statement** of such corpora - tion must be attached to this tender.*

ENTERPRISE STAMP (If Any)

T2.3 AUTHORITY FOR CONSORTIA OR JOINT VENTURES TO SIGN TENDER

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

_____

_____

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

held at *(town)*: _____ on *(date)*: _____

RESOLVED that:

1. The Enterprise submits a Tender, in consortium/Joint Venture with the following Enterprises:

   _____

   _____

   (List all the legally correct full names and registration numbers, if applicable, of the Enterprises forming the Consortium/Joint Venture)

   to the KZN Department of Public Works in respect of the following project:

   ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

   Tender Number: **ZNTU 02403 W**

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

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

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

3. The Enterprise accepts joint and several liability with the parties listed under item 1 above for the due fulfilment of the obligations of the joint venture deriving from, and in any way connected with, the Contract to be entered into with the Department in respect of the project described under item 1 above.
4. The Enterprise chooses as its *domicilium citandi et executandi* for all purposes arising from this joint venture agreement and the Contract with the Department in respect of the project under item 1 above:

   Physical address: _____

   _____

   _____

   _____ (Postal Code)

   Postal Address: _____

   _____

   _____

   _____ (Postal Code)

Telephone number: *(Dialing Code followed by number)* _____

Fax number: *(Dialing Code followed by number)* _____

Email Address : _____

***BOARD OF DIRECTORS / MEMBERS / PARTNERS in Consortium of Joint Venture**

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

Note:

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

ENTERPRISE STAMP (If Any)

Deemed to satisfy joint venture arrangements	Designation
Grading 2 + Grading 2 + Grading 2	= 3
Grading 3 + Grading 3 + Grading 3	= 4
Grading 4 + Grading 4	= 5
Grading 4 + Grading 3 + Grading 3	= 5
Grading 5 + Grading 5	= 6
Grading 5 + Grading 4 + Grading 4	= 6
Grading 6 + Grading 6	= 7
Grading 6 + Grading 5 + Grading 5	= 7
Grading 7 + Grading 7 + Grading 7	= 8
Grading 8 + Grading 8 + Grading 8	= 9

Tenderers who envisage entering into a Joint Venture shall complete a submit a Joint Venture Agreement (see copy of CIDB's agreement elsewhere in this document) with this Tender.

THE CIDB JOINT VENTURE GRADING DESIGNATION CALCULATOR sums the capacity of all joint venture partners and calculates a grading designation for the joint venture

T2.4 SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

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

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

held at: _____ *(place)* on _____ *(date)*

RESOLVED that:

A. The above-mentioned Enterprises submits a Tender in Consortium/Joint Venture to the KZN Department of Public Works in respect of the following project:

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

Tender Number: **ZNTU 02403 W**

Project Code: **WIMS 060723**

B. Mr/Mrs/Ms: _____ in

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

and who will sign as follows: _____
be, and is hereby, authorised to sign the Tender, and any and all other documents and/or correspondence in connection with and relating to the Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Tender to the Enterprises in Consortium/Joint Venture mentioned above.

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

_____

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

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

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

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

Physical address: _____

_____

_____

_____ (Postal Code)

Postal Address: _____

_____

_____

_____ (Postal Code)

Telephone number: *(Dialing Code followed by number)* _____

Fax number: *(Dialing Code followed by number)* _____

Email Address : _____

***BOARD OF DIRECTORS / MEMBERS / PARTNERS in Consortium of Joint Venture**

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

Note:

1. ** Delete which is not applicable.*
2. ***NB.*** *This resolution / Power of Attorney must be signed by all the Duly Authorised Representatives of the Legal Entities to the Consortium/Joint Venture submitting this Tender.*
3. *Should the number of Duly Authorised Representatives of the Legal Entities joining forces in this Tender exceed the space available above, additional names and signatures must be supplied on a separate page.*
4. *Resolutions, duly completed and signed, from the separate Enterprises who participate in this Consortium/Joint Venture must be attached to the Special Resolution.*

T2.4 SPECIAL RESOLUTION OF CONSORTIA OR JOINT VENTURES

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

2. _____

3. _____

4. _____

5. _____

6. _____

7. _____

8. _____

held at: _____ *(place)* on _____ *(date)*

RESOLVED that:

A. The above-mentioned Enterprises submits a Tender in Consortium/Joint Venture to the KZN Department of Public Works in respect of the following project:

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

Tender Number: **ZNTU 02403 W**

Project Code: **WIMS 060723**

B. Mr/Mrs/Ms: _____ in

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

and who will sign as follows: _____
be, and is hereby, authorised to sign the Tender, and any and all other documents and/or correspondence in connection with and relating to the Tender, as well as to sign any Contract, and any and all documentation, resulting from the award of the Tender to the Enterprises in Consortium/Joint Venture mentioned above.

C. The Enterprises constituting the Consortium/Joint Venture, notwithstanding its composition, shall conduct all business under the name and style of:

_____

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

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

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

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

Physical address: _____

_____

_____

_____ (Postal Code)

Postal Address: _____

_____

_____

_____ (Postal Code)

Telephone number: *(Dialing Code followed by number)* _____

Fax number: *(Dialing Code followed by number)* _____

Email Address : _____

***BOARD OF DIRECTORS / MEMBERS / PARTNERS in Consortium of Joint Venture**

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

Note:

1. ** Delete which is not applicable.*
2. ***NB.*** *This resolution / Power of Attorney must be signed by all the Duly Authorised Representatives of the Legal Entities to the Consortium/Joint Venture submitting this Tender.*
3. *Should the number of Duly Authorised Representatives of the Legal Entities joining forces in this Tender exceed the space available above, additional names and signatures must be supplied on a separate page.*
4. *Resolutions, duly completed and signed, from the separate Enterprises who participate in this Consortium/Joint Venture must be attached to the Special Resolution.*

T2.5 JOINT VENTURES INVOLVEMENT DECLARATION

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

DECLARATION RELATING TO A TENDER SUBMITTED BY A JOINT VENTURE :

I/We the undersigned parties do hereby declare that our respective involvement in the Works, of which I/we tender by Joint Venture, would be as follows :-

Party No. 1	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Party No. 2	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Party No. 3	
CENTRAL SUPPLIERS DATABASE REGISTRATION NO:	
TENDERERS CIDB REGISTRATION NUMBER:	
Name	
Address	
Percentage involvement	%

Signed - Party No. 1

I/We *(Full Name)* _____

duly authorised in my capacity as _____

of *(Enterprise name)*: _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such Tender submitted by the Joint Venture be accepted.

_____ _____

Signed by Authorised Representative Date

Signed - Party No. 2

I/We *(Full Name)* _____

duly authorised in my capacity as _____

of *(Enterprise name)*: _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such tender submitted by the Joint Venture be accepted.

_____ _____

Signed by Authorised Representative Date

Signed - Party No. 3

I/We *(Full Name)* _____

duly authorised in my capacity as _____

of *(Enterprise name)*: _____

do jointly and severally accept responsibility for the due performance of the Works contained in the above project should such tender submitted by the Joint Venture be accepted.

_____ _____

Signed by Authorised Representative Date

T2.6 SCHEDULE OF PROPOSED SUBCONTRACTORS

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

We notify you that it is our intention to employ the following Subcontractors for work in this contract. The Subcontractors will all be CIDB registered and their CIDB Registration number shall be submitted below.

If we are awarded a contract we agree that this notification does not change the requirement for us to submit the names of proposed subcontractors in accordance with requirements in the contract for such appointments. If there are no such requirements in the contract, then your written acceptance of this list shall be binding between us.

We confirm that all subcontractors who are contracted to construct a house **are registered as home builders with the National Home Builders Registration Council**.

No	Name and address of proposed Subcontractor	Nature and extent of work	Year Completed	Value (R):	Contact Tel No:	Previous experience with Subcontractor
1	CIDB Registration Number:					
2	CIDB Registration Number:					
3	CIDB Registration Number:					
4	CIDB Registration Number:					
5	CIDB Registration Number:					

Name of authorised representative	**Signature**	**Capacity**	**Date**
Name of Enterprise:			

T2.7 CAPACITY OF TENDERER			
Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

1. **WORK CAPACITY:** (The Tenderer is requested to furnish the following capacity particulars and to attach additional pages if more space is required. Failure to furnish the particulars may result in the Tender being disregarded.)

1.1. **Artisans and Employees:** *(Artisans and Employees to be ,or are ,employed for this project)*

Categories of Employee - Key Personnel (part of Business Enterprise)	Professional Registration No.	Date of Employment	Number
Site Agent			
Project Manager			
Foreman			
Quality Control & Safety Officer-Construction Supervisor			
Artisans			
Unskilled employees			
Others			

1.2. Provide full particulars of the following Assets: *(Assets owned and to be hired - Indicate owned assets)*

Machinery	Plant	Equipment	Vehicles

1.3. Workshops:

Address of Main Workshop:	Address of Regional Workshop (If Applicable):

1.4. Other offers submitted at time of this tender for which results are pending:
(Any other client's tender must also be included)

Tender No.	Project Name	Client Name & Contact No.	Value Tendered in R's	Date Tender submitted	Contact Detail

2. PARTICULARS OF THE TENDERERS CURRENT AND PREVIOUSLY COMPLETED COMMITMENTS:

2.1. Current private sector projects: *(List the 5 projects closest to the contractor grading designation of this project)*

1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	

2.2. Current Government sector projects: *(List the 5 projects closest to the contractor grading designation of this project)*

1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Scheduled date of completion	

2.3. Previously completed projects: *(List the 5 projects closest to the contractor grading designation of this project)*

1	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
2	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
3	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
4	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	
5	Project Name		Date of commencement	
	Place (town)		Contract Amount (R)	
	Reference / Contact person		Contract period	
	Contact Tel. No.		Date completed	

Name of Tenderer	Signature of authorised representative	Date

T2.8 FINANCIAL STANDING AND OTHER RESOURCES OF BUSINESS DECLARATION

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

(a) Based on the track record determined on the Minimum Average Annual Turnover coupled to the assessed Works Capabilities of Contracting Enterprises, the Construction Industry Development Board (CIDB) awards Grading Designations and accordingly registers it on the system.

This confirms that a Contractor has, at the time of registration, in the absence of any supply side interventions, sufficient working capital to commence the Works for a single contract and render due performance.

(b) However, it regularly occurs that a Contractor will at the same time submit tenders for a number of projects that are advertised during an overlapping period. Moreover, the Contractor may be busy with a Contract that is of the registered CIDB Grading Designation (value) or is even attending to a number of smaller valued Contracts.

(c) It therefore becomes the prerogative of a Tenderer in such instances to prove to the Department that the Enterprise has the capacity in every respect to attend to more than one (1) contract at a time.

(d) A Tenderer who wishes to be considered for this tender Contract award, over and above other tenders that they have submitted, shall submit when requested by the DoPW the necessary proof that:

(i) he/she has access to additional finance (inclusive of a PERFORMANCE GUARANTEE BY A REGISTERED FINANCIAL INSTITUTION),

(ii) he/she has additional Human Resources available to successfully complete this project.

(iii) he/she has adequate Equipment, Plant and Machinery that all of the above can, undoubtedly, be sourced for this tender. (Please submit to the DoPW the name and contact details of the supplier if the Tenderer is going to hire Equipment, Plant or Machinery, when requested.)

(e) Tenderer to submit their latest 12 months audited financial statements with the returnable documents.

I, the undersigned, _____

(name of person authorized to sign on behalf of the Tenderer

understand that it is the responsibility of the Tenderer to prove and provide when requested by the DoPW, evidence of the good Financial Standing of the Business to complete the Contract successfully.

Furthermore, it is understood that failure to provide when requested by DoPW, at least the information as stated in paragraphs (d)(i)(ii) AND (iii) above will not enable the Evaluation Team to assess the CURRENT financial standing of the Business and the failure to provide said information when requested will, therefore, invalidate the Tender.

I accept and understand that the KZN Department of Public Works, as representative of the Provincial Administration of KwaZulu-Natal in this tender, may act against me and the Tenderer, jointly and severally, should this declaration and/or any information provided be found to be false.

Duly signed at..... on this the..... day of..... 20..

Full Name of Signatory	Name of Enterprise
Capacity of Signatory	Signature of authorised representative

T2.9 PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

Project Title:	ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS
Tender Number:	ZNTU02403 W
Project Code:	060723

SBD 6.1

PREFERENCE POINTS CLAIM FORM IN TERMS OF THE PREFERENTIAL PROCUREMENT REGULATIONS 2022

This preference form must form part of all tenders invited. It contains general information and serves as a claim form for preference points for specific goals.

NB: BEFORE COMPLETING THIS FORM, TENDERERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF THE TENDER AND PREFERENTIAL PROCUREMENT REGULATIONS, 2022

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to invitations to tender:

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

1.2 **To be completed by the organ of state**

(*delete whichever is not applicable for this tender*).

a) The applicable preference point system for this tender is the 90/10 preference point system.

b) The applicable preference point system for this tender is the 80/20 preference point system.

c) Either the 90/10 or 80/20 preference point system will be applicable in this tender. The lowest/ highest acceptable tender will be used to determine the accurate system once tenders are received.

1.3 Points for this tender (even in the case of a tender for income-generating contracts) shall be awarded for:

(a) Price; and

(b) Specific Goals.

1.4 **To be completed by the organ of state:**

The maximum points for this tender are allocated as follows:

	POINTS
PRICE	**80**
SPECIFIC GOALS	**20**
Total points for Price and SPECIFIC GOALS	**100**

1.5 Failure on the part of a tenderer to submit proof or documentation required in terms of this tender to claim points for specific goals with the tender, will be interpreted to mean that preference points for specific goals are not claimed.

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

2. DEFINITIONS

(a) **"tender"** means a written offer in the form determined by an organ of state in response to an invitation to provide goods or services through price quotations, competitive tendering process or any other method envisaged in legislation;

(b) **"price"** means an amount of money tendered for goods or services, and includes all applicable taxes less all unconditional discounts;

(c) **"rand value"** means the total estimated value of a contract in Rand, calculated at the time of bid invitation, and includes all applicable taxes;

(d) **"tender for income-generating contracts"** means a written offer in the form determined by an organ of state in response to an invitation for the origination of income-generating contracts through any method envisaged in legislation that will result in a legal agreement between the organ of state and a third party that produces revenue for the organ of state, and includes, but is not limited to, leasing and disposal of assets and concession contracts, excluding direct sales and disposal of assets through public auctions; and

(e) **"the Act"** means the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000).

3. FORMULAE FOR PROCUREMENT OF GOODS AND SERVICES

3.1. **POINTS AWARDED FOR PRICE**

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

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

80/20 **or** **90/10**

$Ps=80(1-(Pt-P\ min)/(P\ min))$ or $Ps=90(1-(Pt-P\ min)/(P\ min))$

Where
Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmin = Price of lowest acceptable tender

3.2. **FORMULAE FOR DISPOSAL OR LEASING OF STATE ASSETS AND INCOME GENERATING PROCUREMENT**

3.2.1. **POINTS AWARDED FOR PRICE**

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

80/20 **or** **90/10**

$Ps=80(1+(Pt-P\ max)/(P\ max))$ or $Ps=90(1+(Pt-P\ max)/Pmax)$

Where
Ps = Points scored for price of tender under consideration
Pt = Price of tender under consideration
Pmax = Price of highest acceptable tender

4. POINTS AWARDED FOR SPECIFIC GOALS

4.1. In terms of Regulation 4(2); 5(2); 6(2) and 7(2) of the Preferential Procurement Regulations, preference points must be awarded for specific goals stated in the tender. For the purposes of this tender the tenderer will be allocated points based on the goals stated in table 1 below as may be supported by proof/ documentation stated in the conditions of this tender:

4.2. In cases where organs of state intend to use Regulation 3(2) of the Regulations, which states that, if it is unclear whether the 80/20 or 90/10 preference point system applies, an organ of state must, in the tender documents, stipulate in the case of—

(a) an invitation for tender for income-generating contracts, that either the 80/20 or 90/10 preference point system will apply and that the highest acceptable tender will be used to determine the applicable preference point system; or

(b) any other invitation for tender, that either the 80/20 or 90/10 preference point system will apply and that the lowest acceptable tender will be used to determine the applicable preference point system,

then the organ of state must indicate the points allocated for specific goals for both the 90/10 and 80/20 preference point system.

Table 1: Specific goals for the tender and points claimed are indicated per the table below.

(Note to organs of state: Where either the 90/10 or 80/20 preference point system is applicable, corresponding points must also be indicated as such.

Note to tenderers: The tenderer must indicate how they claim points for each preference point system. **)**

The specific goals allocated points in terms of this tender	Number of Points allocated (90/10 system) (to be completed by the Organ of State)	Number of Points allocated (80/20 system) (to be completed by the Organ of State)	Number of points claimed (90/10 system) (To be completed by the tenderer)	Number of points claimed (80/20 system) (To be completed by the tenderer)
Ownership by Black People Documentary Proof Required: a) Original EME or QSE sworn affidavit signed and dated by commissioner of Oaths. b) Certified copies of identity Documents of the Owner/ shareholders/ Directors of the Bidding Entity	0	10		
Promotion of Enterprises located in a Specific municipal area for work done or services rendered (King Cetshwayo / uMkhanyakude District/ or Zululand District, KwaZulu- Natal). Documentart Proof Required: a) Proof of Municipal Account depicting Physical Address of the business which is not older than 03 months b) Lease Agreement c) Original or Certified Copy of the Original Letter from the Ward Councillor as proof of residence	0	10		

DECLARATION WITH REGARD TO COMPANY/FIRM

4.3. Name of company/firm……..

4.4. Company Registration Number :……

4.5. TYPE OF COMPANY/ FIRM

Partnership/Joint Venture / Consortium	
One-person business/sole propriety	
Close corporation	
Public Company	
Personal Liability Company	
(Pty) Limited	
Non-Profit Company	
State Owned Company	

[TICK APPLICABLE BOX]

4.6. I, the undersigned, who is duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the specific goals as advised in the tender, qualifies the company/ firm for the preference(s) shown and I acknowledge that:

i) The information furnished is true and correct;

ii) The preference points claimed are in accordance with the General Conditions as indicated in paragraph 1 of this form;

iii) In the event of a contract being awarded as a result of points claimed as shown in paragraphs 1.4 and 4.2, the contractor may be required to furnish documentary proof to the satisfaction of the organ of state that the claims are correct;

iv) If the specific goals have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the organ of state may, in addition to any other remedy it may have –

(a) disqualify the person from the tendering process;

(b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;

(c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;

(d) recommend that the tenderer or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, be restricted from obtaining business from any organ of state for a period not exceeding 10 years, after the *audi alteram partem* (hear the other side) rule has been applied; and

(e) forward the matter for criminal prosecution, if deemed necessary.

……
SIGNATURE(S) OF TENDERER(S)
SURNAME AND NAME: ……
DATE: ……
ADDRESS: ……
……
……
……

T2.10 SITE INSPECTION MEETING CERTIFICATE			
Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**
Site Inspection Date:		**As per tender advert at 11h00**	

This is to certify that I, _____
(Name of authorised Representative)

representing _____
(Name of Enterprise)

visited the site on: _____ *(Date)*

I have made myself familiar with all local conditions likely to influence the work and the cost thereof. I further certify that I am satisfied with the description of the work and explanations given at the site inspection meeting and that I understand the work to be done, as specified and implied, in the execution of this contract.

I declare that the representative, named above, is my authorised representative and **not** a third party agent and that my representative's attending of this site meeting, shall be deemed conclusive proof that my Enterprise are fully aware of what was said and discussed at this meeting.

Name of Tenderer	Signature	Date

Name of DOPW Representative	Signature	Date

This form is only to be completed when applicable to the tender and if a Compulsory Briefing meeting has been called.

Departmental Stamp:

T2.11 BIDDER'S DISCLOSURE - 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 interest1 in the enterprise, employed by the state? **YES/NO**

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

Full Name	Identity Number	Name of State institution

2.2 Do you, or any person connected with the bidder, have a relationship

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

with any person who is employed by the procuring institution? **YES/NO**

2.2.1 If so, furnish particulars:

.....

.....

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

2.3.1 If so, furnish particulars:

.....

.....

3 DECLARATION

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

3.1 I have read and I understand the contents of this disclosure;

3.2 I understand that the accompanying bid will be disqualified if this disclosure is found not to be true and complete in every respect;

3.3 The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However, communication between partners in a joint venture or consortium2 will not be construed as collusive bidding.

3.4 In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications, prices, including methods, factors or formulas used to calculate prices, market allocation, the intention or decision to submit or not to submit the bid, bidding with the intention not to win the bid and conditions or delivery particulars of the products or services to which this bid invitation relates.

3.4 The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

3.5 There have been no consultations, communications, agreements or arrangements made by the bidder with any official of the procuring

---

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

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 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

T2.12 RECORD OF ADDENDA TO TENDER DOCUMENTS

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

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

	Date	Title or Details	No. of Pages
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			

Attach Additional Pages if more space is required

Tenderer to attach proof of receipt of above listed addenda

Signed		**Date**	
Name		**Position**	
Tenderer			

T2.13 PARTICULARS OF ELECTRICAL CONTRACTOR			
Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

Name of Electrical Contractor: _____

Address: _____

_____

_____

_____

Telephone Number: _____
(Area Code)(Number)

Fax Number: _____
(Area Code)(Number)

Registration number at the Electrical Contracting Board of S.A.:	

Name of authorised representative	**Signature**	**Date**

T2.14 SCHEDULE FOR IMPORTED MATERIALS AND EQUIPMENT

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

This schedule should be completed by the tenderer. *(Attach additional page(s) if more space is required)*

Item	Material / Equipment	Quotation (Excluding VAT)
1		R
2	N/A	R
3		R
4		R
5		R
6		R

The Contractor shall list imported items, materials and/or equipment which shall be excluded from the Contract Price Adjustment Provisions (if applicable) and shall be adjusted in terms of currency fluctuations only. Copies of the supplier's quotations for the items, materials or equipment (provided that such costs shall not be higher than the relevant contract rate as listed above) should be lodged with the Principal Agent / Engineer of the Department of Public Works within 60 (sixty) days from the date of acceptance of the tender. No adjustment of the local VAT amount, nor the contractor's profit, discount, mark-up, handling costs, etc. shall be allowed. (See P&G E16)

These net amounts will be adjusted as follows:

FORMULA:

The net amount to be added to or deducted from the contract sum:

$$A = V\left(\frac{Z}{Y} - 1\right)$$

A = the amount (R) of adjustment

V = the net amount (supplier's quotation) (R) of the imported item

Y = exchange rate 14 days prior to closing date of tender submission

Z = exchange rate on the date of the Bill of Lading* of exporters invoice.

** A bill of lading (sometimes abbreviated as B/L or BoL) is a document issued by a carrier which details a shipment of merchandise and gives title of that shipment to a specified party. Bills of lading are one of three important documents used in international trade to help guarantee that exporters receive payment and importers receive merchandise. A straight bill of lading, which is referred to above, is used when payment has been made in advance of shipment and requires a carrier to deliver the merchandise to the appropriate party. It is therefore the date of the paid up invoice when the shipment leaves the exporter's location. [http://en.wikipedia.org/wiki/Bill_of_lading]*

Name of authorised representative	Signature	Date

T2.15a LATEST 12 MONTH ANNUAL FINANCIAL STATEMENT			
Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A CERTIFIED COPY OF THE ANNUAL FINANCIAL STATEMENT OF THE COMPANY FOR THE PAST FINANCIAL YEAR TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of the annual financial statements of the past financial year in respect of each party to the Joint Venture must be attached to this page

ATTACH COMPANY LATEST 12 MONTHS ANNUAL FINANCIAL STATEMENTS TO THIS PAGE

T2.16 EQUIPMENT SCHEDULES

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

The Tenderer shall complete the following schedules giving details of the various items of materials or equipment that he includes in his offer.

TECHNICAL DATA: STANDBY GENERATOR

Manufacturer:	
Model number:	N/A
Serial number:	
Voltage	
KVA	
Frequency	
RPM	
Cylinder/stroke	
Fuel capacity and consumption	
Sound pressure level	
Condenser air flow rate	
Attenuation type	
Battery Type	
AMF Change Over Panel Type	
Starter Motor Type and Voltage	
Standard Compliance	

Project Code: **WIMS 060723**

EQUIPMENT SCHEDULES

TECHNICAL DATA: **UNINTERRUPTABLE POWER SUPPLY UPS**

Manufacturer	
Model	
Frequency	
Harmonic Distortion Reduction	
Operating Temperature	
Range of Protection – Lightning Strike	
KVA	N/A
Maximum current, cooling mode	
Agent	
Telephone number of Agent	
Brochure enclosed	Yes/No

TECHNICAL DATA: **PARCEL X-RAY UNITS**

Manufacturer	
Model	
Dimension /Size	
Resolution	
Zoom ranges	
External Radiation Levels	
Standard Compliance	
Electrical nominal voltage	Volts
Monitor Type and size	
Agent	
Telephone no of Agent	
Brochure enclosed	Yes/No

Project Code: **WIMS 060723**

EQUIPMENT SCHEDULES

TECHNICAL DATA: **WALK THROUGH DETECTOR**

Manufacturer	
Model	
Timer mode	
No of sequential settings per time switch	
No of N/O and N/C contacts per setting	N/A
Adjustable time lapse between settings	
Operating voltage	
Operating current	
Agent	
Telephone number	
Brochure enclosed	Yes/No

TECHNICAL DATA: **TURNSTILE**

Manufacturer	
Size	
Range	
Voltage	
Battery Back Up Time	
Finish	
Agent	
Telephone number	
Brochure enclosed	Yes/No

Project Code: **WIMS 060723**

EQUIPMENT SCHEDULES

TECHNICAL DATA: **PARAPLEGIC LIFT**

Manufacturer	
Panel thickness	
Load	
Stops	
Car Size	
Door Opening	
Door Type	N/A
Speed	
Type of Drive	
Speed Control	
Type of Car and Landing Buttons	
Type of Landing Door Frames	
Type of Door	
Internal Finishes	
Pit	
Head Room	
Battery Type	
Method of joining panels	
Floor construction	
Standard Compliance	
Agent	
Telephone number of Agent	
Brochure enclosed	Yes/No

Project Code: **WIMS 060723**

EQUIPMENT SCHEDULES

TECHNICAL DATA: **AIR-CONDITIONING AND VENTILATION INSTALLATION**

Area:		
Manufacturer:		
Model number:	WCPU	
	Cooling Tower	
Serial number:	WCPU	N/A
	Cooling Tower	
Voltage		V
Starting amps		A
Running amps		A
System supply gauge pressure		kPA
System return gauge pressure		kPA
Condenser water inlet temperature		°C
Condenser water outlet temperature		°C
Condenser water flow rate		l/s
Blower unit air inlet temperature		°C
Blower unit air outlet temperature		°C
Blower unit air flow rate		m^3/s
Conditioned room air temperature after 1 hour, Design		°C
Conditioned room air temperature after 1 hour, Actual		°C

T2.17 CONTRACTOR'S SAFETY, HEALTH AND ENVIRONMENTAL DECLARATION

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

In terms of Regulation 5(1)(h) of the Construction Regulations of February 2014 a Contractor may only be appointed to perform construction work if the Client 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, Act 85 of 1993 and the Construction Regulations of February 2014. In line with this requirement the Contractor is required to read through this document carefully, sign it and submit it with his/her Tender.

DECLARATION

1. I, the undersigned hereby declare and confirm that I am fully conversant with the Occupational Health and Safety Act, Act 85 of 1993 and the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications attached to this document.
2. I hereby declare that my company and its employees has the necessary competency and resources to safely carry out the construction works under this contract in compliance with the Occupational Health and Safety Act, Act 85 of 1993, the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications.
3. I hereby confirm that adequate provisions has been made in my Tender to cover the cost of all Safety, Health and Environmental duties and responsibilities imposed on me by the Occupational Health and Safety Act, Act 85 of 1993, the Construction Regulations of February 2014 and the Construction Safety, Health and Environmental Specifications.
4. I hereby undertake that if my Tender is accepted, to provide before commencement of the Works under the contract or as required by the Conditions of the Contract, a suitable and sufficiently documented Construction Safety, Health and Environmental Management Plan in accordance with Regulation 7(1)(a) of the Construction Regulations of February 2014, which shall be subject for approval by the Client.
5. I confirm that I may not commence with any part of construction work under the contract until my Construction Safety Health and Environmental Management Plan has been approved in writing by the Client.
6. I hereby confirm that copies of the following documentation will be kept on site for viewing and inspection purposes for the duration of the construction work:
   a) Client's Construction Safety, Health and Environmental Specification.
   b) Approved Construction Safety, Health and Environmental Plan.
   c) Occupational Health and Safety Act, Act 85 of 1993.
   d) Construction Regulations of February 2014.
7. I agree that my failure to complete and execute this declaration to the satisfaction of the Client will mean that I am unable to comply with the requirements of the Occupational Health and Safety Act, Act 85 of 1993 and the Construction Regulations of February 2014, and accept that my Tender will be rejected.

Duly signed at..... on this the..... day of..... 20.....

Full Name of Signatory

Name of Enterprise

Capacity of Signatory

Signature of authorised representative of Tenderer

T2.18 COMPULSORY ENTERPRISE QUESTIONNAIRE

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

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 6 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 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			

T2.19 TAX COMPLIANCE STATUS (TCS) PIN TO VERIFY ON LINE COMPLIANCE SUPPLIER STATUS VIA SARS e-FILING

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

TAX CLEARANCE REQUIREMENTS

It is a condition of Tender that the taxes of the successful tenderer must be in order, or that satisfactory arrangements have been made with South African Revenue Service (SARS) to meet the tenderer's tax obligations. It is a condition of this Offer of Commission that your practice remains in good standing with SARS (South African Revenue Services) in terms of its tax clearance.

1. In order to meet this requirement Tenderers are required to apply via e-filing at any SARS branch office nationally. The Tax Compliance Status (TCS) requirements are also applicable to foreign Tenderers / individuals who wish to submit tenders.
2. SARS will then furnish the tenderer with a Tax Compliance Status (TCS) **PIN** that will be valid for a period of 1 (one) year from the date of approval.
3. In tenders where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Compliance Status (TCS) PIN.
4. Application for Tax Compliance Status (TCS) PIN can be done via e-filing at any SARS branch office nationally or on the website www.sars.gov.za.
5. Tax Clearance Certificates may be printed via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

IMPORTANT NOTICE

1. The South African Revenue Services (SARS) has phased out the issuing of paper Tax Clearance Certificates.
2. From 18 April 2016 SARS introduced an enhanced Tax Compliance (TCS) system.
3. The new system allows taxpayers to obtain a Tax Compliance Status (PIN), which can be utilised by authorised third parties to verify taxpayers compliance status online via SARS e-filing.
4. Tenderers are required to fill in clearly, legibly, in bold print and black ink the SARS (TCS) PIN number and Tax Reference number in the space hereunder:

Tax Compliance Status(TCS) PIN Number	
Company / Tendering Entity Tax Reference Number	

Name of Tenderer: .....

Signature of tenderer: .....

Date: .....

T2.20 CERTIFIED PROOF OF GOOD STANDING WITH THE COMPENSATION COMMISSIONER

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A CERTIFIED COPY OF PROOF, THAT THE TENDERER IS IN GOOD STANDING WITH THE COMPENSATION COMMISSIONER, TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of Good Standing with the Compensation Commissioner in respect of each party to the Joint Venture must be attached to this page

T2.21 - FORM OF OFFER AND ACCEPTANCE

Tender no: ZNTU 02403 W

OFFER

The Employer, identified in the Acceptance signature block, has solicited offers to enter into a contract for the procurement of :

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

The Tenderer, identified in the Offer signature block, has examined the documents listed in the Tender Data and Addenda thereto as listed in the Returnable Schedules, and by submitting this Offer has accepted the Conditions of Tender.

By the representative of the Tenderer, deemed to be duly authorized, signing this part of this Form of Offer and Acceptance, the tenderer offers to perform all of the obligations and liabilities of the Contractor under the contract including compliance with all its terms and conditions according to their true intent and meaning for an amount to be determined in accordance with the Conditions of Contract identified in the Contract Data.

THE OFFERED TOTAL OF THE PRICES INCLUSIVE OF VALUE ADDED TAX IS:

Amount (in words):	
Amount in figures:	R

This Offer may be accepted by the Employer by signing the Acceptance part of this Form of Offer and Acceptance and returning one copy of this document to the Tenderer before the end of the period of validity stated in the Tender Data, whereupon the Tenderer becomes the party named as the Contractor in the Conditions of Contract identified in the Contract Data.

Signature (s)				
Name (s)				
Capacity				
For the tenderer				
	(Name and address of tenderer)			
Name and signature of witness			**Date**	

ACCEPTANCE

By signing this part of this Form of Offer and Acceptance, the Employer identified below, accepts the Tenderer's offer. In consideration thereof, the Employer shall pay the Contractor the amount due in accordance with the Conditions of Contract identified in the Contract Data. Acceptance of the Tenderer's offer shall form an agreement between the Employer and the Tenderer upon the terms and conditions contained in this Agreement and in the contract that is the subject of this Agreement.

The terms of the contract, are contained in:

Part C1	Agreement and Contract Data, (which includes this agreement)
Part C2	Pricing data
Part C3	Scope of work.
Part C4	Site information and drawings and documents or parts thereof, which may be incorporated by reference into the above listed Parts.

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

The tenderer shall within two weeks after receiving a completed copy of this agreement, including the schedule of deviations (if any), contact the employer's agent (whose details are given in the contract data) to arrange the delivery of any securities, bonds, guarantees, proof of insurance and any other documentation to be provided in terms of the conditions of contract identified in the contract data. Failure to fulfil any of these obligations in accordance with those terms shall constitute a repudiation of this agreement.

Notwithstanding anything contained herein, this agreement comes into effect on the date when the tenderer receives one fully completed original copy of this document, including the schedule of deviations (if any). Unless the tenderer (now contractor) within five (5) working days of the date of such receipt notifies the employer in writing of any reason why he/she cannot accept the contents of this agreement, this agreement shall constitute a binding contract between the parties.

Signature (s)			
Name (s)			
Capacity			
For the employer			
	(Name and address of employer)		
Name and signature of witness			

Schedule of Deviations

Notes:

1. The extent of deviations from the tender documents issued by the employer before the tender closing date is limited to those permitted in terms of the conditions of tender.

2. A tenderer's covering letter shall not be included in the final contract document. Should any matter in such letter, which constitutes a deviation as aforesaid, become the subject of agreements reached during the process of offer and acceptance, the outcome of such agreement shall be recorded here.

3. Any other matter arising from the process of offer and acceptance either as a confirmation, clarification or change to the tender documents and which it is agreed by the Parties becomes an obligation of the contract shall also be recorded here.

4. Any change or addition to the tender documents arising from the above agreements and recorded here, shall also be incorporated into the final draft of the Contract.

1.1.1. **Subject:**
Details:

1.1.2. **Subject:**
Details:

1.1.3. **Subject:**
Details:

1.1.4. **Subject:**
Details:

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

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

T2.21a CONFIRMATION OF RECEIPT OF OFFER AND ACCEPTANCE

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

Tender no.:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

The Tenderer (now Contractor), identified in the Offer part of this Agreement hereby confirms receipt from the Employer, identified in the Acceptance part of this Agreement, of one fully completed original copy of this Agreement, including the Schedule of Deviations (if any) today:

the _____ (day)

of _____ (month)

_____ (year)

at _____ (Place)

For the Contractor:

_____
Signature

_____
Name

_____
Capacity

Signature and name of witness:

_____
Signature

_____
Name

T2.22 - FINAL SUMMARY OF BILL OF QUANTITIES

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH SUMMARY PAGE OF THE BILL OF QUANTITIES

FINAL SUMMARY

Section No		Page No	Amount
1	PRELIMINARY AND GENERAL	24	
2	REPAIRS AND RENOVATIONS TO EXISTING ABLUTIONS (PROVISIONAL)	27	
3	NEW BUILDINGS (PROVISIONAL)	58	
4	EXTERNAL WORKS (PROVISIONAL)	79	
5	BOREHOLE INSTALLATION (PROVISIONAL)	83	
6	ELECTRICAL INSTALLATION (PROVISIONAL)	89	
7	BUDGETARY ALLOWANCES	90	
	SUB-TOTAL		R
	VAT @ 15%		R
	Carried to Form of Offer (T2.21)		R

LDM QUANTITY SURVEYORS (PTY) LTD.

T2.23 - CERTIFIED PROOF OF PAID MUNICIPAL RATES & TAXES

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH PROOF OF PAID MUNICIPAL RATES & TAXES TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Quotation by a Joint Venture, proof of paid municipal rates and taxes for each member of the Joint Venture should be attached to this form.

T2.24 - PROOF OF UNEMPLOYMENT INSURANCE FUND

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A CERTIFIED COPY OF PROOF, THAT THE TENDERER IS IN GOOD STANDING WITH THE **UIF** TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of Good Standing with the **UIF** in respect of each party to the Joint Venture must be attached to this page

The contractor must submit proof of UIF Contributions made to the fund to the Principal Agent on a monthly basis for the duration of the contract.

Should the contractor default on his monthly payments, the Employer will pay the outstanding payments due and the contractor will be liable for payments made by the Employer on behalf of the contractor, plus any additional cost associated with this process.

T2.25 THE NATIONAL INDUSTRIAL PARTICIPATION PROGRAMME

This document must be signed and submitted together with your tender

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, works 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 tenderers (contractors) are required to, immediately after the award of a contract that is in excess of R10 Million (Ten Million Rand), 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 Rand) 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 TENDER SUBMISSION AND CONTRACT REPORTING REQUIREMENTS OF TENDERERS AND SUCCESSFUL TENDERERS (CONTRACTORS)

3,1 Tenderers are required to sign and submit this Standard Tendering Document (SBD 5) together with the Tender 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 Tenderers (contractors) are required, immediately after being officially notified about any successful Tender with a value in excess of R10 Million (Ten Million Rand), to contact and furnish the DTI with the following information:

- Tender / 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 for further details about the programme.

4 PROCESS TO SATISFY THE NIP OBLIGATION

4,1 Once the successful Tenderer (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 Tenderer (contractor) and, therefore, does not involve the purchasing institution.

Tender number: _____ Closing date: _____

Name of tenderer: _____

Postal address: _____

_____

Signature: _____ Name (in print): _____

Date: _____

T2.26 - CERTIFIED PROOF OF REGISTRATION ON CENTRAL SUPPLIERS DATABASE

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A CERTIFIED COPY OF PROOF, THAT THE TENDERER IS REGISTERED ON THE CENTRAL SUPPLIERS DATABASE TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of registration on the Central Suppliers Data Base in respect of each party to the Joint Venture must be attached to this page

T2.27 - CERTIFIED PROOF OF CIDB REGISTRATION NUMBER

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A CERTIFIED COPY OF PROOF, THAT THE TENDERER IS REGISTERED WITH THE CONSTRUCTION INDUSTRY DEVELOPMENT BOARD (CIDB) TO THIS PAGE FOR ADJUDICATION PURPOSES

NOTE

In the case of a Tender by a Joint Venture, certified copies of proof of registration with the CIDB in respect of each party to the Joint Venture must be attached to this page

T2.28 - PROOF OF PAYMENT OF TENDER DEPOSIT

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

TENDER DOCUMENTS CAN BE PURCHASED FROM THE DEPARTMENT AND COLLECTED FROM THE DEPARTMENT'S TENDER OFFICE AT THE COST AS ADVISED IN THE TENDER ADVERT FOR THIS SPECIFIC TENDER.

TENDER DOCUMENTS MAY ALSO BE DOWNLOADED AT NO COST FROM THE E-TENDER PORTAL, AS PER THE ADVERT.

T2.29 CONTRACT FORM - PURCHASE OF GOODS/WORKS-Part 1

THIS FORM MUST BE FILLED IN DUPLICATE BY BOTH THE SUCCESSFUL TENDERER (PART 1) AND THE PURCHASER (PART 2). BOTH FORMS MUST BE SIGNED IN THE ORIGINAL SO THAT THE SUCCESSFUL TENDERER AND THE PURCHASER WOULD BE IN POSSESSION OF ORIGINALLY SIGNED CONTRACTS FOR THEIR RESPECTIVE RECORDS.

PART 1 (TO BE FILLED IN BY THE TENDERER)

1. I hereby undertake to supply all or any of the goods and/or works described in the attached tendering documents to Head: Public Works (Department of Public Works: Province of KwaZulu-Natal) in accordance with the requirements and specifications stipulated in tender number ZNTU 02403 W at the price/s quoted.
2. The following documents shall be deemed to form and be read and construed as part of this agreement:
   (i) Tendering documents, viz
   - Invitation to tender;
   - Tax Compliance Status (TCS) **PIN**;
   - Pricing schedule(s);
   - Technical Specification(s);
   - Preference claims for SPECIFIC GOAL/S, for this tender in terms of the Preferential Procurement Regulations 2022;
   - Bidder's Disclosure;
   - Special Conditions of Contract;

   (ii) General Conditions of Contract for construction works Edition 2 - GCC2010; and
3. (iii) Other (specify)
4. I confirm that I have satisfied myself as to the correctness and validity of my Tender; that the price(s) and rate(s) quoted cover all the goods and/or works specified in the Tendering documents; that the price(s) and rate(s) cover all my obligations and I accept that any mistakes regarding price(s) and rate(s) and calculations will be at my own risk.
5. I accept full responsibility for the proper execution and fulfilment of all obligations and conditions devolving on me under this agreement as the principal liable for the due fulfilment of this contract.
6. I declare that I have no participation in any collusive practices with any Tenderer or any other person regarding this or any other Tender.

I confirm that I am duly authorised to sign this contract.

NAME (PRINT): _____

CAPACITY: _____

SIGNATURE: _____

NAME OF FIRM: _____

DATE: _____

Witnesses:

1. _____

2. _____

Date: _____

T2.30 CONTRACT FORM - PURCHASE OF GOODS/WORKS-Part 2

PART 2 (TO BE FILLED IN BY THE PURCHASER)

1. I _____ in my capacity as

_____

accepts your tender under reference ZNTU 02403 W dated _____for the supply of goods/works indicated hereunder and/or further specified in the annexure(s).

2. An official order indicating delivery instructions is forthcoming.
3. I undertake to make payment for the goods/works delivered in accordance with the terms and conditions of the contract, within 30 (thirty) days after receipt of an invoice accompanied by the delivery note.

ITEM NO.	PRICE (ALL APPLICABLE TAXES INCLUDED)	BRAND	DELIVERY PERIOD	B-BBEE STATUS LEVEL OF CONTRIBUTION	MINIMUM THRESHOLD FOR LOCAL PRODUCTION AND CONTENT (if applicable)

4. I confirm that I am duly authorised to sign this contract.

SIGNED AT _____ ON _____
[Place] *[Date]*

NAME (PRINT): _____

SIGNATURE: _____

OFFICIAL STAMP:

Witnesses:

1. _____

2. _____

Date:

T2.31 - OHSE PLAN STRUCTURE

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

A detailed OHSE Plan is to be submitted by the successful tenderer as per Construction Regulation 7(1)(a). The following are the minimum standard legal documentation that must form part of the OHSE Plan based on the risks attached in executing this project titled;

ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS

REFER TO ANNEXURE 6 - BILLS OF QUANTITIES SECTION 2: THE CONTRACT

T2.32 - CLEINTS SPECIFIC REQUIREMENTS FOR THE CONTRACTORS DETAILED OHSE PLAN	
Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**
Tender no:	**ZNTU 02403 W**
Project Code:	**WIMS 060723**

REFER TO ANNEXURE 6 - BILLS OF QUANTITIES SECTION 2: THE CONTRACT

T2.33 - BASELINE RISK ASSESSMENT			
Project title:	ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS		
Tender no:	ZNTU 02403 W	Project Code:	WIMS 060723

REFER TO ANNEXURE 6 - BILLS OF QUANTITIES SECTION 2: THE CONTRACT

T2.34 - MANDATORY REQUIREMENTS

Failure to submit any of the following documentation in the prescribed format will lead to **immediate disqualification** of the tender:

No.	REQUIREMENTS
1	Proof of working capital at least 2.5% of the project value in the form of bank statement with bank stamp from a registered financial institution not older than 3 months or letter from registered financial institution indicating willingness to finance the contractor at a value of 2.5% of the contract value not older than 3 months. (T2.36)
2	Final summary of Bills of quantities (T2.22). Bidder must return a USB with a fully priced excel BOQ at closing date.
3	Proof of minimum two (2) letters of credit reference not older than 6 months and credit limits with a minimum of R 800 000.00 combined. Letters must have a letterhead, be signed, dated and stamped (T2.37).
4	Detailed schedule of resources at all levels, including submission of a detailed organogram of the company, including listing on this organogram the resources within the company that will be dedicated to the project under construction (T2.38)
5	Schedule of years of experience by key personnel, contract Manager, site foreman and health and safety Officer, as listed in the organogram on similar projects (minimum 5 years' experience for key personnel) (T2.39)
6	Schedule of projects involving construction of new building / offices undertaken and successfully completed within applicable CIDB grading of 3GB OR Higher in the past 5 years by the tendering entity – letters of award and practical completion certificate for projects must be submitted (minimum two (2) projects required) (T2.40)
7	Letter of intent to provide an on-demand construction guarantee to a value of 5% of the project value from a registered financial institution. Letter must have letterhead, be signed, dated and stamped (T2.41)

T2.35 - INVITATION TO TENDER

PART A

INVITATION TO TENDER - SBD 1

YOU ARE HEREBY INVITED TO TENDER FOR REQUIREMENTS OF THE KWA-ZULU NATAL DEPARTMENT OF WORKS					
TENDER NUMBER:	ZNTU 02403 W	**CLOSING DATE:**	As per tender advert	**CLOSING TIME:**	11:00
DESCRIPTION					
THE SUCCESSFUL TENDERER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT					
TENDER RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE TENDER BOX SITUATED AT *(STREET ADDRESS)*					

SUPPLIER INFORMATION				
NAME OF TENDERER				
POSTAL ADDRESS				
STREET ADDRESS				
TELEPHONE NUMBER	CODE		NUMBER	
CELLPHONE NUMBER				
FACSIMILE NUMBER	CODE		NUMBER	
E-MAIL ADDRESS				
VAT REGISTRATION NUMBER				
	TCS PIN:		**CSD No:**	
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE (Tick YES or NO)	Yes		B-BBEE STATUS LEVEL SWORN AFFIDAVIT (Tick YES or NO)	Yes
	No			No
If YES, State the name of the verification agency accredited by SANAS				

ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	Yes		NO		ARE YOU A FOREIGN BASED SUPPLIER FOR **THE GOODS /SERVICES**	YES		NO	
	[IF YES ENCLOSE PROOF]				**(IF YES ANSWER PART B:3 BELOW)**				
SIGNATURE OF TENDERER					**DATE**				
CAPACITY UNDER WHICH THIS TENDER IS SIGNED (Attach proof of authority to sign this tender; e.g. resolution of directors, etc.)									
TOTAL NUMBER OF ITEMS OFFERED					**TOTAL TENDER PRICE (ALL INCLUSIVE)**				

TENDERING PROCEDURE ENQUIRIES MAY BE DIRECTED TO:		**TECHNICAL INFORMATION MAY BE DIRECTED TO:**	
DEPARTMENT/ PUBLIC ENTITY		CONTACT PERSON	
CONTACT PERSON		TELEPHONE NUMBER	
TELEPHONE NUMBER		FACSIMILE NUMBER	
FACSIMILE NUMBER		E-MAIL ADDRESS	
E-MAIL ADDRESS			

PART B

TERMS AND CONDITIONS FOR TENDERING - SBD 1

1. TENDER SUBMISSION:

1.1. TENDERS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE TENDERS WILL NOT BE ACCEPTED FOR CONSIDERATION.

1.2. ALL TENDERS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED (NOT TO BE RE-TYPED) OR ONLINE

1.3. TENDERERS MUST REGISTER ON THE CENTRAL SUPPLIER DATABASE (CSD) TO UPLOAD MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS; AND BANKING INFORMATION FOR VERIFICATION PURPOSES). B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO TENDERING INSTITUTION.

1.4. WHERE A TENDERER IS NOT REGISTERED ON THE CSD, MANDATORY INFORMATION NAMELY: (BUSINESS REGISTRATION/ DIRECTORSHIP/ MEMBERSHIP/IDENTITY NUMBERS; TAX COMPLIANCE STATUS MAY NOT BE SUBMITTED WITH THE TENDER DOCUMENTATION. B-BBEE CERTIFICATE OR SWORN AFFIDAVIT FOR B-BBEE MUST BE SUBMITTED TO TENDERING INSTITUTION.

1.5. THIS TENDER IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022, THE GENERAL CONDITIONS OF CONTRACT ARE THE CLAUSES CONTAINED IN THE GENERAL CONDITIONS OF CONTRACT (2010) (SECOND EDITION) PUBLISHED BY THE SOUTH AFRICAN INSTITUTION OF CIVIL ENGINEERING. COPIES OF THESE CONDITIONS OF CONTRACT MAY BE OBTAINED THROUGH MOST REGIONAL OFFICES OF THE SOUTH AFRICAN INSTITUTION OF CIVIL ENGINEERING, OR BY VISITING THEIR WEBSITE AT WWW.SAICE.ORG.ZA; AND, IF APPLICABLE, ANY OTHER LEGISLATION OR SPECIAL CONDITIONS OF CONTRACT.

2. TAX COMPLIANCE REQUIREMENTS

2.1 TENDERERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.

2.2 TENDERERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VIEW THE TAXPAYER'S PROFILE AND TAX STATUS.

2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) OR PIN MAY ALSO BE MADE VIA E-FILING. IN ORDER TO USE THIS PROVISION, TAXPAYERS WILL NEED TO REGISTER WITH SARS AS E-FILERS THROUGH THE WEBSITE WWW.SARS.GOV.ZA.

2.4 TENDERERS MAY ALSO SUBMIT A PRINTED TCS TOGETHER WITH THE TENDER.

2.5 IN TENDERS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE PROOF OF TCS / PIN / CSD NUMBER.

2.6 WHERE NO TCS IS AVAILABLE BUT THE TENDERER 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.

3. QUESTIONNAIRE TO TENDERING FOREIGN SUPPLIERS

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

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

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

T2.36 - PROOF OF WORKING CAPITAL

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

TENDERERS ARE TO SUBMIT AND ATTACH TO THIS PAGE PROOF OF WORKING CAPITAL OF 2.5% OF PROJECT VALUE IN THE FORM OF A ORIGINAL BANK STATEMENT WITH A BANK STAMP FROM A REGISTERED FINANCIAL INSTITUTION NOT OLDER THAN 3 MONTHS OR LETTER FROM REGISTERED FINANCIAL INSTITUTION INDICATING WILLINGNESS TO FINANCE THE CONTRACTOR AT A VALUE OF 2.5% OF THE CONTRACT VALUE NOT OLDER THAN 3 MONTHS.

The Tenderer to provide confirmation of working capital from a Registered Financial Institution and attach same as a returnable.

- The confirmation of working capital to indicate that a minimum of 2.5% of the tender value will be available to the Tenderer to execute the defined scope of work included in the tender.
- To be provided on an Original Letterhead supplied by the Registered Financial Institution and must be valid for 84 days from the closing date of tenders.
- Must include the Financial Institution's official stamp and the date to be clearly annotated.
- Must not be older than three (3) calendar months from the date of tender closing.

T2.37 - PROOF OF MINIMUM TWO (2) LETTERS OF CREDIT REFERENCE

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

TENDERERS ARE TO SUBMIT AND ATTACH TO THIS PAGE PROOF OF MINIMUM TWO (2) LETTERS OF CREDIT REFERENCE FROM SUPPLIERS NOT OLDER THAN 6 MONTHS WITH A MINIMUM COMBINED CREDIT LIMIT OF R800,000.00.

The Tenderer to provide a minimum of 2 letters of reference verifying credit facilities from suppliers (credit limits with a minimum combined limit of R800,000.00) for core materials that are intended to be engaged on this contract and attach same as a returnable.

The reference letters must include the value of the current credit facility and any conditions apportioned thereto.

Irrespective if the bulk of material supply is from a single source, a minimum of two (2) letters of reference will still be required.

If purchases are done on a cash basis, the Tenderer must provide the stipulated number of references from the specific suppliers confirming that all purchases are done on a cash basis and accordingly confirm the limit of the purchasing facility available to the Tenderer.

The 2 or more key suppliers, if applicable must be listed hereunder and the letters of credit reference must be attached:

NO.	NAME OF SUPPLIER	MATERIAL DESCRIPTION	CREDIT LIMIT	CREDIT LIMIT VALID TO DATE
1				
2				
3				
4				

T2.38 - DETAILED SCHEDULE OF RESOURCES

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A DETAILED SCHEDULE OF RESOURCES AT ALL LEVELS, INCLUDING SUBMISSION OF A DETAILED ORGANOGRAM OF THE COMPANY, INCLUDING LISTING ON THIS ORGANOGRAM,THE RESOURCES WITHIN THE COMPANY, THAT WILL BE DEDICATED TO THE PROJECT UNDER CONSIDERATION, TO THIS PAGE FOR ADJUDICATION PURPOSES

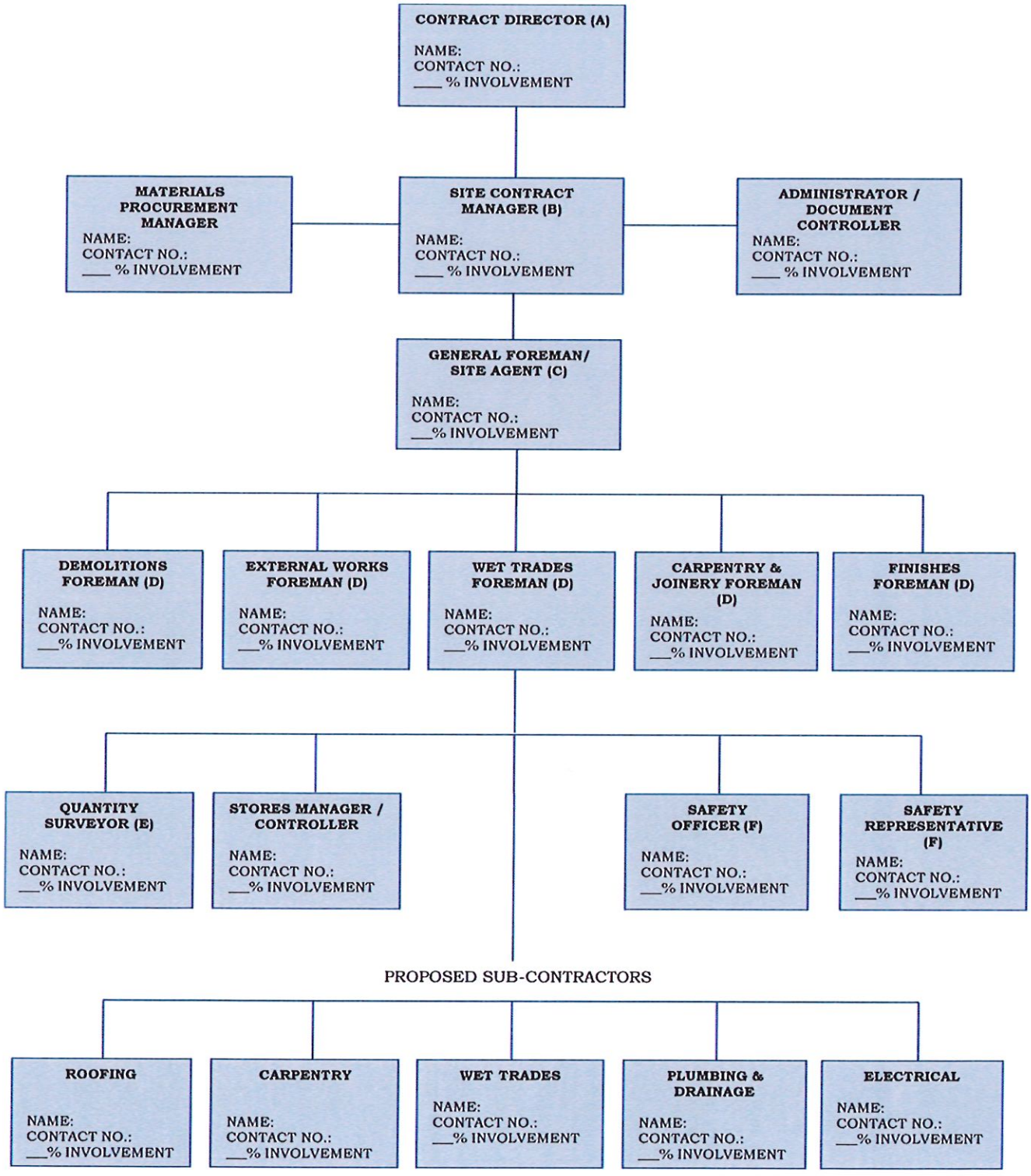
A proposed project organogram indicating the resource allocation hierarchy must be attached under this section for all stages of the construction project. The minimum resource requirements as specified in the key personnel schedule, in T2.38 must be clearly indicated (refer attached template as an example only).

- The Tenderer is to clearly demonstrate the anticipated participation of the delegated resources for the duration of this project.
- A dedicated and suitably qualified resource is to be allocated to update the approved construction programme. Programme updates to be submitted fortnightly to the Principal Agent.
- The deployment of competent and experienced resources at all levels is essential.
- However, the key personnel competency requirements for the personnel deployed for the construction phase will be essential.
- The resourcing organograms to identify the dedicated resources for each construction phase. If multiple bids are being submitted the duplication of resources for the other successful bids will not be entertained.

NOTE: **GENERIC ORGANOGRAMS WILL NOT BE ALLOWED AND WILL NOT BE ACCEPTABLE. ORGANOGRAMS TO BE PROJECT SPECIFIC AND INCLUDE THE SPECIFIC DETAILS OF THE KEY RESOURCES DEPLOYED FOR THE CONSTRUCTION STAGES.**

PROJECT NAME: HLENGINGQONDO PS

EXAMPLE



T2.39 - SCHEDULE OF YEARS OF EXPERIENCE BY KEY PERSONNEL ON SIMILAR PROJECTS

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A SCHEDULE OF YEARS OF EXPERIENCE BY THE FOLLOWING KEY PERSONNEL, CONTRACTS MANAGER, SITE FOREMAN AND HEALTH & SAFETY OFFICER, AS LISTED ON THE ORGANOGRAM ON SIMILAR PROJECTS. (MINIMUM OF FIVE (5) YEARS EXPERIENCE FOR KEY PERSONNEL)

Tenderer to demonstrate their technical competency, human resource capacity and relevant project experience in Building/Civil Engineering projects by submitting the following information:

1. Detailed schedule of full-time resources at all organization levels including their experience over the past 5 years.

2. Experience and track record of Project Dedicated Contracts Director/Manager in the execution of the works of a similar nature, complexity, cost and duration over the past 5 years.

3. Detailed CV of each key team member including the construction activities on site. The CV's must correspond with the organogram and the key resources schedule. CV's are required for the key personnel employed during the construction stage.

4. Traceable references (names and contact nos. of Principal Agents) for the key team members executing construction activities on site.

KEY PERSONNEL

Designation		Name	Age	Years of experience on similar projects	Period with company	Highest value contract handled	Percentage involvement on site
(A) Contract Director	▶						
(B) Site Contracts Manager	▶						
(C) General Foreman/Site Agent	▶						
(D) Trade Foreman	▶						
(E) Quantity Surveyor	▶						
(F) Health and Safety Officer	▶						
Other							
Administrator/Document Controller	▶						

Traceable references for each team member. The reference must be the appointed Principal Agent or Client:

NAME	COMPANY	CONTACT DETAILS	PROJECT REFERENCE

T2.40 - A MINIMUM OF TWO (2) BUILDING PROJECTS COMPLETED BY THE TENDERING ENTITY

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

ATTACH A MINIMUM OF TWO (2) BUILDING PROJECTS COMPLETED IN THE PAST FIVE (5) YEARS WITHIN A CIDB GRADING OF 3GB OR HIGHER IS REQUIRED. LETTERS OF AWARD AND PRACTICAL OR FINAL COMPLETION CERTIFICATES ARE TO BE SUBMITTED.

T2.41 - LETTER OF INTENT TO PROVIDE AN ON DEMAND CONSTRUCTION GUARANTEE

Project title:	**ZNTU 02403 W: DEPARTMENT OF EDUCATION: WIMS NO. 060723: HLENGINGQONDO PRIMARY SCHOOL: CONSTRUCTION OF NEW SANITATION INFRASTRUCTURE INCLUDING ASSOCIATED EXTERNAL WORKS**		
Tender no:	**ZNTU 02403 W**	**Project Code:**	**WIMS 060723**

TENDERERS ARE TO SUBMIT AND ATTACH TO THIS PAGE, PROOF FROM A REGISTERED FINANCIAL INSTITUTION, CONFIRMING THAT SHOULD THE TENDERER BE AWARDED THE PROJECT, AN ON DEMAND CONSTRUCTION GUARANTEE TO THE VALUE OF 5% OF THE PROJECT VALUE INCLUDING VALUE ADDED TAX WILL BE ISSUED.

The Tenderer to provide confirmation/a letter of intent, from a Registered Financial Institution, that they are able to provide an on demand construction guarantee. This confirmation/letter of intent must be attached to this returnable and must satisfy the following conditions:

- To be provided on an Original Letterhead supplied by the Registered Financial Institution and must be valid for 84 days from the closing date of tenders.
- Must include the Financial Institution's official stamp and the date to be clearly annotated.
- Must not be older than three (3) calendar months before the date of tender closing.