

PART T2: RETURNABLE DOCUMENTS

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T2.1 LIST OF RETURNABLE DOCUMENTS

The Tender Document must be submitted as a whole. All forms must be properly completed as required, and the document shall not be taken apart or altered in any way whatsoever.

The list of returnable documents comprise the following:

tick ✓



1. LIST OF COMPULSORY RETURNABLE SCHEDULES AND OTHER DOCUMENTS

- Details of Registration with CIDB.....
☐
- Certificate of Attendance at Site Meeting
☐
- Certificate of Authority for Signatory and Registration.....
☐
- Record of Addenda to Tender Documents
☐
- Amendments, Qualifications and Alternatives
☐
- Letter from the bank confirming existence of the company account
☐
- VAT Registration Certificate
☐
- Tax Clearance Certificate
☐
- Workmen's Compensation Registration Certificate
☐
- Unemployment Insurance Fund (UIF) Registration Certificate.....
☐
- Compulsory Enterprise Questionnaire.....
☐
- Declaration of Interest.....
☐
- Form of Intent to Provide a Performance Guarantee
☐
- Health and Safety Declaration
☐
- Certificate of Independent Bid Determination.....
☐
- Declaration of Bidder's past supply chain management practices
☐

2. LIST OF RETURNABLE SCHEDULES AND OTHER DOCUMENTS REQUIRED FOR TENDER EVALUATION PURPOSES

- Tenderer's Financial Standing
☐
- Schedule of Similar Work Undertaken.....
☐
- Preference Schedules and Affidavit.....
☐
- Preliminary Programme
☐
- Schedule of Plant and Equipment
☐
- Proposed Subcontractors
☐
- Key Personnel.....
☐
- Method Statement
☐

- ☐
• Quality Assurance and Quality Control
- ☐

Note: Tenderer to tick off each box to ensure that the necessary schedules and documents have been filled in and are included into the tender document.

T2.2 RETURNABLE SCHEDULES AND DOCUMENTS

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A. DETAILS OF REGISTRATION WITH CIDB

PRIMARY CONTRACTOR

Contractor's Name:

Contractor's CIDB Registration Number:

Contractor's CIDB Registration Classification:

JOINT VENTURE PARTNER 1 (Where Applicable)

Contractor's Name:

Contractor's CIDB Registration Number:

Contractor's CIDB Registration Classification:

JOINT VENTURE PARTNER 2 (Where Applicable)

Contractor's Name:

Contractor's CIDB Registration Number:

Contractor's CIDB Registration Classification:

Note: This information will be checked on the CIDB Website

B. CERTIFICATE OF ATTENDANCE AT SITE MEETING

This is to certify that (*tenderer*)
of (*address*)
..... was represented by the
person(s) named below at the compulsory meeting held for all tenderers at (*location*)
..... on (*date*)..... starting at (*time*)

I / We acknowledge that the purpose of the meeting was to acquaint myself / ourselves with the site of the works and / or matters incidental to doing the work specified in the tender documents in order for me / us to take account of everything necessary when compiling our rates and prices included in the tender.

Particulars of person(s) attending the meeting:

Name: .. Signature: ..

Capacity: ..

Name:..... Signature: ..

Capacity: ..

Attendance of the above person(s) at the meeting is confirmed by the Employer's representative, namely:

Name: Signature: ..

Capacity:..... Date and Time:.....

C. CERTIFICATE OF AUTHORITY FOR SIGNATORY

Indicate the status of the tenderer by ticking the appropriate box hereunder. The tenderer must complete the certificate set out below for the relevant category, **and attach their Registration Certificates for Companies, Close Corporations and Partnerships, or Agreements and Powers of Attorney for Joint Ventures, or ID documents to the page provided at the end of this form.**

(I) COMPANY	(II) CLOSE CORPORATION	(III) PARTNERSHIP	(IV) JOINT VENTURE	(V) SOLE PROPRIETOR

(I) CERTIFICATE FOR COMPANY

I,chairperson of the Board of Directors of hereby confirm
and any contract resulting from it, on behalf of the company.

Chairman:

As Witnesses: 1.

2.

Date:

(II) CERTIFICATE FOR CLOSE CORPORATION

We, the undersigned, being the key members in the business trading as
..... hereby authorise Mr/Ms ,
acting in the capacity of , to sign
all documents in connection with the tender for Contract N° **Ugu-07-1628-2023** and any contract
resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

(III). CERTIFICATE FOR PARTNERSHIP

We, the undersigned, being the key partners in the business trading as,
..... hereby authorize Mr/Ms

acting in the capacity of , to sign all

documents in connection with the tender for Contract N° UGU-07-1628-2023 and any contract resulting from it, on our behalf.

NAME	ADDRESS	SIGNATURE	DATE

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

(IV) CERTIFICATE FOR JOINT VENTURE

We, the undersigned, are submitting this tender offer in Joint Venture and hereby authorize Mr/Ms, authorized signatory of the company, acting in the capacity of lead partner,

to sign all documents in connection with the tender offer for Contract N° Ugu-07-1628-2023 and any contract resulting from it, on our behalf.

This authorization is evidenced by the attached power of attorney signed by legally authorized signatories of all the partners to the Joint Venture.

NAME OF FIRM	ADDRESS	AUTHORISING SIGNATURE, NAME AND CAPACITY
Lead partner		

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

(V) CERTIFICATE FOR SOLE PROPRIETOR

I,, hereby confirm that I am the sole owner of the business trading as

Signature of Sole owner:

As Witnesses:

1.

2.

Date:

REGISTRATION CERTIFICATE / AGREEMENT / ID DOCUMENT

[Important note to Tenderer: Registration Certificates for Companies, Close Corporations and Partnerships, or Agreements and Powers of Attorney for Joint Ventures, certified copies of Identification documents as referred to in T2.1, must be inserted here]

Companies listed on the Johannesburg Stock Exchange to submit their latest audited annual financial statements in lieu of the above documents.

D. RECORD OF ADDENDA TO TENDER DOCUMENTS

I / We confirm that the following communications amending the tender documents that I / we received from the employer or his agent before the closing date for submission of this tender offer have been taken into account in this tender offer.

ADDENDUM No	DATE	TITLE OR DETAILS

SIGNATURE: DATE:
(of person authorized to sign on behalf of the Tenderer)

E. AMENDMENTS, QUALIFICATIONS AND ALTERNATIVES

(This is not an invitation for amendments, deviations or alternatives but, should the Tenderer desire to make any departures from the provisions of this contract, he shall set out his proposals clearly hereunder. The Employer will not consider any amendment, alternative offers or discounts unless forms (a), (b) and (c) have been completed to the satisfaction of the Employer).

I / We herewith propose the amendments, alternatives and discounts as set out in the tables below:

(a) AMENDMENTS

PAGE, CLAUSE OR ITEM N°	PROPOSED AMENDMENT

- [Notes: 1. Proposals for amendments to the General and Special Conditions of Contract will not be considered, and may invalidate the offer;*
- 2. The Tenderer must give full details of all the financial implications of the amendments and qualifications in a covering letter attached to his tender.]*

(b) ALTERNATIVES

PROPOSED ALTERNATIVE	DESCRIPTION OF ALTERNATIVE

- [Notes: 1. Individual alternative items that do not justify an alternative tender, and an alternative offer for time for completion should be listed here.*
- 2. In the case of a major alternative to any part of the work, a separate Bill of Quantities, programme, etc, and a detailed statement setting out the salient features of the proposed alternatives must accompany the tender.*
- 3. Alternative tenders involving technical modifications to the design of the works and methods of construction shall be treated separately from the main tender offer.]*

(c) **DISCOUNTS**

ITEM ON WHICH DISCOUNT IS OFFERED	DESCRIPTION OF DISCOUNT OFFERED

[Note: The Tenderer must give full details of the discounts offered in a covering letter attached to his tender, failing which, the offer for a discount may have to be disregarded.]

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

F. LETTER FROM THE BANK CONFIRMING THE COMPANY BANK RATING

[The Tenderer shall insert here a copy of a letter from their bank confirming their bank rating].

G. VAT REGISTRATION CERTIFICATE

[Note: If company is a VAT vendor, a copy of the VAT registration certificate must be inserted here.]

H. TAX CLEARANCE CERTIFICATE

It is a condition of bid that the taxes of the successful bidder must be in order, or that satisfactory arrangements have been made with the South African Revenue Service (SARS) to meet the bidder's tax obligations.

- 1 In order to meet this requirement bidders are required to complete in full the attached form TCC 001 "Application for a Tax Clearance Certificate" and submit it to any SARS branch office nationally. The Tax Clearance Certificate Requirements are also applicable to foreign bidders / individuals who wish to submit bids.
- 2 SARS will then furnish the bidder with a Tax Clearance Certificate that will be valid for a period of 1 (one) year from the date of approval.
- 3 **The original Tax Clearance Certificate must be submitted together with the bid. Failure to submit the original and valid Tax Clearance Certificate will result in the invalidation of the bid. Certified copies of the Tax Clearance Certificate will not be accepted.**
- 4 In bids where Consortia / Joint Ventures / Sub-contractors are involved, each party must submit a separate Tax Clearance Certificate.
- 5 Copies of the TCC 001 "Application for a Tax Clearance Certificate" form are available from any SARS branch office nationally or on the website www.sars.gov.za.
- 6 Applications for the Tax Clearance Certificates may also be made via eFiling. In order to use this provision, taxpayers will need to register with SARS as eFilers through the website www.sars.gov.za.

**APPLICATION FORM FOR TAX CLEARANCE CERTIFICATE/
(IN RESPECT OF TENDER) [EXAMPLE]**

1. NAME OF TAXPAYER/TENDERER:																					
2. TRADE NAME:																					
3. IDENTIFICATION No. (if applicable)	<table border="1" style="width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																				
4. COMPANY/CLOSE CORPORATION REG No. :	<table border="1" style="width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																				
5. INCOME TAX REFERENCE No. :	<table border="1" style="width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																				
6. VAT REGISTRATION No. :	<table border="1" style="width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																				
7. PAYE EMPLOYERS REG No. (if applicable) :	<table border="1" style="width: 100%; height: 20px;"><tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr></table>																				
NB : Copy of the tender request must be attached to this application.																					
CONTACT PERSON REQUIRING TAX CLEARANCE CERTIFICATE:																					
SIGNATURE :																					
NAME :																					
TELEPHONE NUMBER : CODE: :	NUMBER: :																				
ADDRESS :																					
DATE :	20/...../.....																				
Please note that the Commissioner for the South African Revenue Service (SARS) will not exercise his discretionary powers in favour of any person with regard to any interest, penalties and/or additional tax leviable due to the late or underpayment of taxes, duties or levies or the rendition of returns by any person.																					
NAME OF PERSON RESPONSIBLE FOR CONTRACT :																					

(ST 5.1) March 1999

NB: *This example of the application form for a tax clearance certificate is included for the convenience of tenderers. The application form has to be submitted to SARS to enable them to issue the required Tax Clearance Certificate. The original and valid Tax Clearance Certificate obtained from the SARS must be submitted with the tender (to be attached to the next page).*

TAX CLEARANCE CERTIFICATE

[Original Tax Clearance Certificate obtained from SARS to be inserted here].

I. WORKMEN'S COMPENSATION REGISTRATION CERTIFICATE

[The tenderer's Workmen's Compensation Registration Certificate / COID Registration or proof of payment of contributions to be inserted here].

J. UNEMPLOYMENT INSURANCE FUND (UIF) REGISTRATION CERTIFICATE

[The Tenderer's Unemployment Insurance Fund (UIF) Registration Certificate to be inserted here]

K. COMPULSORY ENTERPRISE QUESTIONNAIRE

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

Section 1: Name of enterprise:

Section 2: VAT registration number, if any:

Section 3: CIDB registration number, if any:

Section 4: Particulars of sole proprietors and partners in partnerships

Name*	Identity number*	Personal income tax number*

*Complete only if sole proprietor or partnership and attach separate page if more than 3 partners

Section 5: Particulars of companies and close corporations

Company registration number:.....

Close corporation number:

Tax reference number:

Section 6: Record in the service of the state

Indicate by marking the relevant boxes with a cross, if any sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

a member of any municipal council		an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)	
a member of any provincial legislature			
a member of the National Assembly or the National Council of Province			
a member of the board of directors of any municipal entity		a member of an accounting authority of any national or provincial public entity	
an official of any municipality or municipal entity		an employee of Parliament or a provincial legislature	

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

Name of sole proprietor, partner, director, manager, principal shareholder or stakeholder	Name of institution, public office, board or organ of state and position held	Status of service (tick appropriate column)	
		Current	Within last 12 months

*insert separate page if necessary

Section 7: Record of spouses, children and parents in the service of the state

Indicate by marking the relevant boxes with a cross, if any spouse, child or parent of a sole proprietor, partner in a partnership or director, manager, principal shareholder or stakeholder in a company or close corporation is currently or has been within the last 12 months in the service of any of the following:

a member of any municipal council		an employee of any provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act 1 of 1999)	
a member of any provincial legislature			
a member of the National Assembly or the National Council of Province			
a member of the board of directors of any municipal entity		a member of an accounting authority of any national or provincial public entity	
an official of any municipality or municipal entity		an employee of Parliament or a provincial legislature	

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

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

*insert separate page if necessary

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

- authorizes the Employer to obtain a tax clearance certificate from the South African Revenue Services that my/our tax matters are in order;
- 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;
- confirms that no partner, manager, director or other person, who wholly or partly exercises, or may exercise, control over the enterprise, has within the last five years been convicted of fraud or corruption;
- confirms that I/we are not associated, linked or involved with any other tendering entities submitting tender offers and have no 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
- 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:

1 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

**T2.2.2 RETURNABLE SCHEDULES AND OTHER DOCUMENTS REQUIRED FOR TENDER
EVALUATION PURPOSES**

R	TENDERER'S FINANCIAL STANDING	RD 34
S	SCHEDULE OF SIMILAR WORK UNDERTAKEN	RD 35
T	PREFERENCE SCHEDULES AND AFFIDAVIT	RD 36
U	PRELIMINARY PROGRAMME	RD 42
V	SCHEDULE OF PLANT AND EQUIPMENT	RD 43
W	PROPOSED SUBCONTRACTORS.....	RD 44
X	KEY PERSONNEL	RD 45
Y	QUALITY ASSURANCE AND QUALITY CONTROL	RD 49

R. TENDERER'S FINANCIAL STANDING

In terms of **Clause F.2.18.1 of the Standard Conditions of Tender** the Tenderer shall provide information about his commercial position, which includes information necessary for the Employer to evaluate the Tenderer's financial standing.

To that end, the Tenderer must attach herewith a bank rating that is specific to this tender, the tendered amount and the specified time for completion. The bank rating must be on the tenderer's bank's letterhead.

Failure to provide a bank rating with this tender will invalidate the Tender, as it will be concluded that the tenderer does not have the necessary financial resources at his disposal to complete the contract successfully within the specified time for completion.

Furthermore, the bank rating provided herewith will be used in determining the Tenderer's points for Criteria 2: Financial Resources (Bank Rating) for Functionality in terms of F.3.11.9.2 in Section T1.2.

The Employer undertakes to treat the information thus obtained as confidential, strictly for the use of evaluation of the tender submitted by the Tenderer.

SIGNATURE: DATE

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

S. SCHEDULE OF SIMILAR WORK UNDERTAKEN IN THE LAST 5 YEARS

Principal Contractor

NAME: _____

No	Name of Similar Project Successfully Undertaken	Description	Year Completed	Contract Value R	Referees		
					Name	Position	Contact Details
1							
2							
3							
4							
5							

Signed by Tenderer: _____

Note: 1. If there is more than 1 Joint Venture Partner/Consortium/Association , the page is to be copied and completed for each additional partner.

T. PREFERENCE SCHEDULES AND AFFIDAVIT

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

This preference form must form part of all bids invited. It contains general information and serves as a claim form for preference points for Broad-Based Black Economic Empowerment (B-BBEE) Status Level of Contribution.

NB: BEFORE COMPLETING THIS FORM, BIDDERS MUST STUDY THE GENERAL CONDITIONS, DEFINITIONS AND DIRECTIVES APPLICABLE IN RESPECT OF SPECIFIC GOALS AS PRESCRIBED IN THE PREFERENTIAL PROCUREMENT REGULATIONS, 2022.

1. GENERAL CONDITIONS

1.1 The following preference point systems are applicable to all bids:

- the 80/20 system for requirements with a Rand value of up to R 50 000 000 (all applicable taxes included); and
- the 90/10 system for requirements with a Rand value above R 50 000 000 (all applicable taxes included).

1.2 The value of this bid is estimated to not exceed R 50 000 000 (all applicable taxes included) and therefore the 80/20 system shall be applicable.

1.3 Preference points for this bid shall be awarded for:

- (a) Price; and
- (b) B-BBEE Status Level of Contribution.

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

	POINTS
1.3.1.1 PRICE	80 or 90
1.3.1.2 SPECIFIC GOALS	20 or 10

Total points for Price and Specific Goal must not exceed	100
---	------------

1.4 Failure on the part of a bidder to fill in and/or to sign this form and submit a B-BBEE Verification Certificate from a Verification Agency accredited by the South African Accreditation System (SANAS) or a Registered Auditor approved by the Independent Regulatory Board of Auditors (IRBA) or an Accounting Officer as contemplated in the Close Corporation Act (CCA) together with the bid, will be interpreted to mean that preference points for B-BBEE status level of contribution are not claimed.

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

2. DEFINITIONS

- 2.1 **“all applicable taxes”** includes value-added tax, pay as you earn, income tax, unemployment insurance fund contributions and skills development levies;
- 2.2 **“B-BBEE”** means broad-based black economic empowerment as defined in section 1 of the Broad-Based Black Economic Empowerment Act;
- 2.3 **“B-BBEE status level of contributor”** means the B-BBEE status received by a measured entity based on its overall performance using the relevant scorecard contained in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act;
- 2.4 **“bid”** means a written offer in a prescribed or stipulated form in response to an invitation by an organ of state for the provision of services, works or goods, through price quotations, advertised competitive bidding processes or proposals;
- 2.5 **“Broad-Based Black Economic Empowerment Act”** means the Broad-Based Black Economic Empowerment Act, 2003 (Act No. 53 of 2003);
- 2.6 **“comparative price”** means the price after the factors of a non-firm price and all unconditional discounts that can be utilized have been taken into consideration;
- 2.7 **“consortium or joint venture”** 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;
- 2.8 **“contract”** means the agreement that results from the acceptance of a bid by an organ of state;
- 2.9 **“EME”** means any enterprise with an annual total revenue of R5 million or less .
- 2.10 **“Firm price”** means the price that is only subject to adjustments in accordance with the actual increase or decrease resulting from the change, imposition, or abolition of customs or excise duty and any other duty, levy, or tax, which, in terms of the law or regulation, is binding on the contractor and demonstrably has an influence on the price of any supplies, or the rendering costs of any service, for the execution of the contract;
- 2.11 **“functionality”** means the measurement according to predetermined norms, as set out in the bid documents, of a service or commodity that is designed to be practical and useful, working or operating, taking into account, among other factors, the quality, reliability, viability and durability of a service and the technical capacity and ability of a bidder;
- 2.12 **“non-firm prices”** means all prices other than “firm” prices;
- 2.13 **“person”** includes a juristic person;
- 2.14 **“rand value”** means the total estimated value of a contract in South African currency, calculated at the time of bid invitations, and includes all applicable taxes and excise duties;
- 2.15 **“sub-contract”** means the primary contractor’s assigning, leasing, making out work to, or employing, another person to support such primary contractor in the execution of part of a project in terms of the contract;
- 2.16 **“total revenue”** bears the same meaning assigned to this expression in the Codes of Good Practice on Black Economic Empowerment, issued in terms of section 9(1) of the Broad-Based Black Economic Empowerment Act and promulgated in the *Government Gazette* on 9 February 2007;
- 2.17 **“trust”** means the arrangement through which the property of one person is made over or bequeathed to a trustee to administer such property for the benefit of another person; and

- 2.18 “trustee” means any person, including the founder of a trust, to whom property is bequeathed in order for such property to be administered for the benefit of another person.

3. ADJUDICATION USING A POINT SYSTEM

- 3.1 The bidder obtaining the highest number of total points will be awarded the contract.
 3.2 Preference points shall be calculated after prices have been brought to a comparative basis taking into account all factors of non-firm prices and all unconditional discounts;.
 3.3 Points scored must be rounded off to the nearest 2 decimal places.
 3.4 In the event that two or more bids have scored equal total points, the successful bid must be the one scoring the highest number of preference points for **SPECIFIC GOALS**.
 3.5 However, when functionality is part of the evaluation process and two or more bids have scored equal points including equal preference points for **SPECIFIC GOALS** the successful bid must be the one scoring the highest score for functionality.
 3.6 Should two or more bids be equal in all respects, the award shall be decided by the drawing of lots.

4. POINTS AWARDED FOR PRICE

THE 80/10 PREFERENCE POINT SYSTEMS

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

$$Ps = 80 (1 - (Pt - Pmin/Pmin))$$

Where

Ps = Points scored for comparative price of bid under consideration
 Pt = Comparative price of bid under consideration
 Pmin = Comparative price of lowest acceptable bid

5. POINTS AWARDED FOR **SPECIFIC GOALS**

- 5.1 In terms of Regulation 5 (2) and 6 (2) of the Preferential Procurement Regulations, preference points must be awarded to a bidder for attaining the **Specific Goal points** in accordance with the table below:

	Categories	Weight	80 20	90 10
1	Ownership	60%	12	6
2	Reconstruction & Development Programme	30%	6	3
3	Other Specific Goals-	10%	2	1
		100%	20	10
#	Specific Goal(s)	Weight	80 20 PP	90 10 PP
	Ownership Categories :			
1	Broad Based Black Economic Empowerment:			
	1. BBBEE Level 1	100%	12	6
	2.BBBEE Level 2	80%	10	5
	3. BBBEE Level 3 to 8	40%	6	3
2	Promotion of Local Business(s)			
	1. Enterprise Located within the District Municipality - Rural	100%	6	3
	2. Enterprise Located within the District Municipality - Urban	67.7%	4	2
	2. Enterprise Located within the Province	33.3%	2	1
3	Other Specified Goals			

	1. Enterprise 100% owned by Youth/Women/Disabled/ Military V	100%	2	1
--	--	------	---	---

- 5.2 Bidders who qualify as EMEs in terms of the B-BBEE Act must submit a certificate issued by an Accounting Officer as contemplated in the CCA or a Verification Agency accredited by SANAS or a Registered Auditor. Registered auditors do not need to meet the prerequisite for IRBA's approval for the purpose of conducting verification and issuing EMEs with B-BBEE Status Level Certificates.
- 5.3 Bidders other than EMEs must submit their original and valid B-BBEE status level verification certificate or a certified copy thereof, substantiating their B-BBEE rating issued by a Registered Auditor approved by IRBA or a Verification Agency accredited by SANAS.
- 5.4 A trust, consortium or joint venture, will qualify for points for their B-BBEE status level as a legal entity, provided that the entity submits their B-BBEE status level certificate.
- 5.5 A trust, consortium or joint venture will qualify for points for their B-BBEE status level as an unincorporated entity, provided that the entity submits their consolidated B-BBEE scorecard as if they were a group structure and that such a consolidated B-BBEE scorecard is prepared for every separate bid.
- 5.6 Tertiary institutions and public entities will be required to submit their B-BBEE status level certificates in terms of the specialized scorecard contained in the B-BBEE Codes of Good Practice.
- 5.7 A person will not be awarded points for B-BBEE status level if it is indicated in the bid documents that such a bidder intends sub-contracting more than 25% of the value of the contract to any other enterprise that does not qualify for at least the points that such a bidder qualifies for, unless the intended sub- contractor is an EME that has the capability and ability to execute the sub-contract.
- 5.8 A person awarded a contract may not sub-contract more than 25% of the value of the contract to any other enterprise that does not have an equal or higher B-BBEE status level than the person concerned, unless the contract is sub-contracted to an EME that has the capability and ability to execute the sub-contract.

6. BID DECLARATION

- 6.1 Bidders who claim points in respect of B-BBEE Status Level of Contribution must complete the following:

7. SPECIFIC GOAL CONTRIBUTION CLAIMED IN TERMS OF PARAGRAPHS 1.3.1.2 AND 5.1

- 7.1 Specific Goals Points: ... =(maximum of 10 points for 90/10 or 20 Points for 80/20)
 (Points claimed in respect of paragraph 7.1 must be in accordance with the table reflected in paragraph 5.1 and must be substantiated by means of a B-BBEE certificate issued by a Verification Agency accredited by SANAS or a Registered Auditor approved by IRBA or an Accounting Officer as contemplated in the CCA), Proof of Residence which would be the Utility Statement, Lease Agreement or SAPS Affidavit in case the business is from Rural Areas.

8. SUB-CONTRACTING

- 8.1 Will any portion of the contract be sub-contracted? YES / NO
 (delete which is not applicable)
- 8.1.1 If yes, indicate:
- (i) what percentage of the contract will be subcontracted?%
- (ii) the name of the sub-contractor?

- (iii) the **Specific Goals** of the sub-contractor?
- (iv) whether the sub-contractor is an EME? YES / NO
(delete which is not applicable)

9 DECLARATION WITH REGARD TO COMPANY/FIRM

9.1 Name of firm

9.2 VAT registration number

9.3 Company registration number

9.4 TYPE OF COMPANY/ FIRM

- ☐ Partnership/Joint Venture / Consortium
☐ One person business/sole propriety
☐ Close corporation
☐ Company
☐ (Pty) Limited
[TICK APPLICABLE BOX]

9.5 DESCRIBE PRINCIPAL BUSINESS ACTIVITIES

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

9.6 COMPANY CLASSIFICATION

- ☐ Manufacturer
☐ Supplier
☐ Professional service provider
☐ Other service providers, e.g. transporter, etc.
[TICK APPLICABLE BOX]

9.7 MUNICIPAL INFORMATION

Municipality where business is situated

.....

Registered Account Number

Stand Number

9.8 TOTAL NUMBER OF YEARS THE COMPANY/FIRM HAS BEEN IN BUSINESS?

.....

9.9 I/we, the undersigned, who is / are duly authorised to do so on behalf of the company/firm, certify that the points claimed, based on the **SPECIFIC GOALS** contribution indicated in paragraph 7 of the foregoing certificate, qualifies the company/ firm for the preference(s) shown and I / we acknowledge that:

- (i) The information furnished is true and correct;
(ii) The preference points claimed are in accordance with the General Conditions as

indicated in paragraph 1 of this form.

- (iii) In the event of a contract being awarded as a result of points claimed as shown in paragraph 7, the contractor may be required to furnish documentary proof to the satisfaction of the purchaser that the claims are correct;
- (iv) If the **SPECIFIC GOAL Points** have been claimed or obtained on a fraudulent basis or any of the conditions of contract have not been fulfilled, the purchaser may, in addition to any other remedy it may have –
 - (a) disqualify the person from the bidding process;
 - (b) recover costs, losses or damages it has incurred or suffered as a result of that person's conduct;
 - (c) cancel the contract and claim any damages which it has suffered as a result of having to make less favourable arrangements due to such cancellation;
 - (d) restrict the bidder or contractor, its shareholders and directors, or only the shareholders and directors who acted on a fraudulent basis, 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

WITNESSES:

1.

2.

.....
SIGNATURE(S) OF BIDDER(S)

DATE:

ADDRESS:

.....

U. PRELIMINARY PROGRAMME

The Tenderer shall detail below or attach a preliminary programme reflecting the proposed sequence, duration and tempo of execution of the various activities comprising the work for this Contract. The programme shall be in accordance with the information supplied in the Contract, requirements of the Scope of Work, Project Specifications and with all other aspects of his Tender.

PROGRAMME

ACTIVITY	WEEKS													

[Note: The programme must be based on the completion time as specified in the Contract Data. No other completion time that may be indicated on this programme will be regarded as an alternative offer, unless it is listed in Table (b) of Returnable Document M: Amendments, Qualifications and Alternatives, and supported by a detailed statement to that effect, all as specified in the Tender Data]

]

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

V. SCHEDULE OF PLANT AND EQUIPMENT

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

- (a) **Details of major equipment that is owned by me / us and immediately available for this contract.**

DESCRIPTION (<i>type, size, capacity etc</i>)	QUANTITY	YEAR OF MANUFACTURE

Attach additional pages if more space is required

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

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

Attach additional pages if more space is required

The Tenderer undertakes to bring onto site without additional cost to the Employer any additional plant not listed but which may be necessary to complete the contract within the specified contract period.

Failure to complete this form properly and correctly, will lead to the conclusion that the tenderer does not have the necessary plant and equipment resources at his disposal, which will prejudice his tender.

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

W. PROPOSED SUBCONTRACTORS

I/We hereby notify you that it is my/our intention to employ the following subcontractors for work in this contract.

If I/we am/are awarded a contract I/we agree that this notification does not change the requirement for me/us to submit the names of proposed subcontractors in accordance with requirements of 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.

NAMES AND ADDRESSES OF PROPOSED SUBCONTRACTORS (< CIDB GRADING 4CE, or higher)	DESCRIPTION OF WORK TO BE EXECUTED BY SUBCONTRACTOR	VALUE OF THE WORK	PERCENTAGE VALUE OF WORK TO BE SUBCONTRACTED
TOTAL TENDER OFFER AMOUNT			100%

Tenderers are to attach to this page the following of the proposed Sub-Contractors.

- 1. Sub Contact Agreement***
- 2. Sub-Contractor CIDB Rating Certificate***
- 3. B-BBEE Level Certificate***
- 4. Proof of Residence (Utilities, Lease Agreement, SAPS Affidavit if from Rural)***
- 5. EME or QSE Sworn Affidavit***
- 6. Directors ID***

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

X. KEY PERSONNEL

In terms of the Scope of Work and the Conditions of Tender, unskilled workers may only be brought in from outside the local community if such personnel are not available locally.

The Tenderer shall list below the personnel which he intends to utilize on the Works, including key personnel which may have to be brought in from outside if not available locally.

CATEGORY OF EMPLOYEE	NUMBER OF PERSONS		
	KEY PERSONNEL, PART OF THE CONTRACTOR'S ORGANISATION	KEY PERSONNEL TO BE IMPORTED IF NOT AVAILABLE LOCALLY	UNSKILLED PERSONNEL TO BE RECRUITED FROM LOCAL COMMUNITY
Project Director / Contracts Manager			
Project Manager			
Site Supervisor / Foreman			
Safety Personnel			
Artisans and other Skilled workers			
Plant Operators			
Unskilled Workers			
Others:			

The Tenderer shall attach hereto the *curricula vitae*, in the form included hereafter, of the Project Director / Contracts Manager, the Site Agent / Project Manager and the Site Supervisor / Foreman. The information is necessary for evaluation of the tender.

The above information will be used to evaluate **Criteria 3: Experience of Key Personnel** for Functionality under F.3.11.9.3 in Section T1.2.

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

Name:	Date of birth:
Profession:	Nationality:
Qualifications:	Full time on Project: Y / N
Professional Registration Number:	Attend site meetings: Y / N
Name of Employer (firm):	
Current position:	Years with firm:
<u>Employment Record:</u>	
<u>Experience Record Pertinent to Required Service:</u>	
<u>State number of years of appropriate experience:</u>	

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications and my experience.

DATE _____

Name:	Date of birth:
Profession:	Nationality:
Qualifications:	Full time on Project: Y / N
Professional Registration Number:	Attend site meetings: Y / N
Name of Employer (firm):	
Current position:	Years with firm:
<u>Employment Record:</u>	
<u>Experience Record Pertinent to Required Service:</u>	
<u>State number of years of appropriate experience:</u>	

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications and my experience.

DATE _____

Name:		Date of birth:
Profession:		Nationality:
Qualifications:		Full time on Project: Y / N
Professional Registration No:		Attend site meetings: Y / N
Name of Employer (firm):		
Current position:		Years with firm:
<u>Employment Record:</u>		
<u>Experience Record Pertinent to Required service:</u>		
<u>State number of years of appropriate experience:</u>		

I, the undersigned, certify that, to the best of my knowledge and belief, this data correctly describes me, my qualifications and my experience.

.....
DATE

Y. QUALITY ASSURANCE AND QUALITY CONTROL

1. Does the Tenderer have a quality management system which is certified in terms of ISO 9001:2008
.....

YES	NO
-----	----

2. If "yes", Tenderer to supply herewith a copy of the current ISO 9001:2008 Certificate.

3. If "no", does the Tenderer have its own Quality Management System?.....

YES	NO
-----	----

4. If "yes", please supply details of the System herewith.

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